



**Corporate Support Centre**  
Paul Walker - Chief Executive

**To: All members of the Council**

our ref: Council - 8 March 2024  
contact: Matthew Evans, Democratic Services  
telephone: 01432 383690  
email: matthew.evans@herefordshire.gov.uk

29 February 2024

Dear Councillor,

**You are hereby summoned** to attend the meeting of the Herefordshire Council to be held on **Friday 8 March 2024** at the Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE at **10.00 am** at which the business set out in the attached agenda is proposed to be transacted.

Yours sincerely  
**Claire Porter**



**Monitoring Officer**



# AGENDA

## Council

Date: **Friday 8 March 2024**

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Time: **10.00 am**

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Place: **Herefordshire Council Offices, Plough Lane, Hereford, HR4  
0LE**

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

For any further information please contact:

**Matthew Evans, Democratic Services**

Tel: 01432 383690

Email: [matthew.evans@herefordshire.gov.uk](mailto:matthew.evans@herefordshire.gov.uk)

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If you would like help to understand this document, or would like it in another format or language, please call Matthew Evans, Democratic Services on 01432 383690 or e-mail [matthew.evans@herefordshire.gov.uk](mailto:matthew.evans@herefordshire.gov.uk) in advance of the meeting.

# Agenda for the Meeting of the Council

## Membership

**Chairman**  
**Vice-Chair**

**Councillor Roger Phillips**  
**Councillor Stef Simmons**

Councillor Polly Andrews  
Councillor Jenny Bartlett  
Councillor Graham Biggs  
Councillor Harry Bramer  
Councillor Ellie Chowns  
Councillor Frank Cornthwaite  
Councillor Clare Davies  
Councillor Barry Durkin  
Councillor Matthew Engel  
Councillor Elizabeth Foxton  
Councillor Catherine Gennard  
Councillor Liz Harvey  
Councillor Robert Highfield  
Councillor Dan Hurcomb  
Councillor Jim Kenyon  
Councillor Nick Mason  
Councillor Ed O'Driscoll  
Councillor Rob Owens  
Councillor Daniel Powell  
Councillor Philip Price  
Councillor Adam Spencer  
Councillor Pete Stoddart  
Councillor Elissa Swinglehurst  
Councillor Kevin Tillett  
Councillor Allan Williams  
Councillor Mark Woodall

Councillor Bruce Baker  
Councillor Chris Bartrum  
Councillor Dave Boulter  
Councillor Jacqui Carwardine  
Councillor Simeon Cole  
Councillor Pauline Crockett  
Councillor Dave Davies  
Councillor Mark Dykes  
Councillor Toni Fagan  
Councillor Carole Gandy  
Councillor Peter Hamblin  
Councillor Helen Heathfield  
Councillor David Hitchiner  
Councillor Terry James  
Councillor Jonathan Lester  
Councillor Bob Matthews  
Councillor Aubrey Oliver  
Councillor Justine Peberdy  
Councillor Ivan Powell  
Councillor Ben Proctor  
Councillor Louis Stark  
Councillor John Stone  
Councillor Richard Thomas  
Councillor Diana Toynbee  
Councillor Rob Williams

## Agenda

	<b>Pages</b>
<b>PUBLIC INFORMATION</b>	7 - 8
<b>NOLAN PRINCIPLES</b>	9 - 10
<b>1. APOLOGIES FOR ABSENCE</b>	
To receive apologies for absence.	
<b>2. DECLARATIONS OF INTEREST</b>	
To receive any declarations of interest by members in respect of items on the agenda.	
<b>3. MINUTES</b>	11 - 32
To approve and sign the Minutes of the budget meeting held on 9 February 2024.	
<b>4. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS</b>	33 - 36
To receive the Chairman and Chief Executive's announcements.	
<b>How to submit questions</b>	
<i>The deadline for submission of questions for this meeting is:</i>	
<i>5:00 p.m. on Monday 4 March 2024.</i>	
<i>Questions must be submitted to <a href="mailto:councillorservices@herefordshire.gov.uk">councillorservices@herefordshire.gov.uk</a>. Questions sent to any other address may not be accepted.</i>	
<i>Accepted questions and the response to them will be published as a supplement to the agenda papers prior to the meeting. Further information and guidance is available at <a href="https://www.herefordshire.gov.uk/getinvolved">https://www.herefordshire.gov.uk/getinvolved</a>.</i>	
<b>5. QUESTIONS FROM MEMBERS OF THE PUBLIC</b>	
To receive questions from members of the public.	
<b>6. QUESTIONS FROM MEMBERS OF THE COUNCIL</b>	
To receive any written questions from members of the Council.	
<b>7. 2024/25 COUNCIL TAX SETTING REPORT</b>	37 - 56
To set the council tax and precepts for 2024/25.	
<b>8. ADOPTION OF THE HEREFORDSHIRE MINERALS &amp; WASTE LOCAL PLAN</b>	57 - 160
To approve the adoption of the Herefordshire Minerals and Waste Local Plan (MWLP).	
<b>9. AMENDMENTS TO CONSTITUTION</b>	161 - 172
To propose amendments to the constitution.	
<b>10. LEADER'S REPORT</b>	173 - 188
To receive a report from the leader on the activities of the executive (cabinet) since the meeting of Council in December 2023.	
<b>11. NOTICES OF MOTION UNDER STANDING ORDERS</b>	189 - 194
To consider Notices of Motion.	

**12. FULL COUNCIL MEETING DATES 2024/25**

The next meeting is the annual meeting of Council on 24 May 2024 at 10.30 a.m.

Council is asked to approve the schedule of full Council meeting dates in 2024/25 as below:

26 July 2024  
11 October 2024  
6 December 2024  
7 February 2025 – Budget meeting  
7 March 2025  
23 May 2025 – Annual meeting

## **YOU HAVE A RIGHT TO: -**

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

## **Recording of meetings**

Please note that filming, photography and recording of this meeting is permitted provided that it does not disrupt the business of the meeting.

Members of the public are advised that if you do not wish to be filmed or photographed you should let the governance services team know before the meeting starts so that anyone who intends filming or photographing the meeting can be made aware.

The reporting of meetings is subject to the law and it is the responsibility of those doing the reporting to ensure that they comply.

The council may make an official recording of this public meeting or stream it live to the council's website. Such recordings form part of the public record of the meeting and are made available for members of the public via the council's web-site.

## **Public transport links**

The Herefordshire Council office at Plough Lane is located off Whitecross Road in Hereford, approximately 1 kilometre from the City Bus Station. The location of the office and details of city bus services can be viewed at:

<http://www.herefordshire.gov.uk/downloads/file/1597/hereford-city-bus-map-local-services>,





**The Seven Principles of Public Life  
(Nolan Principles)**

**1. Selflessness**

Holders of public office should act solely in terms of the public interest.

**2. Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

**3. Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

**4. Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

**5. Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

**6. Honesty**

Holders of public office should be truthful.

**7. Leadership**

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.



## Minutes of the meeting of Council held at Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE on Friday 9 February 2024 at 10.00 am

**Present:** Councillor Roger Phillips (chairperson)  
Councillor Stef Simmons (vice-chairperson)

**Councillors:** Polly Andrews, Bruce Baker, Jenny Bartlett, Chris Bartrum, Graham Biggs, Dave Boulter, Harry Bramer, Jacqui Carwardine, Ellie Chowns, Simeon Cole, Frank Cornthwaite, Pauline Crockett, Dave Davies, Barry Durkin, Mark Dykes, Matthew Engel, Toni Fagan, Elizabeth Foxton, Carol Gandy, Catherine Gennard, Peter Hamblin, Helen Heathfield, Robert Highfield, David Hitchiner, Dan Hurcomb, Terry James, Jim Kenyon, Jonathan Lester, Nick Mason, Bob Matthews, Ed O'Driscoll, Aubrey Oliver, Rob Owens, Justine Peberdy, Dan Powell, Ivan Powell, Philip Price, Ben Proctor, Adam Spencer, Louis Stark, Pete Stoddart, John Stone, Elissa Swinglehurst, Richard Thomas, Kevin Tillet, Allan Williams, Rob Williams and Mark Woodall

**Officers:** Chief Executive, Chief Finance Officer, Director of Governance and Law, Corporate Director - Economy and Environment\*, Corporate Director, Children and Young People\*, Corporate Director Community Wellbeing\* and Democratic Services Manager.

\*denotes virtual attendance

### 37. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Clare Davies, Liz Harvey and Diana Toynbee.

### 38. DECLARATIONS OF INTEREST

Cllr Phillips declared:

- i) An interest in agenda item no. 10 – 2024/25 Budget Setting - as chairman of the Rural Services Network.
- ii) An interest in agenda item no. 11 – Pay Policy Statement – as the vice chairman of the National Joint Council (NJC) – local government, Chief Executives and Chief Officers.

Cllr David Hitchiner declared an interest in agenda item no. 9, 2024/25 Capital Investment Budget and Capital Strategy Update, as a local resident to the proposed Southern Link Road.

### 39. MINUTES

**RESOLVED:** That the minutes of the meeting held on 8 December 2023 be confirmed as a correct record and signed by the Chairman.

### 40. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS

Council noted the Chairman's and Chief Executive's announcements as printed in the agenda papers.

**41. QUESTIONS FROM MEMBERS OF THE PUBLIC** (Pages 9 - 16)

A copy of the public questions and written answers, together with supplementary questions asked at the meeting and their answers, is attached to the Minutes at Appendix 1.

**42. QUESTIONS FROM MEMBERS OF THE COUNCIL** (Pages 17 - 22)

A copy of the Member questions and written answers, together with supplementary questions asked at the meeting and their answers, is attached to the Minutes at Appendix 2.

**43. COUNCIL TAX PREMIUMS ON SECOND HOMES AND EMPTY PROPERTIES**

Council considered a report by the Cabinet Member Finance and Corporate Services to confirm the council's policy on the levying of empty homes and second homes Council Tax Premiums.

The Cabinet Member Finance and Corporate Services proposed the recommendations and introduced the report.

The Leader seconded the recommendations for approval.

Council debated the report.

A named vote was held to agree the proposed changes to Council Tax liabilities set out in the report. The proposed changes were carried unanimously.

FOR (48): Councillors Andrews, Baker, Bartlett, Bartrum, Biggs, Boulter, Bramer, Chowns, Cole, Cornthwaite, Crockett, Dave Davies, Durkin, Dykes, Fagan, Foxton, Gandy, Gennard, Hamblin, Heathfield, Highfield, Hitchiner, Hurcomb, James, Kenyon, Lester, Mason, Matthews, O'Driscoll, Oliver, Owens, Peberdy, Phillips, Dan Powell, Ivan Powell, Price, Proctor, Simmons, Spencer, Stark, Stoddart, Stone, Swinglehurst, Thomas, Tillet, Allan Williams, Robert Williams, and Woodall.

Against (0)

Abstentions (0)

**RESOLVED: That**

**a) That implementation of the following be approved:**

- I. application of the current premium of 100% for all dwellings which are unoccupied but substantially unfurnished (empty dwellings) from a period of 1 year with effect from 1 April 2024;**
- II. application of a premium of 100% for all dwellings which are unoccupied but substantially furnished (second homes) with effect from 1 April 2025; and**
- III. that the S151 Officer has delegated authority to implement the policy in line with the council's requirements and guidance issued by the Secretary of State or regulation.**

#### 44. 2024/25 COUNCIL TAX REDUCTION SCHEME

Council considered a report by the Cabinet Member Finance and Corporate Services to agree the council tax reduction scheme for 2024/25.

The Cabinet Member Finance and Corporate Services proposed the council tax reduction scheme for 2024/25 and introduced the report.

The Leader seconded the council tax reduction scheme for 2024/25 for approval.

Council debated the report.

A named vote was held to agree the council tax reduction scheme set out in the report. The scheme was carried unanimously.

FOR (48): Councillors Andrews, Baker, Bartlett, Bartrum, Biggs, Boulter, Bramer, Chowns, Cole, Cornthwaite, Crockett, Dave Davies, Durkin, Dykes, Fagan, Foxton, Gandy, Gennard, Hamblin, Heathfield, Highfield, Hitchiner, Hurcomb, James, Kenyon, Lester, Mason, Matthews, O'Driscoll, Oliver, Owens, Peberdy, Phillips, Dan Powell, Ivan Powell, Price, Proctor, Simmons, Spencer, Stark, Stoddart, Stone, Swinglehurst, Thomas, Tillett, Allan Williams, Robert Williams, and Woodall.

Against (0)

Abstentions (0)

**RESOLVED: That**

- a) **The Council Tax Reduction Scheme for 2024/25, with the same parameters as the existing scheme, be approved.**

#### 45. 2024/25 CAPITAL INVESTMENT BUDGET AND CAPITAL STRATEGY UPDATE

Council considered a report by the Cabinet Member Finance and Corporate Services to approve the 2024/25 capital investment budget and capital strategy update.

The Cabinet Member Finance and, Corporate Services moved the report and proposed the recommendations.

The Leader seconded the report and the recommendations.

Council debated the report.

The 2024/25 capital investment budget and capital strategy update was put to the recorded vote and carried by a simple majority.

FOR (39): Councillors Andrews, Baker, Bartrum, Biggs, Boulter, Bramer, Cole, Cornthwaite, Crockett, Dave Davies, Durkin, Dykes, Fagan, Foxton, Gandy, Hamblin, Highfield, Hitchiner, Hurcomb, James, Kenyon, Lester, Mason, Matthews, O'Driscoll, Owens, Phillips, Dan Powell, Ivan Powell, Price, Proctor, Stark, Stoddart, Stone, Swinglehurst, Thomas, Tillett, Allan Williams and Robert Williams.

Against (5): Bartlett, Chowns, Heathfield, Spencer and Woodall.

Abstentions (4): Gennard, Oliver, Peberdy and Simmons.

**RESOLVED: That**

**Council:**

- 1. Approve the revised capital programme for 2024/25 attached at appendix C; and**
- 2. Approve the capital strategy at appendix D.**

*There was an adjournment at 11:12 a.m.; the meeting recommenced at 11:29 a.m.*

*Councillors Jacqui Carwardine and Matthew Engel joined the meeting at 11:29 a.m.*

#### **46. 2024/25 BUDGET SETTING**

Council considered a report from the Leader to set the 2024/25 budget. Council noted the following supplements published following the despatch of the agenda:

- Budget Council meeting procedure 2024 published on 2 February; and
- Budget amendments 2024/25 published on 8 February.

The Cabinet Member Finance and Corporate Services introduced the report and moved the budget.

The Leader seconded the report and the budget.

Councillor Terry James, as Group Leader of the Liberal Democrat Group spoke on the budget.

Councillor Ellie Chowns, as Group Leader of The Green Party Group spoke on the budget.

Councillor David Hitchiner, on behalf of the Group Leader of the Independents for Herefordshire Group spoke on the budget.

Councillor Bob Matthews, as Group Leader of the True Independents Group spoke on the budget.

Council debated the budget recommended by the Cabinet.

**Amendment – Proposed by Councillor Toni Fagan and seconded by Councillor David Hitchiner**

**To retain proposed SEN Transport savings (£200,000), but to remove savings in Children’s Directorate budget of £2,303,000 in service areas where no targeted savings have yet been delivered:**

<b>Saving Category</b>	<b>Ref</b>	<b>Name of proposal</b>	<b>Description</b>	<b>Saving £’000</b>
Reduce	S1	Reduce Children’s High-Cost placements	Current activity to step down higher cost placements and reunite some families	959
Reduce	S2	Reduction in Social Worker establishment	Achieving a reduction of 14 social workers posts by 31 March 2025 based on the assumption of reduced	338

			demand	
Transform	S3	Reduce numbers of agency social workers	Convert 20 posts from agency to permanent by end of June 2024 (Q1) to realise 3/4yr effect	1,006

**The balancing figure to be provided, for one year only, from the funds held in the following earmarked reserves:**

- **Care Market Costs: £959,000**
- **Financial Resilience Reserve: £1,344,000**

**Any savings that actually get delivered during 2024-25 by the Directorate be required to be used to repay these reserves – and that these repayments are reported publicly in the Quarterly Performance Reports produced by the administration during the year.**

**This amendment is proposed to give Council and the public greater assurance of the setting of a balanced budget for 2024-25. It follows track record and evidence from two consecutive years of significant overspends in the Children’s Directorate (£6m in 2022-23 and (Q2) £13.8m 2023-24). It also is informed by there being no track record and no evidence of delivery during 2023-24 of the Directorate’s £4.5m of agreed savings in Looked After Children care costs and in reduced agency and staff costs – the exact same service areas proposed to deliver immediate, front-loaded savings in 2024-25.**

Councillor Fagan proposed the amendment.

Councillor Hitchiner seconded the amendment.

Council debated the amendment.

The Cabinet Member Finance and Corporate Services, as the mover of the original motion, spoke before the vote on the amendment.

The amendment was put to the recorded vote and was carried by a simple majority.

FOR (26): Councillors Andrews, Bartlett, Bartrum, Boulter, Carwardine, Chowns, Crockett, Dykes, Engel, Fagan, Foxton, Gennard, Heathfield, Hitchiner, James, O’Driscoll, Oliver, Owens, Peberdy, Dan Powell, Proctor, Simmons, Spencer, Stark, Tillett and Woodall.

Against (23): Councillors Baker, Biggs, Bramer, Cole, Cornthwaite, Dave Davies, Durkin, Gandy, Hamblin, Highfield, Hurcomb, Kenyon, Lester, Mason, Matthews, Ivan Powell, Price, Stoddart, Stone, Swinglehurst, Thomas, Allan Williams and Robert Williams.

Abstentions (1): Phillips.

The 2024/25 budget and associated medium term financial strategy and treasury management strategy, as amended by the above budget amendment motion, was put to the recorded vote and was carried by a simple majority.

FOR (47): Councillors Andrews, Baker, Bartlett, Bartrum, Biggs, Boulter, Bramer, Carwardine, Cole, Cornthwaite, Crockett, Dave Davies, Durkin, Dykes, Engel, Fagan,

Foxton, Gandy, Gennard, Hamblin, Highfield, Hitchiner, Hurcomb, James, Kenyon, Lester, Mason, Matthews, O'Driscoll, Oliver, Owens, Peberdy, Phillips, Dan Powell, Ivan Powell, Price, Proctor, Spencer, Stark, Stoddart, Stone, Swinglehurst, Thomas, Tillett, Allan Williams, Robert Williams and Woodall.

Against (0)

Abstentions (3): Chowns, Heathfield and Simmons.

## **RESOLVED:**

**That Council approves:**

- a) the council tax base of 71,999.97 Band D equivalents in 2024/25;
- b) an increase in core council tax for 2024/25 of 2.99%;
- c) an additional precept in respect of adult social care costs of 2% applied to council tax in 2024/25 resulting in a total council tax increase of 4.99%, increasing the band D charge from £1,786.61 to £1,875.76 for Herefordshire Council in 2024/25;
- d) the balanced 2024/25 revenue budget proposal totalling £210.5 million, subject to any amendments approved at the meeting, specifically the net spending limits for each directorate as at appendix C;
- e) delegates to the section 151 officer the power to make necessary changes to the budget arising from any variations in central government funding allocations via general reserves;
- f) the allocation of additional funding of £2.5 million announced in the Local Government Settlement in December 2023 to support strategic housing (£1.0 million), to reverse planned parking charge increases (£400k), an allocation of £300k to the Leominster Heritage Action Zone, removal of proposed savings in Community Wellbeing to reduce library hours (£55k), £56k to provide funding officer resource to identify external funding opportunities, £200k of funding to support the community and voluntary sector across Herefordshire and a £500k transfer to the Financial Resilience Reserve;
- g) the Medium Term Financial Strategy (MTFS) 2024/25 to 2027/28 at appendix A be approved;
- h) the Treasury Management Strategy at appendix D be approved;
- i) following the announcement by Government on 24 January of additional measures for local authorities, the allocation of £1,835k additional Social Care Grant to a Social Care Resilience Reserve and £945k increase in Rural Services Grant to provide additional funding for the Lengthsman Scheme (£250k), additional funding for drainage works across the county (£445k) and improvements to Public Rights of Way (£250k); and
- j) To allocate to Children's Services £2.303m (£0.959m to Children's High Cost Placements, £0.338m to Social Worker Establishment, £1.006m to Agency Social Workers) from Care Market Costs Earmarked Reserve (£-0.959m) and Financial Resilience Earmarked Reserve (£-1.344m) as a one-off charge which might be repaid in-year.

## **47. PAY POLICY STATEMENT**

Council considered a report by the Chairperson of the Employment Panel to approve the pay policy statement for 2024 – 2025.



The report and recommendation was moved by the Leader (as chairperson of the employment panel) and seconded by Councillor Ellie Chowns (as vice-chairperson of the employment panel).

The pay policy statement was put to the vote and carried unanimously.

**RESOLVED – That:**

**(a) the pay policy statement at appendix A is approved for publication.**

The meeting ended at 12:53 p.m.

**Chairperson**



**Agenda item no. 5 - Questions from members of the public**

Question Number	Questioner	Question	Question to
PQ 1	Ms Banks, Hereford	<p>A comment from central government, published by the Guardian Newspaper on January 30 stated that:</p> <p>“Ministers plan to push cash-strapped English councils to sell assets.”</p> <p>What is the position of Herefordshire Council regarding this proposal?</p>	Cabinet member finance and corporate services
<p><b>Response:</b> A balanced revenue budget is proposed for 2024/25. The proposal does not include plans to sell council assets to support the revenue budget in 2024/25.</p>			
<p><b>Supplementary Question:</b> By what lawful right can the council sell-off what it does not own but is public property merely entrusted to the council to manage?</p>			
<p><b>Response to supplementary question from cabinet member finance and corporate services:</b> There are no plans or intentions to dispose of council assets in the near or medium term up to 2029.</p>			
PQ 2	Mr Banks, Hereford	<p>While there are significant reductions proposed for vacant posts across directorates, the plans are silent on executive pay. With the Chief Finance Officer highlighting 'unprecedented economic conditions' putting pressure on finances, what is being done to control senior management costs at the top? Is this being considered alongside frontline cuts?</p>	Cabinet member finance and corporate services
<p><b>Response:</b> The 2024/25 budget recognises that the council will need to transform as an organisation to ensure the future sustainability of the council and the services it delivers and this will require a review of the size and shape of the workforce to create a lean and resilient council for the future. The proposed savings, at Appendix B, reflect these transformation plans. In addition to removal of vacant posts across Directorates, the council-wide savings include additional measures: S1 Mutual Early Resignation Scheme 2024 and S3: Transformation (Target Operating Model). These proposals include a review of the council’s management structure, corporate services and business support functions across the council.</p>			

6

**Supplementary Question:** I understand the proposed Council-wide savings aim to deliver a "lean and resilient" workforce. However, the response is still unclear on whether senior and executive pay is in scope for those transformation initiatives. If frontline staff face uncertainty while leadership layer costs are protected and opaque, how does that align with shared sacrifices in challenging financial times? Specifically, will executive salaries and discretionary spending like travel come under review alongside direct public services facing cuts?

**Response to supplementary question from cabinet member finance and corporate services:**

Thank you Mr Banks for your supplementary question.

I can confirm all discretionary spend is in scope for the transformation initiatives we outlined in our previous response and some of our plans to reduce the size and shape of our workforce are specifically targeted towards management costs.

It's important to note that our executive salaries are neither protected nor opaque and annual pay increases are determined nationally and are outside of the control of the council. Salaries for our senior team are transparent both in the pay policies we adopt and in the amounts that are paid. Our pay policies are reported annually in our 'Pay Policy Statement' and the amounts received by individuals are reported in our 'Statement of Accounts'. Both documents are publically available.

The council is clear that the solutions to our financial challenges require a 'whole council' response at all levels throughout the organisation.

PQ 3	Ms Russell, Hereford	Residents raised the importance of protecting community facilities and spaces, especially for vulnerable groups like the elderly. If any sale or change of use of current Council properties, such as community centres, is under consideration to raise capital, how would you ensure equivalent spaces and accessibility remains for those residents reliant on these services?	Cabinet member adults, health and wellbeing
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**Response:**

Thank you for your question. I can confirm that the council does not directly own or operate any community centres.

Developing and protecting community facilities and spaces is very important. The council's Talk Community service works closely with local communities to ensure that local needs are met through a wide variety of assets and settings, including using existing facilities to provide warm spaces. The community capital grants scheme which will be launched in 2024-2025 will be a further means through which the council will support investment in community facilities, as well as the direct investment it is making in the new library and learning centre in Hereford.

Herefordshire Council continues to keep under review the properties it owns or uses to ensure that they remain aligned with the needs of the council and its communities.

PQ 4	Mr McGeown, Weobley	<p>The Hereford Times has recently reported that the “Revised Draft City Master Plan” is to be submitted for public consultation early this year.</p> <p>I can not find a dedicated entry for it in the public reports pack.</p> <p>So where is it and more importantly what amount has been budgeted to resource this most important consultation?</p> <p>Will the consultation methods be of sufficient breadth and adequately financed so they will satisfy the council constitution?</p> <p>Article 3 – Citizens and the council</p> <p>2.3.2 Citizens have the right:</p> <p>(d) to be consulted or in some other way participate in council decision making in accordance with the arrangements the council has for such consultation and participation;</p> <p>5.8.67 Consultations</p> <p>5.8.68 The council encourages as many people as possible to give their views on decisions which affect them.</p>	Cabinet member transport and infrastructure
<p><b>Response:</b></p> <p>The development of the Hereford City Masterplan has been paused, to allow for the Local Plan, the New Hereford Road Strategy and the Local Transport Plan to be progressed. Once this work is complete, the council will be in a position to review the City Masterplan, ensuring Hereford is well placed to play its critical role in realising the ambitions of the county wider strategies. Further information will be available in due course on the process and timescales for stakeholder consultation and public engagement for the Hereford City Centre Masterplan.</p>			
<p><b>Supplementary Question:</b></p> <p>I am most pleased that the “Draft City Master Plan” is soon to be submitted for public consultation.</p>			

From the council constitution, Citizens Rights, 5.8.67 Consultations

5.8.68 states: The council encourages as many people as possible to give their views on decisions which affect them.

But I note from Summary results of the 2024/25 budget consultation events, carried out for the council by Impact “Consultancy and Research” pages 305-338

That the pop-up consultation stands etc only managed to engage 652 people.

But Herefordshire contains around 200K good folk. So this sort of consultation is not going to be any use in fulfilling “as many people as possible to give their views”.

Now when I was helping with Dilwyn’s Parrish Plan consultation, it was impressed upon me, that the gold standard, was to deliver a printed copy with reply questionnaire, to every household.

Will sufficient funds be included in the budget to allow this gold standard of democratic consultation to be applied to the draft city master plan? Will a copy be delivered to all Herefordshire households?

**Response to supplementary question from cabinet member transport and infrastructure:**

No – the council did not have sufficient resources to provide a copy of the consultation document to all households in Herefordshire.

PQ 5	Mr Pugh, Leominster	Is it not a breach of council duty and ethics (Section 149 Equalities ACT 2010 general duties Section A) to discriminate against second property or private property owners by implementation of any fiscal penalty that actively discriminates against them as a group, solely because they are deemed by council, or any others, to be “vacant” property owners.	Cabinet member finance and corporate services
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**Response:**

The Equality Act 2010 provides protection against discrimination on the basis of protected characteristics. Property owners (as a group) are not protected by the Equality Act 2010.

The discretion given to councils to charge a premium is intended to be used as part of a wider strategy to encourage homeowners to bring their properties back into use for the benefit of the local community and economy.

**Supplementary Question:**

What public funds will be needed defending the legal and lawful challenges inevitably to be adopted by outraged second home owners over being labelled as cash cows by the council?

**Response to supplementary question from cabinet member finance and corporate services:**

The council is not practising discrimination against a protected characteristic, it's a separate group that is not protected by the equality act. The intention is to bring properties back into use to benefit the economy and community across the county.

PQ 6	Mrs Pugh, Leominster	It is noted in the council budget breakdown the expenditure allotted to repair and refurbish both roads and pavements in Herefordshire. Bearing in mind the number of Herefordshire inhabitants that have been injured on uneven dangerous pavements or suffered physical injury or damage on private or commercial transports of all types because of the appalling surfaces of our largely neglected pavements and highways is the budget sufficient to achieve better results and avoid accelerating the present neglect?	Cabinet member roads and regulatory services
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**Response:**

Herefordshire's highway network is over 2,100 miles in length, which is long enough to stretch from Land's End to John O'Groats some two and a half times. We also have over 410 miles of footways, mainly centred in the city and market towns but also providing essential links in our villages. Our Officers and contractors work proactively to maintain and improve our highway network. Our Cabinet recognises that more is required for the council to match the aspirations of its residents and so to help address this we are committing £10 million pounds of additional investment into highway resurfacing between 2024-2026; thus investing for the future. In addition, Government has also recently announced that this council will receive an additional £106,918,000 for investment in the network, over the next 10 years as a part of its Network North initiative. This funding will help to address the maintenance and also improve Herefordshire's roads and pavement network to a good and safe condition.

**Supplementary Question:**

If the council knows what funds are available, the works required and the costs of the works, can the council confirm that there are sufficient funds in the budget to restore Herefordshire roads and footpaths to a good and safe condition? If not, what % of the outstanding works can we expect to see expedited?

**Response to supplementary question from cabinet member roads and regulatory services:**

A written response would be provided.

*Written response to supplementary question provided on 23 February 2024:*

*Herefordshire's highways are subject to regular highway safety inspections to ensure that they are in a safe condition day to day. Where defects are identified through our inspection process or are reported to us by members of the public they are prioritised using a risk based approach and necessary works completed within the relevant timescales to correct the defect. This work is funded each year to ensure our roads are in a safe condition.*

*In terms of our longer term plans, we have calculated that our carriageways have an asset value of £1,624m and currently require £113m of investment. Our footways have an asset value of £88.4m and currently require £1.5m of investment.*

*To address this need we are committing £10 million pounds of additional investment in to highway resurfacing between 2024-2026 and we will be investing every penny of the additional funding the government has allocated to Herefordshire, following the changes to HS2, into our highway network. This will mean a further £106 million pounds being invested over the next 10 years into local roads alongside the £14 million pounds we receive from Government each year to maintain our road network.*

PQ 7	Mr Evered	To reduce the CO2 level of Herefordshire's atmosphere by 0.16 PPM (parts per million) or 0.000016%, how much is the council tax payer contributing to the council in order to achieve its Net Zero goal? If not known, what is the council's projected figures for this?	Cabinet member environment
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**Response:**  
In the financial year 2022/23 the Council invested £4,773,000 in capital projects to support our net zero carbon and nature rich goals. Of this amount £4,431,000 was external grant funding secured by the Council, the remaining £342,000 capital coming from the Council's own budgets. Much of Council's spend is in 'invest to save' projects such as installing solar photovoltaic panels on schools.

**Supplementary question:**  
Current Atmospheric CO<sub>2</sub> is 425.89 ppm. The council's NetZero policy, if fully achieved, will cause a reduction to 425.73ppm. The council received £4,431,000 in external grant funding to help achieve this spectacular reduction! From whom was the grant received and are there any conditions the council has to fulfil to receive it?

**Response to supplementary question from cabinet member environment:**  
Herefordshire Council does not measure performance towards net zero targets in terms of atmospheric carbon dioxide (CO<sub>2</sub>) but in terms of carbon emissions measured in tonnes of CO<sub>2</sub> per annum. More information can be found [on our web pages](#).

The grant monies were received from numerous funding sources including the following:

- **Getting Building Fund** (administered by the Marches Local Enterprise Partnership (LEP))
- **The Levelling Up Fund** (LUF) (administered by the Department for Levelling Up, Housing and Communities (DLUHC) and the Department for Transport (DfT))
- **Local Transport Plan** (LTP) (administered by the Department for Transport (DfT))
- **Natural Flood Management** (NFM) programme (administered by Environment Agency (EA) and Department for Environment, Food & Rural Affairs (DEFRA))
- **Sustainable Development Fund** (SDF) (administered by Welsh Government)
- **National Peatland Action Programme** (administered by Natural Resources Wales (NRW))



- **European Regional Development Fund (ERDF)** (administered by the Ministry of Housing, Communities and Local Government (MHCLG) and the European Commission(EC))
- **Warm Homes Fund (WHF)** (administered by National Grid and Affordable Warmth Solution (AWS))
- **Green Homes Grant Local Authority Delivery (GHG LAD)** (administered by Department for Energy Security and Net Zero and Department for Business, Energy & Industrial Strategy)
- **Home Upgrade Grant (HUG)** (administered by Department for Energy Security and Net Zero)
- **Stronger Towns Fund (STF)** (administered by Ministry of Housing, Communities & Local Government (MHCLG))
- **Basic need allocations** (administered by the Department for Education (DfE))

These grant allocations are each subject to their own funding agreements which were satisfied to enable the Council to defray the grant.



**Agenda item no. 6 - Questions from members of the Council**

Question Number	Questioner	Question	Question to
MQ1	Cllr Toni Fagan, Birch	<p><a href="https://www.herefordshire.gov.uk/directory/23/changes-to-public-rights-of-way/category/44">https://www.herefordshire.gov.uk/directory/23/changes-to-public-rights-of-way/category/44</a></p> <p>There are 50 footpaths under temporary closure orders, including 28 bridges needing repairing, some dating back to 2018.</p> <p>OC10 in Orcop, closed since Feb 2020, is a vital link through the parish.</p> <p>According to the Destination Management Plan for Rural Herefordshire tourism is worth half £billion to our economy (9% of county employment). Walking rural Herefordshire contributes substantially to this economy, is important to the leisure and wellbeing of our residents, and provides important routes connecting rural communities.</p> <p>The administration has acknowledged that urgent investment is needed in our footpath assets. When is that investment likely to impact the 50 closed footpaths and bridges?</p> <p>Does the PROW team have sufficient capacity and resources to deliver this work?</p> <p>If not, how will this be addressed ensuring repairs can be undertaken at pace to get footpaths reopened and bridges repaired?</p>	Cabinet member transport and infrastructure
<p><b>Response:</b></p> <p>Public Rights of Way is an area that the Council needs to invest in given the challenges that we face in dealing with such a large network.</p> <p>There is a proposal in the budget to invest further in the Public Rights of Way network from this April and that investment will be used to address the challenges and issues we face and our ambitions to develop the network.</p> <p>In terms of capacity and resource, the Council is currently out to tender for local contractors to assist with the delivery of works and the team is intending to use them from April.</p> <p>Separately, I am pleased that a Public Rights of Way Volunteer Development Officer started with us last month. This Officer will play an important role in enabling our volunteer cohort to undertake works, to an agreed standard.</p>			
<p><b>Supplementary Question:</b></p> <p>I'm pleased that local contractors will be involved in the repairs to bridges and footpaths. Can you confirm please that Balfour Beatty will not be relied upon to deliver these works? Also, at the Local Access Forum meeting recently it was reported that there was 72 outstanding council projects. In this</p>			

current financial year £200k was allocated by the previous administration towards footpaths. Please can I have a project specific breakdown in writing of how this funding was spent and what the barriers were to the funding having an impact on the PRoW network in this instance?

**Response to supplementary question from cabinet member transport and infrastructure:**

A written response would be provided.

*Written response provided on 23 February 2024:*

*The framework that is currently out to tender will allow Officers to compare against Balfour Beatty and identify the delivery approach that offers the best value for money to the Council for works on the Public Rights of Way network.*

*Opportunities to allocate the £200k are being worked up by Officers and if necessary any underspend will be carried over to the next financial year.*

MQ 2	Cllr Matthew Engel, Golden Valley South	<p>I am pleased that the Lengthsman Grant Scheme is being continued by the present administration. Could the Cabinet Member explain:</p> <ul style="list-style-type: none"> <li>• what the qualifying criteria are for parishes to participate in the scheme?</li> <li>• how do you calculate each parish's grant allocation – clarifying in particular whether there a difference for urban and rural parishes? And</li> <li>• what changes in allocation are being made for 24-25 – clarifying whether there is an adequate increase for inflation or a real terms cut?</li> </ul>	Cabinet member transport and infrastructure
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**Response:**

For the 24-25 Lengthsman Scheme, a sum of £60 per KM of C and U road network will be awarded to Parish Councils. Parish Councils can also submit a request for match funding as follows:

Urban Parishes: Any Parish Council could choose to allocate funding from its precept and then Herefordshire Council will match this on a £2 parish, £1 HC basis. There is a cap set at £100 per km for the HC match. For example, a parish that has 10km of eligible network and chooses to allocate £2000 parish precept will receive an additional £1000 of HC match.

Utilising match funding means that an urban parish could allocate up to £400 per km to carry out Lengthsman type work

Rural Parishes: Where the Parish chooses to allocate funding from its precept then Herefordshire Council will match this on a £1 parish, £1 HC basis. There is a cap set at £60 per km for the HC match. For example, a parish that has 10km of eligible network and chooses to allocate £600 parish precept will receive an additional £600 of HC match.

Utilising match funding means that a rural parish could allocate up to £180 per km to carry out Lengthsman type work

In terms of the allocation for 2024/25, I am pleased to say that there is a proposal within the budget to increase the funding by £250k. It should be noted that the amount of Parish Councils taking part in the scheme ultimately determines whether the £60 per km base sum can be increased.

MQ 3	Cllr David Hitchiner, Stoney Street	<p>The Children’s Directorate has not only overspent significantly in the last two financial years by nearly £20m, but in 2023-24 is so far forecasting to deliver NONE of its £4.5m savings. These were due to come from reducing the number of agency staff employed and the number and cost of Looked After Children.</p> <p>Both the Scrutiny Management Board and Children’s Scrutiny Committee have made it clear that, without there being any evidence of such in-year savings being declared, it is unsafe to balance this council’s budget by presuming that Children’s Directorate will deliver £2.5m savings – particularly with the delivery profile suggested – in 2024-25.</p> <p>Before this council considers your 2024-25 budget, will the Cabinet Member for Children’s and the Cabinet Member for Finance each confirm that the Q3 Performance Report (completed in Dec 23) will include LAC and Agency Staff savings.</p>	Cabinet member children and young people
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**Response:**

The Children & Young People Directorate Delivery Plan 2024/25 was presented to the Scrutiny Management Board at its meeting held 10 January 2024. The Plan detailed the proposed savings and profile of delivery in 2024/25 and provided further information to confirm that sufficient funding has been allocated in the revenue budget to support increased demand and cost pressures in 2024/25. Additional supporting information and evidence has been provided through the Children & Young People Directorate Budget Task & Finish Group at the two meetings held in December 2023, including relevant assumptions, risks and dependencies. The delivery of proposed savings will be monitored as part of routine financial monitoring arrangements in 2024/25 and reported quarterly by Cabinet.

At Quarter 3 (Period 9) of 2023/24, £0.3m of the Directorate savings are forecast as on target for delivery in respect of approved saving S18: Placement Management. In addition, the forecast outturn at P9 notes a reduction of £0.2m in agency staffing costs.

**Supplementary Question:**

Thank you for providing with a preview of the 23/24 savings of £300k for residential placement costs which are likely to be forecast in this administration’s Q3 performance report. These savings represent a disappointingly small amount, £300k out of around £4.5m and an amount that could so easily be reversed by changes in demand. Can the cabinet member clarify if the £200k of savings he refers to in staff costs are being used elsewhere to offset in year pressures in the directorate?

**Response to supplementary question from cabinet member children and young people:**

A written response would be provided.

*Written response provided on 26 February 2024:*

*The Q3 report notes a reduction in the forecast for agency staffing costs. This is a reduction in a forecast overspend and not a saving or underspend in 2023/24 and therefore cannot be used to offset other expenditure. This reduction in forecast expenditure for 2023/24 has a positive impact on the overall Directorate forecast outturn position.*

MQ 4	Cllr Aubrey Oliver, Saxon Gate	<p>Herefordshire Council was awarded a grant of £952,037 by the Government for the year 2023/24 to improve the frequency of bus services across the county.</p> <p>It is a major concern that no funding has yet been allocated for improvements in the 2023/24 financial year. If this funding is not used by 31 March 2024 does it have to be returned to the Government?</p> <p>Has the council made any attempt to put forward a bus service improvement plan? If so, when will it be published?</p>	Cabinet member transport and infrastructure
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**Response:**

The original Bus Service Improvement Plan was introduced by the Department for Transport (DfT) following COVID, to deliver “more frequent, more reliable, easier to understand and use, cheaper, or greener bus services”. All authorities were encouraged to submit ambitious bids, Herefordshire’s was for £18million. Unfortunately the Council was not successful. However, despite being unfunded, I am pleased Herefordshire’s BSIP is in place, and is published on the Council website, [here](#).

DfT then released a new funding pot, BSIP+, which was for all authorities that did not receive anything in the first round to support those services at risk. We were awarded and have received £952,037, and we have been awarded the same amount the following year. Under BSIP regulations, the delivery of a BSIP plan is through either a franchising model or an Enhanced Partnership board; hence we have convened an Enhanced Partnership board. This consists of the council and all the bus operators who operate a service in the county (even if that service also runs into neighbouring areas). It is the board who agree and make decisions on where the BSIP+ money should be spent, (not the council).

Regarding our actions against the plan, we have received the money from DfT, and so we have given a deadline to operators to come back to us with their proposals for those services in the plan, where they would want to see extra support. From this we will create the tenders to deliver these services and present them to the Enhanced Partnership.

We will not lose the funding, nor need to return it to the DfT. The tenders will be seen, assessed and administered by the Enhanced Partnership Board well within the DfT’s time frames for spending. I would be happy to discuss the Bus Service Improvement Plan and how the Enhanced Partnership board works further if that would be helpful.

MQ 5	Cllr Liz Harvey, Ledbury North	<p>Scrutiny Management Board has recommended that the present administration provide this Council with additional information in the form of an indicative forecast of which earmarked reserves it proposes to raid to cover the £13.8m overspend being forecast by Children's Directorate at Q2, and to provide impact statements as regards the proposed reductions made in each earmarked reserve utilised.</p> <p>It is clear from the information contained in the agenda pack for this meeting that this minority administration has chosen to ignore SMB's request.</p> <p>I request again the Cabinet Member provide this information to Council, so in advance of voting on this budget all councillors can see where this money may be taken from and can understand the possible impact that doing so will have upon funds previously earmarked for investments and for risk mitigation .across all areas of this Council's operation.</p>	Cabinet member finance and corporate services
<p><b>Response:</b> In the meeting held 25 January 2024, Cabinet noted the recommendations from Scrutiny Management Board and agreed they would be given due consideration. A forecast of earmarked reserve balances to 31 March 2024 is included per Appendix E to the Budget Setting Report. This confirms a forecast of £57.2m in earmarked reserves at 31 March 2024 after adjusting for the forecast overspend for 2023/24 of £13.8m as at Quarter 2; Cabinet intend to use these Earmarked Reserve balances to fund the 2023/24 overspend. Reserve balances will remain under review over the remainder of the 2023/24 financial year and the proposed reserve transfers to fund the 2023/24 overspend will be confirmed in the Quarter 4 outturn report as part of routine year-end closedown procedures.</p>			





## **Chairman of Council report – Council Meeting** **8 March 2024**

**During the last month we had a visit by the Duke and Duchess of Gloucester to view the work of the Cathedral and inspect the Mapa Mundi and the chained library.**

**I attended the Venture certification of 12 sixth form students who have been working with the street pastors scheme offering safety, support and help to vulnerable young people during the night time economy. The scheme provides appropriate support and medical attention to young people at sometimes critical times and eases the pressure on our blue light services.**

**I also attended the Annual meeting of the Marches Family Network, the Young Farmers Drama Festival, and the Ross on Wye Civic service of the Mayor of Ross Louis Stark**

**This month will see the annual event of the swearing in of the new High Sheriff. I want to thank the current High Sheriff Robert Robinson from Little Hereford for his considerable work and numerous visits to support the Judiciary, Community and Voluntary sectors in our county.**

**His theme for the year was “life chances” and he launched a fund to improve the life chances of people living across the county. The role is the oldest civic position dating back 800 years and while in the past they were responsible for maintaining law and order in the Kingdom, today the role is about supporting the county’s justice system, the work of our blue light services, and the huge volunteer sector in our county. He calculates that there are over 2,000 charities and community groups in our county making such a tremendous contribution to the wellbeing of our county.**



## Chief Executive's report to Full Council 8 March 2024

The fourth Ofsted monitoring visit of our children's services took place in February. The visit focused on children in care and care leavers. We greatly appreciated the input from a number of young people who shared their experiences with the inspection team. Informal feedback is that we've strengthened our quality assurance activity and that again there were signs of improvement and stronger practice for some children and families, but not yet for all. We await Ofsted's official feedback in a few weeks and we'll use this to continue to make improvements towards where we need to be - a service where all children, young people and families receive a good or outstanding service.

I'm sorry to report that Gladys Rhodes White has decided not to continue as our Department for Education improvement advisor when her contract ends on 31 March. This is for personal reasons. I want to thank Gladys for the invaluable help, support and direction she has provided to us since May 2021. She has been a great source of sound advice and guidance, and we're extremely grateful for all of her input. Her experience and support was particularly helpful in the aftermath of the High Court Judgement in 2021 and the transition to a new Director as well as in chairing our Improvement Board throughout. The Department for Education is working to appoint a new improvement advisor.

It continues to be a tough time financially for families and the school holidays add extra pressure. I'm delighted that this Easter our Talk Community Team will once again be offering free activities to approximately 4,600 Herefordshire children through the DfE funded Here for Herefordshire Holidays Programme. Parents of children from reception age to year 11, who are eligible for benefits-related free school meals can book up to 16 hours of free activities for their child between 23 March and 5 April. Every child that attends the scheme will receive a free healthy meal. Information about the Here for Herefordshire Holidays Programme is available on the [Talk Community Directory](#).

I'm delighted that we've been successful in securing a grant of £1.76 million from the government's local nutrient mitigation fund. This funding is in recognition of the council's excellent work to date in leading the way in finding solutions towards restoring river health. It will allow the council to purchase and commission further wetland sites, which will act as a natural solution to keeping additional phosphates out of water courses from new development. In turn, this will provide mitigation for new development through the council's innovative credit trading scheme for developers, releasing additional credits for more than a thousand new homes. This is excellent news for house builders, affordable housing and the rural economy. The council will also continue to set aside a fifth of the offset achieved for improving river quality.

If you've been in Hereford recently you will not have failed to notice the wonderful new artworks being painted on the side of prominent buildings. The artworks are part of a public art programme, and a creative and vibrant element of the council's investment in the streetscape, landscaping and public spaces in the city. The project has been years in the making, bringing together local people, students, businesses and stakeholders. When completed, there will be eight artworks on buildings, underpasses and passageways and eight small sculptures created to celebrate the 170<sup>th</sup> Anniversary of Hereford College of Arts, alongside a new Hereford public art trail which is set to launch in April.





# Title of report: 2024/25 Council Tax Setting Report

**Meeting: Council**

**Meeting date: Friday 8 March 2024**

**Report by: Leader of the council**

## **Classification**

Open

## **Decision type**

Budget and policy framework

## **Wards affected**

(All Wards);

## **Purpose**

To set the council tax and precepts for 2024/25.

At its meeting on 9 February 2024, the council approved the net budget requirement for 2024/25 at £212.8m and an associated council tax requirement of £135.1m on a tax base of 71,999.97 band D equivalents.

As the billing authority, this report seeks approval for council tax amounts for each category of dwelling in Herefordshire including precepts from West Mercia Police, Hereford and Worcester Fire Authority and Hereford town and parish councils for the financial year 2024/25.

## **Recommendation(s)**

**That:**

- a) **The precepting authority details included at appendices 1 to 5, relating to town and parishes, West Mercia Police and Hereford and Worcester Fire Authority be approved in accordance with sections 30(2), 34(3), 36(1) and section 40 of the Local Government Finance Act 1992 (as amended) and that the following amounts be approved for the year 2024/25 in accordance with sections 31 to 36 of the Local Government Finance Act 1992 (as amended by the Localism Act 2011); and**

- a. **£405,690,305 being the estimated aggregate expenditure of the council in accordance with section 31A (2) of the act, including all precepts issued to it by parish councils;**
  - b. **£264,946,000 being the estimated aggregate income of the council for the items set out in section 31A (3) of the act (including revenue support grant)**
  - c. **£140,744,305 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) calculated by the council in accordance with section 31A(4) of the act, as its council tax requirement for the year (including parish precepts); [Item R in the formula in Section 31B of the Act]**
  - d. **£1,954.79 being the amount at (c) above divided by the amount of the council tax base calculated by the council, in accordance with section 31B of the act, as the basic amount of its council tax for the year (including parish precepts);**
  - e. **£5,690,305 being the aggregate amount of all special items (parish precepts) referred to in section 34(1) of the act;**
  - f. **£1,875.76 being the amount at (d) above less the result given by dividing the amount at (e) above by the amount of the council tax base calculated by the council, in accordance with section 34(2) of the act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no parish precept relates (Herefordshire Council band D council tax, excluding parishes); and.**
- b) It is agreed that the net tax base of 71,999.97 band D equivalent properties (being the gross tax base adjusted for an assumed collection rate) used for setting the budget requirement for 2024/25;**
- a. **is allocated to band D equivalent dwellings per precept area as shown in appendix 1; and**
  - b. **the individual council tax allocations per valuation band of dwelling by parish (including fire and police precepts) as set out in appendix 5.**

### **Alternative options**

1. There are no alternative options to setting a council tax. As the billing authority, the council is required to set the overall council tax for the following financial year. Council approved the net tax base on which the precept is in part based at its meeting on 9 February 2024; the remaining precept elements are set by other authorities and the council acts as the collecting agent for those precepted sums.
2. Local government legislation requires the council to set council tax each financial year. It also requires that certain categories of income and expenditure and other financial information are provided in accordance with Local Government Finance Act 1992 (as amended by the Localism Act 2011).

### **Key considerations**

3. The Local Government Finance Act 1992 (as amended by the Localism Act 2011) sets out the specific amounts to be calculated and approved. This report enables the council to meet its legislative duty and set the council tax for each category of dwellings, including the council tax requirement of the council.

4. Council approved a council tax increase of 4.99% (inclusive of 2% adult care precept) above the rate of council tax for 2023/24 at its meeting on 9 February 2024. The council's band D council tax for 2024/25 becomes set at £1,875.76.
5. The parish precepts for 2024/25 are attached at appendix 1, total £5,690,305 amounting to an average band D council tax charge of £79.03. This represents an average increase of 4.1% over 2023/24. The charge by each property band, inclusive of the council charge, is set out in appendix 2.
6. The precepts for the Office of the Police and Crime Commissioner for West Mercia, an increase of 4.91%, and Hereford and Worcester Fire Authority, an increase of 2.99%, are shown in appendices 3 and 4.
7. Appendix 5 provides the impact of all precepts on the council tax bill by detailing the total amount of council tax payable in each parish by property band.

### Council Tax Calculations

8. The calculation of council tax involves several stages and the Local Government Finance Act 1992 requires figures to be calculated including and excluding parish precepts. The table below meets this requirement.

	Herefordshire Council £	Parish Precepts £	Herefordshire incl. parishes (average) £
Estimated gross expenditure	400,000,000	5,690,305	405,690,305
LESS estimated income	(187,236,000)	-	(187,236,000)
<b>Net budget requirement</b>	<b>212,764,000</b>	<b>5,690,305</b>	<b>218,454,305</b>
LESS retained business rates	(43,249,000)	-	(43,249,000)
LESS revenue support grant	(1,048,000)	-	(1,048,000)
LESS rural services delivery grant	(6,927,000)	-	(6,927,000)
LESS social care support grant	(17,482,000)	-	(17,482,000)
LESS market sustainability & fair cost of	(3,853,000)	-	(3,853,000)
LESS new homes bonus	(1,055,000)	-	(1,055,000)
LESS adult social care discharge fund	(1,585,000)	-	(1,585,000)
LESS services grant	(208,000)	-	(208,000)
LESS budgeted use of reserves	(2,303,000)	-	(2,303,000)
<b>Council tax requirement</b>	<b>135,054,000</b>	<b>5,690,305</b>	<b>140,744,305</b>
Council net tax base (band D equivalent)	71,999.97	71,999.97	71,999.97
<b>Council tax charge at band D</b>	<b>1,875.76</b>	<b>79.03</b>	<b>1,954.79</b>

### Council Tax Amounts

9. Appendices 1 to 5 to this report contain the individual council tax amounts for each category of dwelling as required by the Local Government Finance Act 1992 and associated regulations.
10. The council's band D council tax for 2024/25 is £1,875.76, which is an increase of £89.15 (4.99%) compared with 2023/24.
11. As part of the process we are required to include precepts from other bodies that will be included on council tax bills.

12. The parish precepts is set out in detail in appendix 1 providing the parish precept requirement and the band D council tax charge for each parish.
13. The charge by each property band, inclusive of the council charge, is set out in appendix 2.
14. The Office of the Police and Crime Commissioner for West Mercia precept is set out in appendix 3 (£277.50 at band D).
15. The Hereford and Worcester Fire Authority precept is set out in appendix 4 (£97.22 at band D).
16. Appendix 5 provides the impact of all precepts on the council tax bill by detailing the total amount of council tax payable in each parish by property band.

### **Community impact**

17. The council tax is levied to enable the council to resource service delivery in accordance with the corporate plan priorities established by full Council. The proposed increase could result in increasing individuals' financial difficulties; this is mitigated by providing payment options, relevant discounts and reliefs, including the council tax reduction scheme, and local assistance fund. The council provides council tax discount to care leavers and foster carers.

### **Environmental Impact**

18. Whilst this is a decision on back office functions and will have minimal environmental impacts, consideration has been made to minimise waste and resource use in line with the council's Environmental Policy. All council tax payers are encouraged to manage their account online and to activate electronic billing.

### **Equality duty**

19. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

20. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. The council tax charges may have an impact on households and there are a variety of schemes in place to mitigate against a negative impact, including single person discount and council tax reduction. Further details how to make such claims can be found on the council's website.



## **Resource implications**

21. The resources required for billing purposes are contained within existing budgets. Customers are encouraged to register online to receive their bill electronically. As in prior years, information relating to council tax, including how the money is spent, will be available online and a weblink will be included on issued bills.

## **Legal implications**

22. The Local Government Finance Act 1992 (the Act) places a duty on this council, as a billing authority, to set an amount of council tax for the different categories of dwellings, according to the band in which the dwelling falls before 11 March each year (section 30 (6) of the Act).
23. A notice of the amount set must be published in at least one newspaper circulating in the authority's area within 21 days of the decision.
24. Part 3 Section 1 of the council's constitution confirms that approval of the rate of Council Tax and relevant precepts is a function of full Council.
25. Section 106 of the Local Government Finance Act 1992 precludes a councillor from voting on this decision as a relevant matter, if he or she has an outstanding council tax debt of over two months. If a councillor is present at this meeting he or she must disclose that section 106 applies and may not vote. Failure to comply is a criminal offence.

## **Risk management**

26. That an incorrect precept is applied, this would result in differences between the amount collected and the amount required. Every effort is made to ensure the correct data is gathered and applied to minimise this risk.

## **Consultees**

27. The council consulted with the public on its proposed budget for 2024/25, the outcome of this was discussed at the council meeting held on 9 February 2024. Precepting authorities conduct their own consultation as they deem appropriate.

## **Appendices**

Appendix 1 – Herefordshire Council requirement by parish including band D equivalent

Appendix 2 - Council tax for each valuation band, by parish, without the police and fire precepts

Appendix 3 – The Office of the Police and Crime Commissioner for West Mercia precept requirement for each valuation band

Appendix 4 - Hereford and Worcester Fire Authority precept requirement for each valuation band

Appendix 5 - Council tax for each valuation band by parish, including the police and fire precepts

## **Background papers**

None identified.

## Report Reviewers Used for appraising this report:

**Please note this section must be completed before the report can be published**

Governance	Click or tap here to enter text.	Date	Click or tap to enter a date.
Finance	Click or tap here to enter text.	Date	Click or tap to enter a date.
Legal	Click or tap here to enter text.	Date	Click or tap to enter a date.
Communications	Click or tap here to enter text.	Date	Click or tap to enter a date.
Equality Duty	Click or tap here to enter text.	Date	Click or tap to enter a date.
Procurement	Click or tap here to enter text.	Date	Click or tap to enter a date.
Risk	Click or tap here to enter text.	Date	Click or tap to enter a date.

Approved by Click or tap here to enter text. Date Click or tap to enter a date.

**[Note: Please remember to overwrite or delete the guidance highlighted in grey]**

**Please include a glossary of terms, abbreviations and acronyms used in this report.**

**Herefordshire Council requirement by Parish, including Band D equivalent**

Parish	Parish Precept (net)	Tax Base (Band D)	2024/25 Parish	2023/24 Parish	% change from 2023/24 to 2024/25	Band D Charge (Parish and Herefordshire Council's Basic Rate - £1,875.76)
			Precept Basic Tax Rate (Band D)	Precept Basic Tax Rate (Band D)		£
	£		£	£	%	£
Abbeystead & Bacton Group Parish Council	9,200.00	164.04	56.08	56.19	(0.2%)	1,931.84
Aconbury Parish Meeting	85.00	38.36	2.22	-		1,877.98
Acton Beauchamp Group Parish Council	11,000.00	176.25	62.41	61.69	1.2%	1,938.17
Allensmore Parish Council	6,500.00	277.55	23.42	23.30	0.5%	1,899.18
Almeley Parish Council	17,886.32	265.98	67.25	63.90	5.2%	1,943.01
Ashperton Parish Council	10,250.00	125.68	81.56	77.81	4.8%	1,957.32
Aston Ingham Parish Council	13,995.00	212.71	65.79	52.16	26.1%	1,941.55
Avenbury Parish Council	6,850.00	119.33	57.40	55.10	4.2%	1,933.16
Aymestrey Parish Council	13,400.00	167.83	79.84	69.88	14.3%	1,955.60
Ballingham, Bolstone & Hentland Group	20,641.00	299.50	68.92	63.22	9.0%	1,944.68
Bartestree & Lugwardine Group Parish Council	62,500.00	962.26	64.95	54.75	18.6%	1,940.71
Belmont Rural Parish Council	60,000.00	1,307.07	45.90	46.07	(0.4%)	1,921.66
Birley with Upper Hill Parish Council	3,000.00	137.28	21.85	21.50	1.6%	1,897.61
Bishop's Frome Parish Council	25,000.00	340.10	73.51	74.81	(1.7%)	1,949.27
Bishopstone Group Parish Council	9,500.00	206.94	45.91	47.20	(2.7%)	1,921.67
Bodenham Parish Council	17,500.00	510.51	34.28	34.71	(1.2%)	1,910.04
Border Group Parish Council	7,900.00	312.46	25.28	25.84	(2.2%)	1,901.04
Bosbury and Coddington Parish Council	20,500.00	391.39	52.38	56.02	(6.5%)	1,928.14
Brampton Abbots & Foy Group Parish Council	14,230.00	240.43	59.19	59.48	(0.5%)	1,934.95
Bredenbury & District Group Parish Council	9,000.00	167.03	53.88	52.20	3.2%	1,929.64
Breinton Parish Council	13,165.00	420.94	31.28	31.16	0.4%	1,907.04
Bridstow Parish Council	11,000.00	408.63	26.92	21.99	22.4%	1,902.68
Brilley Parish Council	11,500.00	117.93	97.52	94.60	3.1%	1,973.28
Brimfield and Little Hereford Group Parish Council	15,500.00	524.79	29.54	29.54	0.0%	1,905.30
Brockhampton with Much Fawley Parish Council	5,000.00	101.99	49.02	32.78	49.5%	1,924.78
Brockhampton Group Parish Council	10,900.00	338.96	32.16	30.73	4.7%	1,907.92
Bromyard & Winslow Town Council	252,864.00	1,441.41	175.43	167.44	4.8%	2,051.19
Burghill Parish Council	21,612.00	762.95	28.33	29.12	(2.7%)	1,904.09
Callow & Haywood Group Parish Council	12,400.00	224.72	55.18	56.34	(2.1%)	1,930.94
Cleghonger Parish Council	22,800.00	569.45	40.04	40.12	(0.2%)	1,915.80
Clifford Parish Council	11,500.00	272.56	42.19	29.88	41.2%	1,917.95
Colwall Parish Council	100,246.00	1,200.71	83.49	76.39	9.3%	1,959.25
Malvern Hills Trust (Colwall Parish Council)	58,500.00		48.72	46.65	4.4%	48.72
Cradley Parish Council	65,000.00	855.08	76.02	70.87	7.3%	1,951.78
Credenhill Parish Council	43,857.00	653.49	67.11	67.42	(0.5%)	1,942.87
Cusop Parish Council	8,925.00	207.17	43.08	42.05	2.4%	1,918.84
Dilwyn Parish Council	30,000.00	306.95	97.74	87.55	11.6%	1,973.50
Dinedor Parish Council	9,500.00	135.59	70.06	69.12	1.4%	1,945.82
Dinmore Parish Meeting	-	9.65	-	-	0.0%	1,875.76
Dormington & Mordiford Group Parish Council	22,445.00	323.28	69.43	69.48	(0.1%)	1,945.19
Dorstone Parish Council	6,500.00	187.48	34.67	35.11	(1.3%)	1,910.43
Eardisland Parish Council	40,000.00	246.59	162.21	167.32	(3.1%)	2,037.97
Eardisley Group Parish Council	23,500.00	529.49	44.38	42.75	3.8%	1,920.14
Eastnor & Donnington Parish Council	7,100.00	146.95	48.32	46.06	4.9%	1,924.08
Eaton Bishop Parish Council	13,250.00	196.41	67.46	68.33	(1.3%)	1,943.22
Ewyas Harold Group Parish Council	48,534.00	433.77	111.89	108.90	2.7%	1,987.65
Fownhope Parish Council	38,000.00	441.07	86.15	77.01	11.9%	1,961.91
Foxley Group Parish Council	3,900.00	160.57	24.29	23.41	3.8%	1,900.05
Garway Parish Council	17,160.00	210.14	81.66	84.54	(3.4%)	1,957.42
Goodrich & Welsh Bicknor Group Parish Council	9,427.95	282.79	33.34	34.15	(2.4%)	1,909.10
Hampton Bishop Parish Council	21,000.00	311.04	67.52	67.30	0.3%	1,943.28
Hampton Charles Parish Meeting	-	24.44	-	-	0.0%	1,875.76
Hatfield and District Group Parish Council	6,000.00	213.89	28.05	29.19	(3.9%)	1,903.81
Hereford City Council	942,800.00	16,581.63	56.86	56.86	0.0%	1,932.62

**Herefordshire Council requirement by Parish, including Band D equivalent**

Parish	Parish Precept (net)	Tax Base (Band D)	2024/25 Parish	2023/24 Parish	% change from 2023/24 to 2024/25	Band D Charge (Parish and Herefordshire Council's Basic Rate - £1,875.76)
			Precept Basic Tax Rate (Band D)	Precept Basic Tax Rate (Band D)		
	£		£	£	%	£
Holme Lacy Parish Council	20,500.00	201.55	101.71	97.58	4.2%	1,977.47
Holmer & Shelwick Parish Council	24,850.00	1,229.75	20.21	17.68	14.3%	1,895.97
Hope Mansell Parish Council	2,500.00	136.75	18.28	18.37	(0.5%)	1,894.04
Hope under Dinmore Group Parish Council	15,000.00	151.46	99.04	91.45	8.3%	1,974.80
How Caple, Sollershope & Yatton Group Parish Council	9,750.00	161.76	60.27	51.45	17.1%	1,936.03
Humber, Stoke Prior & Ford Group Parish Council	15,322.00	305.66	50.13	50.20	(0.1%)	1,925.89
Huntington Parish Council	850.00	48.23	17.62	17.73	(0.6%)	1,893.38
Kentchurch Parish Council	9,000.00	122.53	73.45	75.12	(2.2%)	1,949.21
Kilpeck Group Parish Council	19,000.00	194.64	97.62	97.76	(0.1%)	1,973.38
Kimbolton Parish Council	11,050.00	220.02	50.22	51.63	(2.7%)	1,925.98
Kings Caple Parish Council	8,000.00	148.68	53.81	56.00	(3.9%)	1,929.57
Kingsland Parish Council	18,500.00	536.44	34.49	29.86	15.5%	1,910.25
Kingstone & Thrupton Group Parish Council	27,536.00	559.68	49.20	35.49	38.6%	1,924.96
Kington Rural and Lower Harpton Group Parish Council	9,000.00	232.65	38.68	38.04	1.7%	1,914.44
Kington Town Council	125,000.00	906.32	137.92	130.92	5.3%	2,013.68
Kinnersley and District Group Parish Council	12,320.19	264.40	46.60	56.35	(17.3%)	1,922.36
Lea Parish Council	22,785.00	370.03	61.58	56.07	9.8%	1,937.34
Ledbury Town Council	682,400.00	3,614.40	188.80	179.65	5.1%	2,064.56
Leintwardine Group Parish Council	31,600.00	448.71	70.42	63.85	10.3%	1,946.18
Leominster Town Council	693,117.00	3,643.25	190.25	181.69	4.7%	2,066.01
Linton Parish Council	14,400.00	544.98	26.42	26.65	(0.9%)	1,902.18
Little Birch Parish Council	7,500.00	109.79	68.31	68.78	(0.7%)	1,944.07
Little Dewchurch Parish Council	13,687.00	185.86	73.64	60.23	22.3%	1,949.40
Llangarron Parish Council	27,500.00	543.46	50.60	52.48	(3.6%)	1,926.36
Llanwarne & District Group Parish Council	11,000.00	291.78	37.70	38.64	(2.4%)	1,913.46
Longtown Group Parish Council	17,165.00	425.85	40.31	40.27	0.1%	1,916.07
Lower Bullingham Parish Council	16,500.00	592.59	27.84	27.74	0.4%	1,903.60
Luston Group Parish Council	22,500.00	393.86	57.13	45.61	25.3%	1,932.89
Lyonshall Parish Council	24,000.00	316.98	75.71	74.21	2.0%	1,951.47
Madley Parish Council	23,600.00	435.79	54.15	55.45	(2.3%)	1,929.91
Marden Parish Council	55,500.00	562.02	98.75	93.10	6.1%	1,974.51
Marstow Parish Council	9,500.00	182.31	52.11	54.34	(4.1%)	1,927.87
Mathon Parish Council	9,076.00	165.01	55.00	53.00	3.8%	1,930.76
Malvern Hills Trust (Mathon)	7,770.00		47.09	45.60	3.3%	47.09
Middleton-on-the-Hill and Leysters Group Parish Council	4,750.00	194.99	24.36	23.44	3.9%	1,900.12
Monkland and Stretford Parish Council	10,250.00	80.25	127.73	117.59	8.6%	2,003.49
Moreton on Lugg Parish Council	22,100.00	356.13	62.06	64.31	(3.5%)	1,937.82
Much Birch Parish Council	6,750.00	431.13	15.66	15.86	(1.3%)	1,891.42
Much Cowarne Group Parish Council	5,000.00	227.56	21.97	21.50	2.2%	1,897.73
Much Dewchurch Parish Council	8,500.00	286.23	29.70	31.29	(5.1%)	1,905.46
Much Marcle Parish Council	10,850.00	309.15	35.10	32.36	8.5%	1,910.86
North Bromyard Group Parish Council	10,000.00	388.26	25.76	26.07	(1.2%)	1,901.52
Ocle Pychard Parish Council	18,000.00	264.70	68.00	66.40	2.4%	1,943.76
Orcop Parish Council	9,200.00	177.07	51.96	52.66	(1.3%)	1,927.72
Orleton Parish Council	35,950.00	390.45	92.07	85.04	8.3%	1,967.83
Pembridge Parish Council	37,500.00	478.28	78.41	49.94	57.0%	1,954.17
Pencombe Group Parish Council	18,300.00	196.24	93.25	94.09	(0.9%)	1,969.01
Peterchurch Parish Council	21,660.00	377.59	57.36	56.58	1.4%	1,933.12
Peterstow Parish Council	17,000.00	205.85	82.58	75.57	9.3%	1,958.34
Pipe and Lyde Parish Council	3,850.00	145.44	26.47	27.35	(3.2%)	1,902.23
Pixley & District Parish Council	8,580.00	231.59	37.05	37.56	(1.4%)	1,912.81
Putley Parish Council	9,000.00	115.87	77.67	79.87	(2.8%)	1,953.43
Pyons Group Parish Council	18,600.00	411.62	45.19	40.93	10.4%	1,920.95

**Herefordshire Council requirement by Parish, including Band D equivalent**

Parish	Parish Precept (net)	Tax Base (Band D)	2024/25 Parish Precept Basic Tax Rate (Band D)	2023/24 Parish Precept Basic Tax Rate (Band D)	% change from 2023/24 to 2024/25	Band D Charge (Parish and Herefordshire Council's Basic Rate - £1,875.76)
	£		£	£	%	£
Richard's Castle (Herefordshire) Parish Council	16,000.00	138.00	115.94	70.71	64.0%	1,991.70
Ross-on-Wye Parish Council	594,062.00	4,103.49	144.77	137.88	5.0%	2,020.53
Sellack Parish Council	13,600.00	126.64	107.39	94.90	13.2%	1,983.15
Shobdon Parish Council	30,250.00	337.68	89.58	86.23	3.9%	1,965.34
St. Weonards Parish Council	9,100.00	174.06	52.28	51.58	1.4%	1,928.04
Stapleton Group Parish Council	9,400.00	145.28	64.70	64.21	0.8%	1,940.46
Staunton-on-Wye and District Group Parish Council	6,000.00	214.29	28.00	18.98	47.5%	1,903.76
Stoke Edith Parish Meeting (Chairman)	-	42.01	-	-	0.0%	1,875.76
Stoke Lacy Parish Council	11,000.00	176.02	62.49	62.48	0.0%	1,938.25
Stretton Grandison Group Parish Council	14,500.00	226.93	63.90	63.37	0.8%	1,939.66
Stretton Sugwas Parish Council	10,000.00	168.49	59.35	62.89	(5.6%)	1,935.11
Sutton Parish Council	33,500.00	400.44	83.66	78.31	6.8%	1,959.42
Tarrington Parish Council	18,150.00	243.97	74.39	72.92	2.0%	1,950.15
Thornbury Group Parish Council	6,000.00	195.09	30.76	27.96	10.0%	1,906.52
Titley and District Group Parish Council	10,000.00	240.39	41.60	42.55	(2.2%)	1,917.36
Upton Bishop Parish Council	18,626.00	265.37	70.19	70.14	0.1%	1,945.95
Vowchurch & District Group Parish Council	17,240.88	327.94	52.57	49.11	7.0%	1,928.33
Walford Parish Council	27,825.00	659.45	42.19	42.34	(0.4%)	1,917.95
Wellington Parish Council	26,500.00	457.99	57.86	53.35	8.5%	1,933.62
Wellington Heath Parish Council	11,500.00	249.81	46.03	46.52	(1.1%)	1,921.79
Welsh Newton & Llanrothal Group Parish Council	13,900.00	157.11	88.47	88.97	(0.6%)	1,964.23
Weobley Parish Council	39,449.00	494.35	79.80	74.40	7.3%	1,955.56
Weston Beggard Parish Council	4,000.00	86.86	46.05	45.76	0.6%	1,921.81
Weston-under-Penyard Parish Council	16,000.00	518.55	30.86	30.82	0.1%	1,906.62
Whitbourne Parish Council	13,000.00	357.03	36.41	36.90	(1.3%)	1,912.17
Whitchurch & Ganarew Group Parish Council	52,500.00	551.75	95.15	99.61	(4.5%)	1,970.91
Wigmore Group Parish Council	28,000.00	368.16	76.05	63.31	20.1%	1,951.81
Withington Group Parish Council	38,000.00	744.95	51.01	43.19	18.1%	1,926.77
Woolhope Parish Council	18,000.00	215.31	83.60	65.21	28.2%	1,959.36
Wyeside Group Parish Council	10,206.00	309.05	33.02	31.48	4.9%	1,908.78
Yarkhill Parish Council	8,555.00	144.60	59.16	57.68	2.6%	1,934.92
Yarpole Group Parish Council	29,000.00	378.11	76.70	78.36	(2.1%)	1,952.46
<b>Total/Average</b>	<b>5,690,305.34</b>	<b>71,999.97</b>	<b>79.03</b>	<b>75.89</b>	<b>4.1%</b>	<b>1,954.79</b>



Council Tax for each valuation band, by Parish, without the Police & Fire precepts								APPENDIX 2
PARISH	VALUATION BANDS							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Abbeydore & Bacton Group Parish Council	1,287.90	1,502.54	1,717.19	1,931.84	2,361.14	2,790.43	3,219.74	3,863.68
Aconbury Parish Meeting	1,251.99	1,460.65	1,669.31	1,877.98	2,295.31	2,712.64	3,129.97	3,755.96
Acton Beauchamp Group Parish Council	1,292.12	1,507.46	1,722.82	1,938.17	2,368.88	2,799.58	3,230.29	3,876.34
Allensmore Parish Council	1,266.12	1,477.14	1,688.16	1,899.18	2,321.22	2,743.26	3,165.30	3,798.36
Almeley Parish Council	1,295.34	1,511.23	1,727.12	1,943.01	2,374.79	2,806.57	3,238.35	3,886.02
Ashperton Parish Council	1,304.88	1,522.36	1,739.84	1,957.32	2,392.28	2,827.24	3,262.20	3,914.64
Aston Ingham Parish Council	1,294.37	1,510.09	1,725.82	1,941.55	2,373.01	2,804.46	3,235.92	3,883.10
Avenbury Parish Council	1,288.78	1,503.56	1,718.36	1,933.16	2,362.76	2,792.34	3,221.94	3,866.32
Aymestrey Parish Council	1,303.74	1,521.02	1,738.31	1,955.60	2,390.18	2,824.75	3,259.34	3,911.20
Ballingham, Bolstone & Hentland Group	1,296.46	1,512.52	1,728.60	1,944.68	2,376.84	2,808.98	3,241.14	3,889.36
Bartestree & Lugwardine Group Parish Council	1,293.81	1,509.44	1,725.07	1,940.71	2,371.98	2,803.25	3,234.52	3,881.42
Belmont Rural Parish Council	1,281.11	1,494.62	1,708.14	1,921.66	2,348.70	2,775.73	3,202.77	3,843.32
Birley with Upper Hill Parish Council	1,265.08	1,475.91	1,686.76	1,897.61	2,319.31	2,740.99	3,162.69	3,795.22
Bishop's Frome Parish Council	1,299.52	1,516.09	1,732.68	1,949.27	2,382.45	2,815.61	3,248.79	3,898.54
Bishopstone & District Group Parish Council	1,281.12	1,494.63	1,708.15	1,921.67	2,348.71	2,775.74	3,202.79	3,843.34
Bodenham Parish Council	1,273.36	1,485.58	1,697.81	1,910.04	2,334.50	2,758.95	3,183.40	3,820.08
Border Group Parish Council	1,267.36	1,478.58	1,689.81	1,901.04	2,323.50	2,745.95	3,168.40	3,802.08
Bosbury and Coddington Parish Council	1,285.43	1,499.66	1,713.90	1,928.14	2,356.62	2,785.09	3,213.57	3,856.28
Brampton Abbots & Foy Group Parish Council	1,289.97	1,504.96	1,719.95	1,934.95	2,364.94	2,794.93	3,224.92	3,869.90
Bredonbury & District Group Parish Council	1,286.43	1,500.83	1,715.23	1,929.64	2,358.45	2,787.26	3,216.07	3,859.28
Breinton Parish Council	1,271.36	1,483.25	1,695.14	1,907.04	2,330.83	2,754.61	3,178.40	3,814.08
Bridstow Parish Council	1,268.46	1,479.86	1,691.27	1,902.68	2,325.50	2,748.31	3,171.14	3,805.36
Brilley Parish Council	1,315.52	1,534.77	1,754.02	1,973.28	2,411.79	2,850.29	3,288.80	3,946.56
Brimfield and Little Hereford Group Parish Council	1,270.20	1,481.90	1,693.60	1,905.30	2,328.70	2,752.10	3,175.50	3,810.60
Brockhampton with Much Fawley Parish Council	1,283.19	1,497.05	1,710.91	1,924.78	2,352.51	2,780.24	3,207.97	3,849.56
Brockhampton Group Parish Council	1,271.95	1,483.93	1,695.93	1,907.92	2,331.91	2,755.88	3,179.87	3,815.84
Bromyard & Winslow Town Council	1,367.46	1,595.37	1,823.28	2,051.19	2,507.01	2,962.83	3,418.65	4,102.38
Burghill Parish Council	1,269.40	1,480.95	1,692.52	1,904.09	2,327.23	2,750.35	3,173.49	3,808.18
Callow & Haywood Group Parish Council	1,287.30	1,501.84	1,716.39	1,930.94	2,360.04	2,789.13	3,218.24	3,861.88
Cleghonger Parish Council	1,277.20	1,490.06	1,702.93	1,915.80	2,341.54	2,767.27	3,193.00	3,831.60
Clifford Parish Council	1,278.64	1,491.73	1,704.84	1,917.95	2,344.17	2,770.37	3,196.59	3,835.90
Colwall Parish Council (inc Malvern Hills Trust)	1,338.65	1,561.75	1,784.86	2,007.97	2,454.19	2,900.40	3,346.62	4,015.94
Cradley Parish Council	1,301.19	1,518.05	1,734.91	1,951.78	2,385.51	2,819.24	3,252.97	3,903.56
Credenhill Parish Council	1,295.25	1,511.12	1,726.99	1,942.87	2,374.62	2,806.37	3,238.12	3,885.74
Cusop Parish Council	1,279.23	1,492.43	1,705.63	1,918.84	2,345.25	2,771.66	3,198.07	3,837.68
Dilwyn Parish Council	1,315.67	1,534.94	1,754.22	1,973.50	2,412.06	2,850.61	3,289.17	3,947.00
Dinedor Parish Council	1,297.22	1,513.41	1,729.62	1,945.82	2,378.23	2,810.63	3,243.04	3,891.64
Dinmore Parish Meeting	1,250.51	1,458.92	1,667.34	1,875.76	2,292.60	2,709.43	3,126.27	3,751.52
Dormington & Mordiford Group Parish Council	1,296.80	1,512.92	1,729.06	1,945.19	2,377.46	2,809.72	3,241.99	3,890.38
Dorstone Parish Council	1,273.62	1,485.89	1,698.16	1,910.43	2,334.97	2,759.51	3,184.05	3,820.86
Eardisland Parish Council	1,358.65	1,585.08	1,811.53	2,037.97	2,490.86	2,943.73	3,396.62	4,075.94
Eardisley Group Parish Council	1,280.10	1,493.44	1,706.79	1,920.14	2,346.84	2,773.53	3,200.24	3,840.28
Eastnor & Donnington Parish Council	1,282.72	1,496.50	1,710.29	1,924.08	2,351.66	2,779.23	3,206.80	3,848.16
Eaton Bishop Parish Council	1,295.48	1,511.39	1,727.30	1,943.22	2,375.05	2,806.87	3,238.70	3,886.44
Ewas Harold Group Parish Council	1,325.10	1,545.95	1,766.80	1,987.65	2,429.35	2,871.05	3,312.75	3,975.30
Fownhope Parish Council	1,307.94	1,525.93	1,743.92	1,961.91	2,397.89	2,833.87	3,269.85	3,923.82
Foxley Group Parish Council	1,266.70	1,477.81	1,688.93	1,900.05	2,322.29	2,744.52	3,166.75	3,800.10
Garway Parish Council	1,304.95	1,522.43	1,739.93	1,957.42	2,392.41	2,827.38	3,262.37	3,914.84
Goodrich & Welsh Bicknor Group Parish Council	1,272.74	1,484.85	1,696.98	1,909.10	2,333.35	2,757.59	3,181.84	3,818.20
Hampton Bishop Parish Council	1,295.52	1,511.44	1,727.36	1,943.28	2,375.12	2,806.96	3,238.80	3,886.56
Hampton Charles Parish Meeting	1,250.51	1,458.92	1,667.34	1,875.76	2,292.60	2,709.43	3,126.27	3,751.52
Hatfield and District Group Parish Council	1,269.21	1,480.74	1,692.27	1,903.81	2,326.88	2,749.95	3,173.02	3,807.62
Hereford City Council	1,288.42	1,503.14	1,717.88	1,932.62	2,362.10	2,791.56	3,221.04	3,865.24
Holme Lacy Parish Council	1,318.32	1,538.03	1,757.75	1,977.47	2,416.91	2,856.34	3,295.79	3,954.94
Holmer & Shelwick Parish Council	1,263.98	1,474.64	1,685.30	1,895.97	2,317.30	2,738.62	3,159.95	3,791.94
Hope Mansell Parish Council	1,262.70	1,473.14	1,683.59	1,894.04	2,314.94	2,735.83	3,156.74	3,788.08
Hope under Dinmore Group Parish Council	1,316.54	1,535.95	1,755.38	1,974.80	2,413.65	2,852.49	3,291.34	3,949.60
How Caple, Sollershope & Yatton Group Parish Council	1,290.69	1,505.80	1,720.91	1,936.03	2,366.26	2,796.49	3,226.72	3,872.06
Humber, Stoke Prior & Ford Group Parish Council	1,283.93	1,497.91	1,711.90	1,925.89	2,353.87	2,781.84	3,209.82	3,851.78
Huntington Parish Council	1,262.26	1,472.62	1,683.00	1,893.38	2,314.14	2,734.88	3,155.64	3,786.76
Kentchurch Parish Council	1,299.48	1,516.05	1,732.63	1,949.21	2,382.37	2,815.52	3,248.69	3,898.42
Kilpeck Group Parish Council	1,315.59	1,534.85	1,754.11	1,973.38	2,411.91	2,850.44	3,288.97	3,946.76
Kimbolton Parish Council	1,283.99	1,497.98	1,711.98	1,925.98	2,353.98	2,781.97	3,209.97	3,851.96
Kings Caple Parish Council	1,286.38	1,500.77	1,715.17	1,929.57	2,358.37	2,787.16	3,215.95	3,859.14
Kingsland Parish Council	1,273.50	1,485.75	1,698.00	1,910.25	2,334.75	2,759.25	3,183.75	3,820.50
Kingstone & Thrupton Group Parish Council	1,283.31	1,497.19	1,711.07	1,924.96	2,352.73	2,780.50	3,208.27	3,849.92
Kington Rural and Lower Harpton Group Parish Council	1,276.30	1,489.00	1,701.72	1,914.44	2,339.88	2,765.30	3,190.74	3,828.88
Kington Town Council	1,342.46	1,566.19	1,789.94	2,013.68	2,461.17	2,908.65	3,356.14	4,027.36
Kinnerley and District Group Parish Council	1,281.58	1,495.16	1,708.76	1,922.36	2,349.56	2,776.74	3,203.94	3,844.72
Lea Parish Council	1,291.56	1,506.82	1,722.08	1,937.34	2,367.86	2,798.38	3,228.90	3,874.68

Council Tax for each valuation band, by Parish, without the Police & Fire precepts								APPENDIX 2
PARISH	VALUATION BANDS							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Ledbury Town Council	1,376.38	1,605.76	1,835.16	2,064.56	2,523.36	2,982.14	3,440.94	4,129.12
Leintwardine Group Parish Council	1,297.46	1,513.69	1,729.94	1,946.18	2,378.67	2,811.15	3,243.64	3,892.36
Leominster Town Council	1,377.34	1,606.89	1,836.45	2,066.01	2,525.13	2,984.24	3,443.35	4,132.02
Linton Parish Council	1,268.12	1,479.47	1,690.82	1,902.18	2,324.89	2,747.59	3,170.30	3,804.36
Little Birch Parish Council	1,296.05	1,512.05	1,728.06	1,944.07	2,376.09	2,808.10	3,240.12	3,888.14
Little Dewchurch Parish Council	1,299.60	1,516.20	1,732.80	1,949.40	2,382.60	2,815.80	3,249.00	3,898.80
Llangarron Parish Council	1,284.24	1,498.28	1,712.32	1,926.36	2,354.44	2,782.52	3,210.60	3,852.72
Llanwarne & District Group Parish Council	1,275.64	1,488.24	1,700.85	1,913.46	2,338.68	2,763.89	3,189.10	3,826.92
Longtown Group Parish Council	1,277.38	1,490.27	1,703.17	1,916.07	2,341.87	2,767.66	3,193.45	3,832.14
Lower Bullingham Parish Council	1,269.07	1,480.57	1,692.09	1,903.60	2,326.63	2,749.64	3,172.67	3,807.20
Luston Group Parish Council	1,288.60	1,503.35	1,718.12	1,932.89	2,362.43	2,791.95	3,221.49	3,865.78
Lyonshall Parish Council	1,300.98	1,517.81	1,734.64	1,951.47	2,385.13	2,818.79	3,252.45	3,902.94
Madley Parish Council	1,286.61	1,501.04	1,715.47	1,929.91	2,358.78	2,787.65	3,216.52	3,859.82
Marden Parish Council	1,316.34	1,535.73	1,755.12	1,974.51	2,413.29	2,852.07	3,290.85	3,949.02
Marstow Parish Council	1,285.25	1,499.45	1,713.66	1,927.87	2,356.29	2,784.70	3,213.12	3,855.74
Mathon Parish Council (inc Malvern Hills Trust)	1,318.57	1,538.33	1,758.09	1,977.85	2,417.37	2,856.89	3,296.42	3,955.70
Middleton-on-the-Hill and Leysters Group Parish Council	1,266.75	1,477.87	1,688.99	1,900.12	2,322.37	2,744.62	3,166.87	3,800.24
Monkland and Stretford Parish Council	1,335.66	1,558.27	1,780.88	2,003.49	2,448.71	2,893.93	3,339.15	4,006.98
Moreton on Lugg Parish Council	1,291.88	1,507.19	1,722.50	1,937.82	2,368.45	2,799.07	3,229.70	3,875.64
Much Birch Parish Council	1,260.95	1,471.10	1,681.26	1,891.42	2,311.74	2,732.05	3,152.37	3,782.84
Much Cowarne Group Parish Council	1,265.16	1,476.01	1,686.87	1,897.73	2,319.45	2,741.16	3,162.89	3,795.46
Much Dewchurch Parish Council	1,270.31	1,482.02	1,693.74	1,905.46	2,328.90	2,752.33	3,175.77	3,810.92
Much Marcle Parish Council	1,273.91	1,486.22	1,698.54	1,910.86	2,335.50	2,760.13	3,184.77	3,821.72
North Bromyard Group Parish Council	1,267.68	1,478.96	1,690.24	1,901.52	2,324.08	2,746.64	3,169.20	3,803.04
Ocle Pychard Parish Council	1,295.84	1,511.81	1,727.78	1,943.76	2,375.71	2,807.65	3,239.60	3,887.52
Orcop Parish Council	1,285.15	1,499.33	1,713.53	1,927.72	2,356.11	2,784.48	3,212.87	3,855.44
Orleton Parish Council	1,311.89	1,530.53	1,749.18	1,967.83	2,405.13	2,842.42	3,279.72	3,935.66
Pembridge Parish Council	1,302.78	1,519.91	1,737.04	1,954.17	2,388.43	2,822.69	3,256.95	3,908.34
Pencombe Group Parish Council	1,312.68	1,531.45	1,750.23	1,969.01	2,406.57	2,844.12	3,281.69	3,938.02
Peterchurch Parish Council	1,288.75	1,503.53	1,718.33	1,933.12	2,362.71	2,792.28	3,221.87	3,866.24
Peterstow Parish Council	1,305.56	1,523.15	1,740.74	1,958.34	2,393.53	2,828.71	3,263.90	3,916.68
Pipe and Lyde Parish Council	1,268.16	1,479.51	1,690.87	1,902.23	2,324.95	2,747.66	3,170.39	3,804.46
Pixley & District Parish Council	1,275.21	1,487.74	1,700.27	1,912.81	2,337.88	2,762.95	3,188.02	3,825.62
Putley Parish Council	1,302.29	1,519.33	1,736.38	1,953.43	2,387.53	2,821.62	3,255.72	3,906.86
Pyons Group Parish Council	1,280.64	1,494.07	1,707.51	1,920.95	2,347.83	2,774.70	3,201.59	3,841.90
Richard's Castle (Herefordshire) Parish Council	1,327.80	1,549.10	1,770.40	1,991.70	2,434.30	2,876.90	3,319.50	3,983.40
Ross-on-Wye Parish Council	1,347.02	1,571.52	1,796.02	2,020.53	2,469.54	2,918.54	3,367.55	4,041.06
Sellack Parish Council	1,322.10	1,542.45	1,762.80	1,983.15	2,423.85	2,864.55	3,305.25	3,966.30
Shobdon Parish Council	1,310.23	1,528.59	1,746.97	1,965.34	2,402.09	2,838.82	3,275.57	3,930.68
St. Weonards Parish Council	1,285.36	1,499.58	1,713.81	1,928.04	2,356.50	2,784.95	3,213.40	3,856.08
Stapleton Group Parish Council	1,293.64	1,509.24	1,724.85	1,940.46	2,371.68	2,802.89	3,234.10	3,880.92
Staunton-on-Wye and District Group Parish Council	1,269.18	1,480.70	1,692.23	1,903.76	2,326.82	2,749.87	3,172.94	3,807.52
Stoke Edith Parish Meeting	1,250.51	1,458.92	1,667.34	1,875.76	2,292.60	2,709.43	3,126.27	3,751.52
Stoke Lacy Parish Council	1,292.17	1,507.52	1,722.89	1,938.25	2,368.98	2,799.69	3,230.42	3,876.50
Stretton Grandison Group Parish Council	1,293.11	1,508.62	1,724.14	1,939.66	2,370.70	2,801.73	3,232.77	3,879.32
Stretton Sugwas Parish Council	1,290.08	1,505.08	1,720.10	1,935.11	2,365.14	2,795.16	3,225.19	3,870.22
Sutton Parish Council	1,306.28	1,523.99	1,741.70	1,959.42	2,394.85	2,830.27	3,265.70	3,918.84
Tarrington Parish Council	1,300.10	1,516.78	1,733.46	1,950.15	2,383.52	2,816.88	3,250.25	3,900.30
Thornbury Group Parish Council	1,271.02	1,482.84	1,694.68	1,906.52	2,330.20	2,753.86	3,177.54	3,813.04
Titley and District Group Parish Council	1,278.24	1,491.28	1,704.32	1,917.36	2,343.44	2,769.52	3,195.60	3,834.72
Upton Bishop Parish Council	1,297.30	1,513.51	1,729.73	1,945.95	2,378.39	2,810.82	3,243.25	3,891.90
Vowchurch & District Group Parish Council	1,285.56	1,499.81	1,714.07	1,928.33	2,356.85	2,785.36	3,213.89	3,856.66
Walford Parish Council	1,278.64	1,491.73	1,704.84	1,917.95	2,344.17	2,770.37	3,196.59	3,835.90
Wellington Parish Council	1,289.08	1,503.92	1,718.77	1,933.62	2,363.32	2,793.01	3,222.70	3,867.24
Wellington Heath Parish Council	1,281.20	1,494.72	1,708.26	1,921.79	2,348.86	2,775.92	3,202.99	3,843.58
Welsh Newton & Llanrothal Group Parish Council	1,309.49	1,527.73	1,745.98	1,964.23	2,400.73	2,837.22	3,273.72	3,928.46
Weobley Parish Council	1,303.71	1,520.99	1,738.27	1,955.56	2,390.13	2,824.70	3,259.27	3,911.12
Weston Beggard Parish Council	1,281.21	1,494.74	1,708.27	1,921.81	2,348.88	2,775.95	3,203.02	3,843.62
Weston-under-Penyard Parish Council	1,271.08	1,482.92	1,694.77	1,906.62	2,330.32	2,754.01	3,177.70	3,813.24
Whitbourne Parish Council	1,274.78	1,487.24	1,699.70	1,912.17	2,337.10	2,762.02	3,186.95	3,824.34
Whitchurch & Ganarew Group Parish Council	1,313.94	1,532.93	1,751.92	1,970.91	2,408.89	2,846.87	3,284.85	3,941.82
Wigmore Group Parish Council	1,301.21	1,518.07	1,734.94	1,951.81	2,385.55	2,819.28	3,253.02	3,903.62
Withington Group Parish Council	1,284.52	1,498.59	1,712.68	1,926.77	2,354.95	2,783.11	3,211.29	3,853.54
Woolhope Parish Council	1,306.24	1,523.94	1,741.65	1,959.36	2,394.78	2,830.19	3,265.60	3,918.72
Wyeside Group Parish Council	1,272.52	1,484.60	1,696.69	1,908.78	2,332.96	2,757.13	3,181.30	3,817.56
Yarkhill Parish Council	1,289.95	1,504.93	1,719.93	1,934.92	2,364.91	2,794.88	3,224.87	3,869.84
Yarpole Group Parish Council	1,301.64	1,518.58	1,735.52	1,952.46	2,386.34	2,820.22	3,254.10	3,904.92



**The Office of the Police and Crime Commissioner for West Mercia**  
**precept requirement for each valuation band**

	VALUATION BANDS							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
<b>Office of the Police and Crime Commissioner for West Mercia</b>	185.00	215.83	246.67	277.50	339.17	400.83	462.50	555.00

A total precept from Herefordshire Council of £19,979,991.68 (2023/24 £18,798,837.59).

The band D council tax charge amounts to £277.50, an increase of £13.00 or 4.91% over the previous year.



**Hereford & Worcester Fire and Rescue Authority**  
**precept requirement for each valuation band**

	VALUATION BANDS							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
<b>Hereford &amp; Worcester Fire and Rescue Service</b>	64.81	75.62	86.42	97.22	118.82	140.43	162.03	194.44

A 2024/25 total precept from Herefordshire Council of £6,999,838.48 (2023/24 £6,709,561.77).

The band D council tax charge for Hereford and Worcester Fire and Rescue Authority amounts to £97.22, an increase of £2.82 or 2.99% over the previous year.



Council Tax for each valuation band, by Parish, including the Police & Fire precepts								APPENDIX 5
PARISH	VALUATION BANDS							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Abbeydore & Bacton Group Parish Council	1,537.71	1,793.99	2,050.28	2,306.56	2,819.13	3,331.69	3,844.27	4,613.12
Aconbury Parish Meeting	1,501.80	1,752.10	2,002.40	2,252.70	2,753.30	3,253.90	3,754.50	4,505.40
Acton Beauchamp Group Parish Council	1,541.93	1,798.91	2,055.91	2,312.89	2,826.87	3,340.84	3,854.82	4,625.78
Allensmore Parish Council	1,515.93	1,768.59	2,021.25	2,273.90	2,779.21	3,284.52	3,789.83	4,547.80
Almeley Parish Council	1,545.15	1,802.68	2,060.21	2,317.73	2,832.78	3,347.83	3,862.88	4,635.46
Ashperton Parish Council	1,554.69	1,813.81	2,072.93	2,332.04	2,850.27	3,368.50	3,886.73	4,664.08
Aston Ingham Parish Council	1,544.18	1,801.54	2,058.91	2,316.27	2,831.00	3,345.72	3,860.45	4,632.54
Avenbury Parish Council	1,538.59	1,795.01	2,051.45	2,307.88	2,820.75	3,333.60	3,846.47	4,615.76
Aymestrey Parish Council	1,553.55	1,812.47	2,071.40	2,330.32	2,848.17	3,366.01	3,883.87	4,660.64
Ballingham, Bolstone & Hentland Group	1,546.27	1,803.97	2,061.69	2,319.40	2,834.83	3,350.24	3,865.67	4,638.80
Bartestree & Lugwardine Group Parish Council	1,543.62	1,800.89	2,058.16	2,315.43	2,829.97	3,344.51	3,859.05	4,630.86
Belmont Rural Parish Council	1,530.92	1,786.07	2,041.23	2,296.38	2,806.69	3,316.99	3,827.30	4,592.76
Birley with Upper Hill Parish Council	1,514.89	1,767.36	2,019.85	2,272.33	2,777.30	3,282.25	3,787.22	4,544.66
Bishop's Frome Parish Council	1,549.33	1,807.54	2,065.77	2,323.99	2,840.44	3,356.87	3,873.32	4,647.98
Bishopstone Group Parish Council	1,530.93	1,786.08	2,041.24	2,296.39	2,806.70	3,317.00	3,827.32	4,592.78
Bodenham Parish Council	1,523.17	1,777.03	2,030.90	2,284.76	2,792.49	3,300.21	3,807.93	4,569.52
Border Group Parish Council	1,517.17	1,770.03	2,022.90	2,275.76	2,781.49	3,287.21	3,792.93	4,551.52
Bosbury and Coddington Parish Council	1,535.24	1,791.11	2,046.99	2,302.86	2,814.61	3,326.35	3,838.10	4,605.72
Brampton Abbots & Foy Group Parish Council	1,539.78	1,796.41	2,053.04	2,309.67	2,822.93	3,336.19	3,849.45	4,619.34
Bredenbury & District Group Parish Council	1,536.24	1,792.28	2,048.32	2,304.36	2,816.44	3,328.52	3,840.60	4,608.72
Breinton Parish Council	1,521.17	1,774.70	2,028.23	2,281.76	2,788.82	3,295.87	3,802.93	4,563.52
Bridstow Parish Council	1,518.27	1,771.31	2,024.36	2,277.40	2,783.49	3,289.57	3,795.67	4,554.80
Brilley Parish Council	1,565.33	1,826.22	2,087.11	2,348.00	2,869.78	3,391.55	3,913.33	4,696.00
Brimfield and Little Hereford Group Parish Council	1,520.01	1,773.35	2,026.69	2,280.02	2,786.69	3,293.36	3,800.03	4,560.04
Brockhampton with Much Fawley Parish Council	1,533.00	1,788.50	2,044.00	2,299.50	2,810.50	3,321.50	3,832.50	4,599.00
Brockhampton Group Parish Council	1,521.76	1,775.38	2,029.02	2,282.64	2,789.90	3,297.14	3,804.40	4,565.28
Bromyard & Winslow Town Council	1,617.27	1,886.82	2,156.37	2,425.91	2,965.00	3,504.09	4,043.18	4,851.82
Burghill Parish Council	1,519.21	1,772.40	2,025.61	2,278.81	2,785.22	3,291.61	3,798.02	4,557.62
Callow & Haywood Group Parish Council	1,537.11	1,793.29	2,049.48	2,305.66	2,818.03	3,330.39	3,842.77	4,611.32
Clehonger Parish Council	1,527.01	1,781.51	2,036.02	2,290.52	2,799.53	3,308.53	3,817.53	4,581.04
Clifford Parish Council	1,528.45	1,783.18	2,037.93	2,292.67	2,802.16	3,311.63	3,821.12	4,585.34
Colwall Parish Council (including Malvern Hills Trust (C	1,588.46	1,853.20	2,117.95	2,382.69	2,912.18	3,441.66	3,971.15	4,765.38
Cradley Parish Council	1,551.00	1,809.50	2,068.00	2,326.50	2,843.50	3,360.50	3,877.50	4,653.00
Credenhill Parish Council	1,545.06	1,802.57	2,060.08	2,317.59	2,832.61	3,347.63	3,862.65	4,635.18
Cusop Parish Council	1,529.04	1,783.88	2,038.72	2,293.56	2,803.24	3,312.92	3,822.60	4,587.12
Dilwyn Parish Council	1,565.48	1,826.39	2,087.31	2,348.22	2,870.05	3,391.87	3,913.70	4,696.44
Dinedor Parish Council	1,547.03	1,804.86	2,062.71	2,320.54	2,836.22	3,351.89	3,867.57	4,641.08
Dinmore Parish Meeting	1,500.32	1,750.37	2,000.43	2,250.48	2,750.59	3,250.69	3,750.80	4,500.96
Dormington & Mordiford Group Parish Council	1,546.61	1,804.37	2,062.15	2,319.91	2,835.45	3,350.98	3,866.52	4,639.82
Dorstone Parish Council	1,523.43	1,777.34	2,031.25	2,285.15	2,792.96	3,300.77	3,808.58	4,570.30
Eardisland Parish Council	1,608.46	1,876.53	2,144.62	2,412.69	2,948.85	3,484.99	4,021.15	4,825.38
Eardisley Group Parish Council	1,529.91	1,784.89	2,039.88	2,294.86	2,804.83	3,314.79	3,824.77	4,589.72
Eastnor & Donnington Parish Council	1,532.53	1,787.95	2,043.38	2,298.80	2,809.65	3,320.49	3,831.33	4,597.60
Eaton Bishop Parish Council	1,545.29	1,802.84	2,060.39	2,317.94	2,833.04	3,348.13	3,863.23	4,635.88
Ewyas Harold Group Parish Council	1,574.91	1,837.40	2,099.89	2,362.37	2,887.34	3,412.31	3,937.28	4,724.74
Fownhope Parish Council	1,557.75	1,817.38	2,077.01	2,336.63	2,855.88	3,375.13	3,894.38	4,673.26
Foxley Group Parish Council	1,516.51	1,769.26	2,022.02	2,274.77	2,780.28	3,285.78	3,791.28	4,549.54
Garway Parish Council	1,554.76	1,813.88	2,073.02	2,332.14	2,850.40	3,368.64	3,886.90	4,664.28
Goodrich & Welsh Bicknor Group Parish Council	1,522.55	1,776.30	2,030.07	2,283.82	2,791.34	3,298.85	3,806.37	4,567.64
Hampton Bishop Parish Council	1,545.33	1,802.89	2,060.45	2,318.00	2,833.11	3,348.22	3,863.33	4,636.00

Council Tax for each valuation band, by Parish, including the Police & Fire precepts								APPENDIX 5
PARISH	VALUATION BANDS							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Hampton Charles Parish Meeting	1,500.32	1,750.37	2,000.43	2,250.48	2,750.59	3,250.69	3,750.80	4,500.96
Hatfield and District Group Parish Council	1,519.02	1,772.19	2,025.36	2,278.53	2,784.87	3,291.21	3,797.55	4,557.06
Hereford City Council	1,538.23	1,794.59	2,050.97	2,307.34	2,820.09	3,332.82	3,845.57	4,614.68
Holme Lacy Parish Council	1,568.13	1,829.48	2,090.84	2,352.19	2,874.90	3,397.60	3,920.32	4,704.38
Holmer & Shelwick Parish Council	1,513.79	1,766.09	2,018.39	2,270.69	2,775.29	3,279.88	3,784.48	4,541.38
Hope Mansell Parish Council	1,512.51	1,764.59	2,016.68	2,268.76	2,772.93	3,277.09	3,781.27	4,537.52
Hope under Dinmore Group Parish Council	1,566.35	1,827.40	2,088.47	2,349.52	2,871.64	3,393.75	3,915.87	4,699.04
How Caple, Sollershope & Yatton Group Parish Council	1,540.50	1,797.25	2,054.00	2,310.75	2,824.25	3,337.75	3,851.25	4,621.50
Humber, Stoke Prior & Ford Group Parish Council	1,533.74	1,789.36	2,044.99	2,300.61	2,811.86	3,323.10	3,834.35	4,601.22
Huntington Parish Council	1,512.07	1,764.07	2,016.09	2,268.10	2,772.13	3,276.14	3,780.17	4,536.20
Kentchurch Parish Council	1,549.29	1,807.50	2,065.72	2,323.93	2,840.36	3,356.78	3,873.22	4,647.86
Kilpeck Group Parish Council	1,565.40	1,826.30	2,087.20	2,348.10	2,869.90	3,391.70	3,913.50	4,696.20
Kimbolton Parish Council	1,533.80	1,789.43	2,045.07	2,300.70	2,811.97	3,323.23	3,834.50	4,601.40
Kings Caple Parish Council	1,536.19	1,792.22	2,048.26	2,304.29	2,816.36	3,328.42	3,840.48	4,608.58
Kingsland Parish Council	1,523.31	1,777.20	2,031.09	2,284.97	2,792.74	3,300.51	3,808.28	4,569.94
Kingstone & Thrupton Group Parish Council	1,533.12	1,788.64	2,044.16	2,299.68	2,810.72	3,321.76	3,832.80	4,599.36
Kington Rural and Lower Harpton Group Parish Council	1,526.11	1,780.45	2,034.81	2,289.16	2,797.87	3,306.56	3,815.27	4,578.32
Kington Town Council	1,592.27	1,857.64	2,123.03	2,388.40	2,919.16	3,449.91	3,980.67	4,776.80
Kinnersley and District Group Parish Council	1,531.39	1,786.61	2,041.85	2,297.08	2,807.55	3,318.00	3,828.47	4,594.16
Lea Parish Council	1,541.37	1,798.27	2,055.17	2,312.06	2,825.85	3,339.64	3,853.43	4,624.12
Ledbury Town Council	1,626.19	1,897.21	2,168.25	2,439.28	2,981.35	3,523.40	4,065.47	4,878.56
Leintwardine Group Parish Council	1,547.27	1,805.14	2,063.03	2,320.90	2,836.66	3,352.41	3,868.17	4,641.80
Leominster Town Council	1,627.15	1,898.34	2,169.54	2,440.73	2,983.12	3,525.50	4,067.88	4,881.46
Linton Parish Council	1,517.93	1,770.92	2,023.91	2,276.90	2,782.88	3,288.85	3,794.83	4,553.80
Little Birch Parish Council	1,545.86	1,803.50	2,061.15	2,318.79	2,834.08	3,349.36	3,864.65	4,637.58
Little Dewchurch Parish Council	1,549.41	1,807.65	2,065.89	2,324.12	2,840.59	3,357.06	3,873.53	4,648.24
Llangarron Parish Council	1,534.05	1,789.73	2,045.41	2,301.08	2,812.43	3,323.78	3,835.13	4,602.16
Llanwarne & District Group Parish Council	1,525.45	1,779.69	2,033.94	2,288.18	2,796.67	3,305.15	3,813.63	4,576.36
Longtown Group Parish Council	1,527.19	1,781.72	2,036.26	2,290.79	2,799.86	3,308.92	3,817.98	4,581.58
Lower Bullingham Parish Council	1,518.88	1,772.02	2,025.18	2,278.32	2,784.62	3,290.90	3,797.20	4,556.64
Luston Group Parish Council	1,538.41	1,794.80	2,051.21	2,307.61	2,820.42	3,333.21	3,846.02	4,615.22
Lyonshall Parish Council	1,550.79	1,809.26	2,067.73	2,326.19	2,843.12	3,360.05	3,876.98	4,652.38
Madley Parish Council	1,536.42	1,792.49	2,048.56	2,304.63	2,816.77	3,328.91	3,841.05	4,609.26
Marden Parish Council	1,566.15	1,827.18	2,088.21	2,349.23	2,871.28	3,393.33	3,915.38	4,698.46
Marstow Parish Council	1,535.06	1,790.90	2,046.75	2,302.59	2,814.28	3,325.96	3,837.65	4,605.18
Mathon Parish Council (includes Malvern Hills Trust (N	1,568.38	1,829.78	2,091.18	2,352.57	2,875.36	3,398.15	3,920.95	4,705.14
Middleton-on-the-Hill and Leysters Group Parish Council	1,516.56	1,769.32	2,022.08	2,274.84	2,780.36	3,285.88	3,791.40	4,549.68
Monkland and Stretford Parish Council	1,585.47	1,849.72	2,113.97	2,378.21	2,906.70	3,435.19	3,963.68	4,756.42
Moreton on Lugg Parish Council	1,541.69	1,798.64	2,055.59	2,312.54	2,826.44	3,340.33	3,854.23	4,625.08
Much Birch Parish Council	1,510.76	1,762.55	2,014.35	2,266.14	2,769.73	3,273.31	3,776.90	4,532.28
Much Cowarne Group Parish Council	1,514.97	1,767.46	2,019.96	2,272.45	2,777.44	3,282.42	3,787.42	4,544.90
Much Dewchurch Parish Council	1,520.12	1,773.47	2,026.83	2,280.18	2,786.89	3,293.59	3,800.30	4,560.36
Much Marcle Parish Council	1,523.72	1,777.67	2,031.63	2,285.58	2,793.49	3,301.39	3,809.30	4,571.16
North Bromyard Group Parish Council	1,517.49	1,770.41	2,023.33	2,276.24	2,782.07	3,287.90	3,793.73	4,552.48
Ocle Pychard Parish Council	1,545.65	1,803.26	2,060.87	2,318.48	2,833.70	3,348.91	3,864.13	4,636.96
Orcop Parish Council	1,534.96	1,790.78	2,046.62	2,302.44	2,814.10	3,325.74	3,837.40	4,604.88
Orleton Parish Council	1,561.70	1,821.98	2,082.27	2,342.55	2,863.12	3,383.68	3,904.25	4,685.10
Pembridge Parish Council	1,552.59	1,811.36	2,070.13	2,328.89	2,846.42	3,363.95	3,881.48	4,657.78
Pencombe Group Parish Council	1,562.49	1,822.90	2,083.32	2,343.73	2,864.56	3,385.38	3,906.22	4,687.46
Peterchurch Parish Council	1,538.56	1,794.98	2,051.42	2,307.84	2,820.70	3,333.54	3,846.40	4,615.68

Council Tax for each valuation band, by Parish, including the Police & Fire precepts								APPENDIX 5
PARISH	VALUATION BANDS							
	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Peterstow Parish council	1,555.37	1,814.60	2,073.83	2,333.06	2,851.52	3,369.97	3,888.43	4,666.12
Pipe and Lyde Parish Council	1,517.97	1,770.96	2,023.96	2,276.95	2,782.94	3,288.92	3,794.92	4,553.90
Pixley & District Parish Council	1,525.02	1,779.19	2,033.36	2,287.53	2,795.87	3,304.21	3,812.55	4,575.06
Putley Parish Council	1,552.10	1,810.78	2,069.47	2,328.15	2,845.52	3,362.88	3,880.25	4,656.30
Pyons Group Parish Council	1,530.45	1,785.52	2,040.60	2,295.67	2,805.82	3,315.96	3,826.12	4,591.34
Richard's Castle (Herefordshire) Parish Council	1,577.61	1,840.55	2,103.49	2,366.42	2,892.29	3,418.16	3,944.03	4,732.84
Ross-on-Wye Parish Council	1,596.83	1,862.97	2,129.11	2,395.25	2,927.53	3,459.80	3,992.08	4,790.50
Sellack Parish Council	1,571.91	1,833.90	2,095.89	2,357.87	2,881.84	3,405.81	3,929.78	4,715.74
Shobdon Parish Council	1,560.04	1,820.04	2,080.06	2,340.06	2,860.08	3,380.08	3,900.10	4,680.12
St. Weonards Parish Council	1,535.17	1,791.03	2,046.90	2,302.76	2,814.49	3,326.21	3,837.93	4,605.52
Stapleton Group Parish Council	1,543.45	1,800.69	2,057.94	2,315.18	2,829.67	3,344.15	3,858.63	4,630.36
Staunton-on-Wye and District Group Parish Council	1,518.99	1,772.15	2,025.32	2,278.48	2,784.81	3,291.13	3,797.47	4,556.96
Stoke Edith Parish Meeting (Chairman)	1,500.32	1,750.37	2,000.43	2,250.48	2,750.59	3,250.69	3,750.80	4,500.96
Stoke Lacy Parish Council	1,541.98	1,798.97	2,055.98	2,312.97	2,826.97	3,340.95	3,854.95	4,625.94
Stretton Grandison Group Parish Council	1,542.92	1,800.07	2,057.23	2,314.38	2,828.69	3,342.99	3,857.30	4,628.76
Stretton Sugwas Parish Council	1,539.89	1,796.53	2,053.19	2,309.83	2,823.13	3,336.42	3,849.72	4,619.66
Sutton Parish Council	1,556.09	1,815.44	2,074.79	2,334.14	2,852.84	3,371.53	3,890.23	4,668.28
Tarrington Parish Council	1,549.91	1,808.23	2,066.55	2,324.87	2,841.51	3,358.14	3,874.78	4,649.74
Thornbury Group Parish Council	1,520.83	1,774.29	2,027.77	2,281.24	2,788.19	3,295.12	3,802.07	4,562.48
Titley and District Group Parish Council	1,528.05	1,782.73	2,037.41	2,292.08	2,801.43	3,310.78	3,820.13	4,584.16
Upton Bishop Parish Council	1,547.11	1,804.96	2,062.82	2,320.67	2,836.38	3,352.08	3,867.78	4,641.34
Vowchurch & District Group Parish Council	1,535.37	1,791.26	2,047.16	2,303.05	2,814.84	3,326.62	3,838.42	4,606.10
Walford Parish Council	1,528.45	1,783.18	2,037.93	2,292.67	2,802.16	3,311.63	3,821.12	4,585.34
Wellington Parish Council	1,538.89	1,795.37	2,051.86	2,308.34	2,821.31	3,334.27	3,847.23	4,616.68
Wellington Heath Parish Council	1,531.01	1,786.17	2,041.35	2,296.51	2,806.85	3,317.18	3,827.52	4,593.02
Welsh Newton & Llanrothal Group Parish Council	1,559.30	1,819.18	2,079.07	2,338.95	2,858.72	3,378.48	3,898.25	4,677.90
Weobley Parish Council	1,553.52	1,812.44	2,071.36	2,330.28	2,848.12	3,365.96	3,883.80	4,660.56
Weston Beggard Parish Council	1,531.02	1,786.19	2,041.36	2,296.53	2,806.87	3,317.21	3,827.55	4,593.06
Weston-under-Penyard Parish Council	1,520.89	1,774.37	2,027.86	2,281.34	2,788.31	3,295.27	3,802.23	4,562.68
Whitbourne Parish Council	1,524.59	1,778.69	2,032.79	2,286.89	2,795.09	3,303.28	3,811.48	4,573.78
Whitchurch & Ganarew Group Parish Council	1,563.75	1,824.38	2,085.01	2,345.63	2,866.88	3,388.13	3,909.38	4,691.26
Wigmore Group Parish Council	1,551.02	1,809.52	2,068.03	2,326.53	2,843.54	3,360.54	3,877.55	4,653.06
Withington Group Parish Council	1,534.33	1,790.04	2,045.77	2,301.49	2,812.94	3,324.37	3,835.82	4,602.98
Woolhope Parish Council	1,556.05	1,815.39	2,074.74	2,334.08	2,852.77	3,371.45	3,890.13	4,668.16
Wyeside Group Parish Council	1,522.33	1,776.05	2,029.78	2,283.50	2,790.95	3,298.39	3,805.83	4,567.00
Yarkhill Parish Council	1,539.76	1,796.38	2,053.02	2,309.64	2,822.90	3,336.14	3,849.40	4,619.28
Yarpole Group Parish Council	1,551.45	1,810.03	2,068.61	2,327.18	2,844.33	3,361.48	3,878.63	4,654.36





# Title of report: Adoption of the Herefordshire Minerals & Waste Local Plan

**Meeting:** Council

**Meeting date:** Friday 8 March 2024

**Report by:** Cabinet Member Environment

## Classification

Open

## Decision type

Budget and policy framework

## Wards affected

All wards

## Purpose

To approve the adoption of the Herefordshire Minerals and Waste Local Plan (MWLP) - a development plan document.

## Recommendation(s)

That:

- a) The Herefordshire Minerals and Waste Local Plan Inspectors' Report<sup>1</sup> (at appendix 1) be noted;
- b) The [Herefordshire Minerals and Waste Local Plan](https://www.herefordshire.gov.uk/downloads/file/22074/1-publication-draft-herefordshire-minerals-and-waste-local-plan-jan-2021-)<sup>2</sup>, incorporating the main modifications<sup>3</sup> (at appendix 2), is adopted; and
- c) The Head of Planning and Building Control be delegated the authority to make any minor technical changes (e.g. typographical) to ensure that this development plan document is up to date at the time of adoption.

<sup>1</sup> <https://www.herefordshire.gov.uk/downloads/file/25957/inspectors-report-october-2023>

<sup>2</sup> a) <https://www.herefordshire.gov.uk/downloads/file/22074/1-publication-draft-herefordshire-minerals-and-waste-local-plan-jan-2021->

b) <https://www.herefordshire.gov.uk/downloads/file/22076/3-herefordshire-minerals-and-waste-local-plan-publication-draft-allocated-sites-appendix-jan-2021->

c) <https://www.herefordshire.gov.uk/downloads/file/22075/2-herefordshire-minerals-and-waste-local-plan-publication-draft-annex-a-jan-2021->

<sup>3</sup> <https://www.herefordshire.gov.uk/downloads/file/25956/appendix-of-main-modifications-october-2023>

## Alternative options

1. There is an alternative option; for Council not to adopt the MWLP. However, there would be little, if any, merit in doing so given that the Inspectors concluded that the Plan is sound. Such a decision would leave the council with considerably out of date saved minerals and waste policies from the Herefordshire Unitary Development Plan, which was adopted a number of years ago in 2007. In addition, this would be contrary to the Core Strategy, which includes a commitment that the council will produce a MWLP.
2. To reiterate what is set out in government advice<sup>4</sup>: whilst a local planning authority is not required to adopt a local plan following examination, it will have been through a significant and lengthy process locally to engage communities and other interests in discussions about the future of the area and it is therefore expected that the authority will proceed quickly with adopting a local plan that has been found sound.
3. If the council were to decide to make changes to the MWLP, there would be considerable delay in progressing a revised plan, given the statutory requirements for further consultation and examination, which would need to be met in order to progress any amended development plan document. There would also be additional financial costs associated with this. As stated above, there would be little merit in doing so, given that the Inspectors have concluded that the MWLP, with modifications, is sound.
4. There is no option to adopt the MWLP with only some of the proposed main modifications that came out of the examination process. By definition, the MWLP is now considered to be sound on the basis of its full content. If some (or all) of the main modifications were not included in the MWLP, it would not be sound and therefore it could not be recommended for adoption.
5. Minor changes (appendix 3) are considered to be necessary by officers to: correct typographical errors; ensure clarity of meaning; and to ensure that the MWLP is up to date. These will not affect the soundness of the MWLP or materially affect its policies or proposals and, as such, an alternative option could be to recommend adoption without such minor changes. However, as these are important in creating a clear, unambiguous policy document, this option is not recommended.

## Key considerations

### 6. Preparation of the MWLP

The adopted Herefordshire Core Strategy includes a commitment for the council to produce a Minerals and Waste Local Plan (MWLP or 'the Plan'). The MWLP has been prepared in accordance with the Core Strategy and government guidance.

7. The MWLP has been in preparation since 2017. It has been developed in accordance with National Planning Policy Guidance, including undergoing three stages of stakeholder and public consultation. Following approval by Council in December 2021, it was submitted to the Secretary of State for examination in March 2022 and publicly open hearing sessions were held by two independently appointed Planning Inspectors in November 2022.
8. Following the examination hearing sessions, the Inspectors wrote to the council with reference to a small number of outstanding points. Questions posed were answered to the satisfaction of the Inspectors, who consequently determined that no further hearing sessions would be required.
9. The next regulatory step was to undertake an eight-week period of public consultation on the proposed main modifications, which commenced in June 2023. This provided consultees with

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<sup>4</sup> <https://www.gov.uk/guidance/plan-making#plan-examinations>

the opportunity to make representations on whether the main modifications adequately addressed issues of soundness and legal compliance. Comments received were sent directly to the Inspectors, as part of the examination, for their consideration ahead of the preparation of their report.

10. The Inspectors Report was received on 31 October 2023. It concluded that the MWLP provides an appropriate basis for the planning of minerals and waste developments in Herefordshire up to 2041 and, with the main modifications (appendix 2), it satisfies statutory requirements of section 20(5) of the Planning and Compulsory Purchase Act 2004, and meets the criteria for soundness as set out in the National Planning Policy Framework. It is therefore capable of adoption.

11. **Content and purpose of the MWLP**

The MWLP sets out the council's preferred strategy for meeting Herefordshire's minerals and waste needs up to 2041. It establishes targets and planning policies relating to minerals and waste activities and associated development in Herefordshire. It has been produced taking account of the National Planning Policy Framework (2021)<sup>5</sup>, up to date evidence base studies, collaborative working with statutory undertakers and ensuring close cooperation with neighbouring local authorities on cross-boundary issues. Regard has also been given to other plans and strategies produced by the council and other organisations (particularly the Core Strategy, including its emerging replacement, and the Integrated Waste Management Strategy). When adopted, the MWLP will be another element of the Herefordshire Local Plan, which also includes the adopted Core Strategy, that sets out the overall strategic planning framework for the county.

12. A key role for the MWLP is to set out planning policies that promote appropriate development that meets the recognised market needs for both minerals and waste, whilst ensuring that detrimental impacts are minimized and opportunities for betterment are optimised.
13. Being a landlocked county, Herefordshire does not exist in isolation from its neighbours. Both minerals and waste are materials driven by market demand that, consequently, readily cross administrative boundaries. The MWLP takes account of these movements and the wider challenges, issues and opportunities presented by them. Herefordshire Council has sought to provide a positive policy framework to bring forward deliverable development to meet its own needs and to provide for those needs identified through collaborative working with regional working groups and other minerals and waste planning authorities.

14. **Inspectors' Report and main modifications**

Receipt of the Inspectors' Report on 31 October 2023 marked the end of the examination. It is attached at appendix 1 and is also published on the council's website<sup>6</sup>, as required. The Inspectors' Report concludes that, with the inclusion of a series of proposed main modifications<sup>7</sup>, the MWLP meets the tests of soundness. None of the main modifications are considered to go to the heart of the MWLP's strategy or its policies and proposals. Many have been proposed to provide clarity or to move text between policy wording and its explanatory text. Below is a list of some of the alterations proposed.

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<sup>5</sup> Page 9, paragraph 22, National Planning Policy Framework, July 2021

<sup>6</sup> <https://www.herefordshire.gov.uk/downloads/file/25957/inspectors-report-october-2023>

<sup>7</sup> <https://www.herefordshire.gov.uk/downloads/file/25956/appendix-of-main-modifications-october-2023>

Main modification	Comments
Ensuring the policy on transport of minerals and waste within sites is justified and effective.	Clarification of policy text in relation to methods used to minimise adverse impacts, including in relation to greenhouse gas emissions (e.g. use of conveyors, pipelines and electric powered vehicles). No change to overall policy approach.
Amendments to the strategic policy on site reclamation to ensure that it is effective.	e.g. reclamation proposals to take account of any significant permitted or proposed development and development plan policies; (as opposed to 'any' development). e.g. reclamation proposals that deliver landscape scale benefits to take into account the local context and integration of green infrastructure appropriate to its location (as opposed to previous wording which referred to proposals 'integrating historic context').
Amendments to ensure that the position with respect to achieving nutrient neutrality is up to date, that the requirements in respect of minerals and waste development are clear, and to provide glossary definitions of 'nutrient' and 'nutrient neutrality'.	Supporting text added: <i>"Whilst minerals development is not recognised as a key contributor of additional nutrient load, policy requires nutrient neutrality to be demonstrated for development proposals located within the Rivers Wye or Clun Special Areas of Conservation catchments. This may be demonstrated through the absence of a pathway or through the use of mitigation techniques such as: best practice soil stripping and storage; sediment storage; the use of riparian buffer habitats; and/or coppice plantations."</i>
Extension of the Mineral Safeguarding Area to cover all known mineral resources of local and national importance within Herefordshire, including across urban areas and without applying any viability, environmental or amenity screening criteria. Clarification of exempt development types in relation to minerals safeguarding areas.	Mineral Safeguarding Areas amended to include 250m buffers to provide effective safeguarding for the resource and associated infrastructure and the two railheads (Moreton and Wellington Quarry). Policy includes exemptions for householder development, alterations and extensions to existing buildings and changes of use (unless intensification), applications for advertisement consent, works to trees and prior notifications and any other development specified in the Local Plan as exempt from safeguarding.
A statement that mineral working should not take place within the Wye Valley Area of Outstanding Natural Beauty (AONB) other than in exceptional circumstances.	For clarity. Note: recent renaming of AONBs as National Landscapes will be updated through minor changes.
Identification of the permitted sandstone extraction sites where extensions of time would be permitted, and deletion of the requirement for workings to be small scale.	Deletion of the requirement for sandstone workings to be small scale was discussed at the hearings. Sandstone resources are found predominantly in the rural and sensitive landscapes of the south west of the county, far from major roads. However, Inspectors concluded that it would be contrary to national policy to limit such developments in terms of their scale. Other policies of the MWLP will apply, which address landscape and highways matters.

Main modification	Comments
Clarifying the requirement for waste management method statements for agricultural waste facilities including livestock units, and requirements in respect of achieving nutrient neutrality.	No alteration in thrust of policy i.e. all development proposals (which require planning permission) on agricultural holdings within the River Wye or Clun Special Areas of Conservation will be required to demonstrate at least nutrient neutrality.
Clarification of requirements for wastewater developments, including that nutrient neutrality applies to the proposed development only, rather than to the discharge from the infrastructure.	For clarity on approach. Revised wording: <i>“Policy W4: Wastewater management Planning permission will be supported for the statutory water and sewerage undertaker to extend, upgrade, or make provision for new infrastructure necessary to ensure the statutory undertaker can continue to undertake its duty to supply potable water and treat foul flows. Works undertaken will be required to demonstrate at least nutrient neutrality within the River Wye and Clun SACs. Wherever practical and economical, biogas should be recovered for use as an energy source and phosphorus should be recovered for beneficial uses.”</i>

## 15. Minor changes

In addition to the main modifications, a series of proposed minor changes are listed in appendix 3. These clarify aspects of the MWLP, correct typographical errors and provide updates, but they do not change the MWLP’s strategic approach or its policies and proposals. These minor alterations were proposed by the council during the examination process and delegated powers have been sought for officers to make any further minor changes ahead of the Plan’s adoption. For example, the recent change of name of Areas of Outstanding Natural Beauty to National Landscapes<sup>8</sup> will need to be addressed as a minor change. This proposed delegation provides the most efficient way of producing a clear and correct development plan document.

## Community impact

16. Minerals and waste management infrastructure is essential to support a modern economy.
17. As previously mentioned in paragraph 11 above, the MWLP has been prepared having regard to all relevant local plans and strategies, including the priorities of the County Plan, with particular reference to protecting and enhancing the environment, and supporting the local economy by building on the county’s strengths and resources.
18. Minerals are important as they provide many of the raw materials necessary for construction, energy and industry. They are therefore essential in helping to sustain economic growth. For these reasons, government attaches importance to planning for their supply, whilst at the same time requiring that the impacts of extracting them are kept within acceptable limits. Mineral extraction can also provide good opportunities for geological and archaeological research and net benefits following reclamation.

<sup>8</sup> <https://www.national-landscapes.org.uk/>

19. Dealing with waste is a major challenge for society and needs to be addressed alongside other initiatives to improve the sustainability of our environment and economy. Many items discarded as waste have the potential to be re-used, recycled or used as a resource. Managing waste in these ways has benefits in reducing the amount of natural resources that are consumed. For example, re-using or recycling materials generated during demolition activity can reduce the need for extraction of new minerals. At the same time, this can reduce the need for landfilling of waste. Treating waste as a resource can also lead to new opportunities for the economy, with the outputs of modern waste management processes acting as inputs to businesses that can use them. The circular economy encapsulates this approach, seeking to keep materials at their highest value for the longest period of time.
20. The MWLP seeks to ensure that sites and locations are identified for mineral and waste development, according to forecasted demand, until 2041. It also provides a modern policy framework detailing the strategic direction and development management policies necessary to enable sustainable mineral and waste development in Herefordshire. This is relevant to the whole population of Herefordshire and is as pertinent to those residing in the rural parishes as it is to those in Hereford and the county's market towns.

## Environmental impact

21. Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
22. The MWLP has had due regard to the council's environmental policy commitments. Many of them underpin its policies and proposals:
  - a. *Natural resources are used efficiently.* The National Planning Policy Framework identifies the need to ensure that mineral resources should be used sustainably. The MWLP, in assessing future need, only identifies sites for future minerals extraction which are necessary over the plan period (to 2041) and encourages the use of secondary and recycled materials in preference to the extraction of primary materials. It also safeguards mineral resources and infrastructure for future uses.
  - b. *Minimise waste.* The MWLP seeks to deliver the circular economy and promotes the concepts of waste hierarchy. The MWLP's sustainable waste strategy will deliver a reduction in the amount of waste re-used, recycled or used to recover energy and a decrease in the amount of waste disposed to landfill.
    - i. Waste management facilities are also an element of the circular economy, so long as the materials and/or energy recovered are put to beneficial uses.
  - c. *Reduce greenhouse gas emissions.* The built form of waste management facilities may more obviously align with the expectations of this policy commitment, but minerals working can also make a significant impact. Minerals are to be extracted efficiently and proposals should ensure that a high quality of reclamation and after use can be achieved.
    - i. The winning and working of minerals, and some waste processing operations, is resource intensive. Reduced energy usage can be achieved through good site design to reduce transport movements, for example. Buildings and plant can be designed to reduce resource requirements and consequent carbon emissions, for example, through the use of ultra-low emission vehicles and renewable

energy supply (including solar panels, open-loop ground source or surface waste source heating and cooling systems).

- ii. The MWLP will expect increased resource efficiency measures in plant, buildings and operation in order to achieve climate change priorities.
- d. *Raise awareness of and mitigate against and adapt to climate change impacts.* The strategy of the MWLP is centred on sustainability, from its vision and objectives through to its specific policies and proposals. An example of how it addresses climate change is; through the reclamation of sites, which provides opportunities to assist ecological networks in becoming more resilient and enabling the movement of wildlife as it adapts to a changing climate. The after-use of a site can also deliver objectives to address climate change, for example, creating new habitats that also provides flood storage to alleviate flood risks elsewhere.
- e. *Prevent and reduce pollution.* The waste strategy set out in the MWLP seeks to deliver sustainable management of waste in the county. Both the Plan's minerals and waste policies will prevent and reduce pollution from developments, to assist in the minimisation of nutrient levels in the River's Wye and Clun Special Areas of Conservation.
- f. *Conserve the natural and historic environment of Herefordshire.* Good design requires full consideration of the surrounding environment, its constraints and the opportunities for enhancement, including change for the better. The MWLP sets out a comprehensive approach, addressing exploration, construction, operation, buildings and machinery and people and place across the lifetime of the site and through its aftercare. This will enable sustainable development to be realised.
  - i. All minerals and waste development will be expected to incorporate robust measures to ensure that proposed development does not cause unacceptable adverse impacts on either the environment or local communities, many of which can be overcome by implementing standard measures, which are set out in the Plan. Protection of the landscape, townscape, biodiversity, geodiversity, historic environment and heritage assets (whether above or below ground) are all addressed through the MWLP's policies.
- g. *Promote links between environmental sustainability and economic growth and well-being.* Minerals provide many of the raw materials necessary for construction, energy and industry and they are essential in helping to sustain economic growth. Therefore the MWLP plans for their supply, whilst also requiring that the impacts of extracting them are kept within acceptable limits.
  - i. The MWLP provides for a network of waste management facilities and appropriate infrastructure to maximise waste as a resource and to avoid significant adverse impacts on the environment and communities.

## Equality duty

23. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;



- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
24. Herefordshire Council undertook an Equality Impact Assessment<sup>9</sup> of the MWLP. This concluded that the Plan and its policies are unlikely to have any specific impacts on any of the nine protected characteristics, to any lesser or greater extent than the general population.
25. In their report the Inspectors stated: “We find no reason to question these conclusions, having discovered no aspect of the Plan that would affect any person who shared any of the nine protected characteristics any more than a person who does not share them.”
26. In addition, at paragraph 13 of the Inspectors’ Report, it is stated that due regard has been had by the Inspectors in relation to the aims expressed in s149(1) of the Equality Duty Act 2010 regarding eliminating discrimination, advancing equality of opportunity and fostering good relations with respect to the nine characteristics protected by the Equality Act.

### Resource implications

27. The production of the MWLP and its examination has been funded through the local plan budget and reserves.
28. There will be a need to fund the production of a final Strategic Environmental Assessment Adoption Statement report by consultants LUC, which is a statutory requirement<sup>10</sup>, to be made available to the public on adoption of the MWLP. The estimated cost will be £1,500, to be funded from local plan budget and reserves. No further need is anticipated for input on this project from the consultants Hendeca (minerals and waste planning specialists), who produced the MWLP, and much of its evidence base. Therefore no further additional external consultancy fees or other costs are expected to be incurred prior to the adoption of the MWLP.

### Legal implications

29. Once adopted, the MWLP will form part of the statutory development plan for the area and be used as such for the purpose of determining minerals and waste applications in the county. Its preparation has involved ensuring compliance with statutory procedural requirements including: duty to cooperate, sustainability appraisal and habitats regulations assessments being undertaken at key stages during the preparation of the Plan, and consultation statements summarising how the council has engaged with communities and other stakeholders during the process.
30. The options open to the council at this stage in the process are set out in the Planning and Compulsory Purchase Act 2004 (notably sections 23 and 27) and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). Namely, where the Inspectors recommend that a local plan is adopted, as here, with modifications (“the main modifications”), the council may adopt the documents (a) with the main modifications, or (b) with the main modifications and additional modifications (minor changes) if, taken together, they do not materially affect the policies as recommended by the Inspectors.

<sup>9</sup>

<https://councillors.herefordshire.gov.uk/documents/s50094552/Appendix%20B%20Equality%20Impact%20Assessment%20-%20Submission%20MWLP%20September%202021.pdf>

<sup>10</sup> <https://www.legislation.gov.uk/uksi/2004/1633/regulation/16/made>



31. If the council rejects one or more of the Inspectors' recommended modifications, it cannot then proceed to adopt the MWLP. If the recommendation in this report is approved, the MWLP must be formally adopted, by resolution of Council, in accordance with the provisions of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000. Subsequently an 'adoption statement' would need to be published on the council's website, giving notice that Herefordshire Council has adopted the MWLP in accordance with all relevant regulations, and advertising the availability of the adopted Plan, as well as the final sustainability appraisal report.
32. Adoption of the MWLP by the council will trigger a six-week period from its adoption, within which any person aggrieved by the Plan may make an application to the High Court to challenge the MWLP, under section 113 of the said 2004 Act on limited grounds, namely that either: (a) the document is not within the appropriate power; or (b) a procedural requirement has not been complied with. Therefore, the adoption of the MWLP can only be challenged on the above basis and not simply because of a lack of agreement with the Inspectors' recommendations.
33. Through the public examination process, the Inspectors' Report confirms that the MWLP has met the legal compliance and soundness requirements. If a legal challenge is made, the council would robustly defend the Plan and its validity. Officers consider that the risk of a successful legal challenge is low.

## Risk management

Risk	Mitigation
<p>Risk (procedural, financial and reputational): not adopting the MWLP with main modifications and minor changes.</p> <p>Not to adopt would leave the council without an up to date minerals and waste planning policy framework and would effectively create a policy vacuum. This would be contrary to the requirements set out by the Assistant Planning Inspector during the Core Strategy examination, who stated that a MWLP was to be produced.</p> <p>The council would also risk criticism given the lengthy and costly process, including extensive community and stakeholder engagement, that has been undertaken to reach this point of having a sound development plan document which is capable of adoption.</p>	<p>Adopt the MWLP, together with its main modifications and minor changes, as soon as practicable.</p>
<p>Risk (reputational): to adopt the MWLP with only main modifications and not include minor changes.</p>	<p>Adopt the MWLP with main modifications and minor changes.</p>

<p>Not to include minor alterations which will correct typographical errors, aid clarity and keep references up to date would result in a poor quality document. This would leave the council open to public criticism over the length of time that this planning policy document will be in use (potentially several years).</p>	
<p>Risk (reputational and procedural): delay in adopting the MWLP.</p> <p>A local plan is expected to be adopted without delay once it has been through a public examination and found to be sound by Planning Inspectors . Not to do so would only delay a modern and sustainable planning policy framework being put in place.</p>	<p>Adopt the MWLP with main modifications and minor changes.</p>
<p>Risk: allocated minerals sites not coming forward or waste management facilities not being delivered in accordance with strategy.</p>	<p>A robust approach is set out in the MWLP to ensure that delivery of policies and proposals is achievable.</p> <p>A comprehensive assessment of the allocated minerals and waste sites and their associated strategies was carried out during the MWLP's preparation and their deliverability was considered by the Inspectors as part of the examination process.</p> <p>The delivery of aggregate production and waste management requirements will be monitored on a regular basis as part of the council's standard monitoring processes. If sites do not come forward, then this will be identified and addressed through 5-yearly (or earlier) Plan reviews.</p>

## Consultees

34. All public consultations undertaken as part of the process of producing the MWLP have been pursuant to the Town and Country Planning (Local Development) (England) Regulations 2012 and following the approach set out in the council's Statement of Community Involvement 2017<sup>11</sup>, as updated in 2022<sup>12</sup>.
35. Public consultations took place during standard stages of the MWLP's production in 2017, 2019 and 2021 and Consultation Statements were produced in relation to each, the latest

<sup>11</sup> <https://www.herefordshire.gov.uk/downloads/file/23505/statement-of-community-involvement-2017>

<sup>12</sup> <https://www.herefordshire.gov.uk/downloads/file/1566/statement-of-community-involvement-january-2022>

being the 2022 Consultation Statement<sup>13</sup>. These documents detail how consultations took place, which bodies and persons were invited to comment and a summary of the main issues raised and how those issues were addressed in the MWLP.

36. In addition, a public consultation took place more recently, in the summer of 2023, on the proposed main modifications to the MWLP. This was part of the examination process and representations received were sent directly to the Planning Inspectors for their consideration ahead of preparing the Inspectors' Report; with the council simply acting as host for this final consultation.
37. Officers met with the Chair of the Environment and Sustainability Scrutiny Committee on 11 January 2024. An update provided on the MWLP Inspectors' Report and main modifications, as well as regarding the next steps towards adoption, was welcomed. The Chair sought clarification and confirmation on a number of points and subsequently confirmed that the Scrutiny Committee would not be calling in the MWLP adoption item for further consideration.
38. An all members briefing took place on 26 February 2024, where the opportunity was given to members to discuss: any aspects of the MWLP; the purpose of the report to Cabinet; and the decision options open to Council regarding the Plan's adoption.

## Appendices

- Appendix 1: Inspectors' Report on the Herefordshire Minerals and Waste Local Plan
- Appendix 2: Main Modifications to the MWLP (the appendix to the Inspectors' Report)
- Appendix 3: Schedule of Minor Changes to the MWLP

## Background papers

None identified.

## Glossary

Agricultural waste	Includes a variety of substances such as pesticides containers, oil and silage wrap, as well as slurry which result from activities including horticulture, fruit growing, dairy farming, livestock breeding, seed growing, grazing and nurseries.
Biodiversity	The variety of plants and animal life on earth, encompassing the diversity of habitats, species and genetic variation. Biodiversity provides our life support system as well as having social and economic value.
Circular Economy	An approach to resource management, seeking to keep materials at their highest value for the longest period of time.
Evidence base	The information and data gathered by local authorities to justify the 'soundness' of the policy approach set out in development plan documents, including physical, economic and social aspects of the area.
Green infrastructure	A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental,

<sup>13</sup> <https://www.herefordshire.gov.uk/downloads/file/23512/mwlp-consultation-statement-january-2022>

	economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.
Habitats Regulation Assessment	A Habitats Regulations Assessment is the assessment of the impacts of implementing a plan or policy on a National Network Site. Its purpose is to consider the impacts of a land use plan against conservation objectives of the site and to ascertain whether it would adversely affect the integrity of the site. Where significant negative effects are identified, alternative options should be examined to avoid any potential damaging effects.
Heritage asset	A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated assets and assets identified by the local planning authority. 10
Historic environment	All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora.
Infrastructure	A collective term for services such as roads, electricity, sewerage, water, social services, health facilities and recycling and refuse facilities. For minerals development this also includes the plant necessary to work the mineral before it leaves the site.
Landscape	An area, as perceived by people, the character of which is the result of the action and interaction of natural and/or human factors.
Mineral safeguarding areas (MSA)	Areas defined by mineral planning authorities to protect potentially economic resources of minerals from other forms of development which may prevent future extraction of the mineral.
Mitigation	Measures taken to reduce adverse impacts; for example, changing the way development is carried out to minimise adverse effects through appropriate methods or timing.
Monitoring	Process where outcomes of policies and proposals are checked on a continuous or periodic basis, in order to assess their effectiveness and impact.
National Planning Policy Framework	This sets out the Government's planning policies for England and is the framework within which Herefordshire Council has produced the Local Plan – Core Strategy.
Nutrient	The ecology of the River Wye SAC including the River Lugg and its catchment are sensitive to nitrate and phosphate concentration. Nitrate and phosphate are nutrients that promote algal growth, affecting the conservation objectives of the SAC.
Nutrient neutrality	The means of ensuring that development does not add to existing nutrient burdens and provides certainty that the whole of the scheme is deliverable in line with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended). Advice regarding nutrient neutrality is likely to change throughout the plan period. Up to date guidance available on Herefordshire Council's website should be consulted in understanding the current approach to nutrient neutrality.
Reclamation	Restoring land that was once used for mineral extraction or as a landfill, in order to return it to a condition suitable for some other beneficial use.
Renewable energy	Power derived from a source that is continually replenished, such as wind, wave, solar, hydroelectric and energy from plant material, but not fossil fuels or nuclear energy. The biogenic content of waste is important in terms of considering energy from waste as renewable. Energy from residual waste is therefore a partially renewable energy source, sometimes referred to as a low carbon energy. In a

	typical household waste bag, somewhere between one half and two thirds will contain biogenic materials.
Residual waste	Waste which cannot be recycled or otherwise dealt with further up the waste hierarchy.
Special Area of Conservation (SAC)	A Special Area of Conservation (SAC) is one given greater protection under Conservation of Habitats and Species Regulations 2017 (as amended). They have been designated because of a possible threat to the special habitats or species which they contain and to provide increased protection to a variety of animals, plants and habitats of importance to biodiversity both on a national and international scale.
Safeguarding	Protection of specific resource or site from being adversely impacted by alternative or encroaching development.
Sustainable development	In broad terms, this means development that meets the needs of the present without compromising the ability of future generations to meet their own needs.
Waste hierarchy	A guiding theme for waste policy at all levels. Seeks the sustainable management of waste by giving preference to waste management methods towards the top of the hierarchy (such as prevention, re-use and recycling) over methods lower down the hierarchy (such as recovery and disposal).
Waste management facilities	These include facilities for waste treatment and disposal.
Wastewater	Water that is disposed of at domestic properties or through commercial and industrial activities.

### Report reviewers used for appraising this report:

Governance	John Coleman	Date 20/12/2023
Finance	Karen Morris, Wendy Pickering, Judith Tranmer	Date 30/12/2023
Legal	Sean O'Connor	Date 28/12/2023
Communications	Luenne Featherstone	Date 19/12/2023
Equality Duty	Harriet Yellin	Date 02/01/2024
Procurement	Lee Robertson	Date 20/12/2023
Risk	Kevin Lloyd	Date 29/12/2023
Approved by		
Cllr Swinglehurst (Cabinet Member Environment) Date 12/02/2024		
Ross Cook (Corporate Director Economy & Environment)		
Date 13/02/24		



## **Report to Herefordshire Council**

**by Nick Palmer BA (Hons) BPI MRTPI and Rachael A Bust BSc (Hons), MA, MSc, LL.M, PhD, MoL, MCMI, MIEEnvSci, MRTPI**

Inspectors appointed by the Secretary of State

31 October 2023

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Planning and Compulsory Purchase Act 2004 (as amended)

Section 20

## **Report on the Examination of the Herefordshire Minerals & Waste Local Plan**

The Plan was submitted for examination on 22 March 2022

The examination hearing was held between 8-10 November and 15 November 2022

File Ref: PINS/W1850/429/6

## Contents

Abbreviations used in this report .....	3
Non-Technical Summary .....	4
Introduction.....	6
Context of the Plan .....	7
Public Sector Equality Duty .....	8
Assessment of Duty to Co-operate.....	8
Assessment of Other Aspects of Legal Compliance .....	9
Assessment of Soundness Main Issues .....	11
Issue 1 – Vision, Strategic Plan Objectives and Spatial Strategy .....	11
Issue 2 – Strategic Policies.....	13
Issue 3 – Provision for Aggregate Supply.....	15
Issue 4 – Minerals other than Aggregates.....	20
Issue 5 – Safeguarding mineral resources, infrastructure and facilities.....	21
Issue 6 – Strategy for Waste .....	22
Issue 7 – Delivery, Implementation and Monitoring.....	27
Overall Conclusion and Recommendation.....	28
Schedule of Main Modifications .....	Appendix



## Abbreviations used in this report

AMR	Annual Monitoring Report
AONB	Area of Outstanding Natural Beauty
C, D & E	Construction, Demolition and Excavation
EA	Environment Agency
ha	Hectare
HE	Historic England
HRA	Habitats Regulations Assessment
LAA	Local Aggregate Assessment
LDS	Local Development Scheme
MM	Main Modification
MNA	Minerals Need Assessment
MSA	Minerals Safeguarding Area
Mt	Million tonnes
NE	Natural England
NFU	National Farmers' Union
NH	National Highways
NPPF	National Planning Policy Framework
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SAC	Special Area of Conservation
SCI	Statement of Community Involvement
SoCG	Statement of Common Ground
SPA	Special Protection Area
SPD	Supplementary Planning Document
WMRTAB	West Midlands Resource Technical Advisory Body

## Non-Technical Summary

This report concludes that the Herefordshire Minerals and Waste Local Plan (the Plan) provides an appropriate basis for the planning of minerals and waste development in Herefordshire, provided that a number of main modifications [MMs] are made to it. The Council has specifically requested that we recommend any MMs necessary to enable the Plan to be adopted.

Following the hearing, the Council prepared schedules of the proposed modifications and, where necessary, carried out sustainability appraisal (SA) and habitats regulations assessment (HRA) of them. The MMs were subject to public consultation over an eight-week period. We have recommended their inclusion in the Plan after considering the SA and HRA and all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

- Amendments to ensure the correct terminology is used for mineral resources.
- Clarification that the key development criteria form part of minerals and waste policies.
- Amendments to the strategic policy on resource management and its supporting text, including the requirements for submission of resource audits and moving the statement of actions to be taken by the Council from the policy to the supporting text.
- Ensuring that requirements in respect of rights of way are distinguished from those relating to open space in strategic policy.
- Ensuring the policy on transport of minerals and waste within sites is justified and effective.
- Detailed amendments to the strategic policy on site reclamation to ensure that it is effective.
- Amendments to ensure that the position with respect to achieving nutrient neutrality is up to date, that the requirements in respect of minerals and waste development are clear, and to provide glossary definitions of 'nutrient' and 'nutrient neutrality'.
- Deletion of the requirement for future hydrocarbon developments to assess the downstream environmental effects of the use of hydrocarbons.
- Extension of the Mineral Safeguarding Area to cover all known mineral resources of local and national importance within Herefordshire including across urban areas and without applying any viability, environmental or amenity screening criteria.
- Introduction of criteria for exemption from the safeguarding requirements, including the need to safeguard infrastructure for transport of minerals.
- Clarification of the amounts of mineral available for the allocated sites and reference to the latest Minerals Need Assessment.
- A statement that mineral working should not take place within the Wye Valley Area of Outstanding Natural Beauty (AONB) other than in exceptional circumstances.
- Identification of the permitted sandstone extraction sites where extensions of time would be permitted, and deletion of the requirement for workings to be small scale.
- Clarification of use of the term 'recovery' with respect to construction, demolition and excavation wastes.
- Making the requirement for waste management method statements for agricultural waste facilities including livestock units clearer, and clarification of requirements in respect of achieving nutrient neutrality.

- Clarification of requirements for wastewater development, including that the requirement for nutrient neutrality applies to the development rather than the discharge from the infrastructure.
- Explanation of the terms 'strategic employment area' and 'industrial estate' in locating facilities for solid waste treatment.
- Deletion of the order of preference stated in the policy for construction, demolition and excavation waste management facilities.
- Explanation of how energy recovery can be demonstrated.
- A number of other modifications to ensure that the plan is positively prepared, justified, effective and consistent with national policy.

## Introduction

1. This report contains our assessment of the Herefordshire Minerals and Waste Plan (the Plan) in terms of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended). It considers first whether the preparation of the Plan has complied with the Duty to Co-operate. It then considers whether it is compliant with the legal requirements and whether it is sound. The National Planning Policy Framework 2023 (NPPF), at paragraph 35, makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
2. The starting point for the examination is the assumption that the Council has submitted what it considers to be a sound and legally compliant plan. The Herefordshire Minerals and Waste Plan, submitted in March 2022 (D3.37) is the basis for our examination. It is the same document as was published for consultation in April 2021.

## Main Modifications

3. In accordance with section 20(7C) of the 2004 Act the Council requested that we should recommend any main modifications [MMs] necessary to rectify matters that make the Plan unsound or not legally compliant and thus incapable of being adopted. Our report explains why the recommended MMs are necessary. The MMs are referenced in bold in the report in the form **MM1**, **MM2** etc, and are set out in full in the Appendix.
4. An initial Schedule of Main Modifications and Minor Changes document was produced pre-examination in February 2022. Some of these arose from the Council's consideration of the responses received to the Regulation 19 Submission consultation stage. They subsequently formed part of the Council's Hearing Position Statements and were the starting point for the proposed MMs to be discussed within the relevant hearing sessions.
5. Following the examination hearing, the Council prepared a schedule of proposed MMs and, where necessary, carried out SA and HRA of them. The MM schedule, SA and HRA were subject to public consultation for eight weeks from 26 June 2023 to 21 August 2023. We have taken account of the consultation responses in coming to our conclusions in this report. We have made some amendments to the MMs. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and SA/HRA that has been undertaken. Where necessary we have highlighted these amendments in the report.

## Policies Map

6. The Council must maintain an adopted Policies Map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission Policies

Map showing the changes to the adopted Policies Map that would result from the proposals in the submitted Local Plan. In this case, the submission policies map comprises the plans contained in the Herefordshire Minerals and Waste Local Plan Publication Draft Annex A (January 2021) (document reference D3.39) and the plans contained in the Herefordshire Minerals and Waste Local Plan Publication Draft Allocated Sites Appendix (January 2021) (document reference D3.38). An interactive map is also accessed via the Council's website.

7. The Policies Map is not defined in statute as a development plan document and so we do not have the power to recommend main modifications to it. However, a number of the published MMs to the Plan's policies require corresponding changes to be made to the Policies Map.
8. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted Policies Map to include all the changes proposed in the submission Policies Map and any other minor changes published alongside the MMs.

## **Context of the Plan**

9. As the Plan itself explains, it deals only with the two matters of minerals planning and waste planning for the entire administrative area of Herefordshire Council for the period to 2041. It will form part of the development plan together with the Herefordshire Local Plan Core Strategy (2015) (the Core Strategy). It replaces the only remaining saved policies of the Unitary Development Plan (2007).
10. Herefordshire is a large, predominately rural, landlocked county situated in the southwestern corner of the West Midlands region and on the eastern border of Wales. Hereford is a small city and there are a further 5 market towns.
11. The known mineral resources in Herefordshire are primarily aggregates, comprising sand and gravel; crushed rock (limestone) and a small amount of building stone (sandstone). Secondary or recycled materials are also gained from quarry and waste operations. Mineral aggregates are both imported to, and exported from, Herefordshire, including by rail. There is a limited amount of energy mineral resources present in Herefordshire.
12. Herefordshire produces and manages waste of most types, both exporting wastes, predominantly for materials and energy recovery and also importing waste from Wales, the West Midlands and Gloucestershire. The rural and agricultural nature of Herefordshire has generated a dispersed pattern of anaerobic digestion and biological treatment facilities.

## Public Sector Equality Duty

13. We have had due regard to the aims expressed in S149(1) of the Equality Act 2010 regarding eliminating discrimination, advancing equality of opportunity and fostering good relations with respect to the nine characteristics protected by the Equality Act.
14. Herefordshire Council undertook an Equality Impact Assessment (D3.68) of the Plan. This concluded that the Plan and its policies are unlikely to have any specific impacts on any of the nine protected characteristics, to any lesser or greater extent than the general population.
15. We find no reason to question these conclusions, having discovered no aspect of the Plan that would affect any person who shared any of the nine protected characteristics any more than a person who does not share them.

## Assessment of Duty to Co-operate

16. Section 20(5)(c) of the 2004 Act requires that we consider whether the Authority complied with any duty imposed on it by section 33A in respect of the Plan's preparation. Section 33A imposes a duty to co-operate with other local planning authorities and prescribed bodies in maximising the effectiveness of plan preparation in relation to strategic matters. Minerals and waste developments are strategic matters for the purposes of the statutory duty.
17. The Duty to Co-operate Statement indicates that there has been engagement with the bodies prescribed in section 4 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Environment Agency (EA), National Highways (NH), Historic England (HE) and Natural England (NE) have been actively engaged in the consultation processes on the Plan and comments made by those bodies have been addressed. NH commented on the draft Plan and raised no objection. Detailed comments made by NE and HE have been subject to ongoing collaboration between the Council and those bodies.
18. There has been full engagement with NE, the EA and other bodies including Natural Resources Wales and Dwr Cymru/Welsh Water regarding nutrient neutrality. This has been through meetings, correspondence and participation in groups such as the Wye Nutrient Management Board. While NE was broadly supportive of the approach taken to nutrient neutrality, it did have some detailed concerns. Those concerns have largely been resolved through discussion of MMs. A Statement of Common Ground (SoCG) between the Council and NE has been produced (D3.94).
19. There is agreement between the Council and NE on the need to reduce nutrient levels within the River Wye Special Area of Conservation (SAC). Although full agreement with NE could not be reached regarding the detailed approach of the Plan on this

matter, the outstanding issues of soundness are addressed later in this report and through the recommended MMs.

20. Detailed discussions have taken place between the Council and HE. A SoCG has been produced (D3.95) and HE has no outstanding concerns.
21. The Council has engaged with neighbouring authorities, the EA and representatives of the minerals industry in planning for minerals through the West Midlands Aggregates Working Party.
22. The Council also participates in meetings of the West Midlands Resource Technical Advisory Body (WMRTAB) in planning for waste. This group comprises neighbouring authorities, the EA and representatives of the waste industry.
23. The discussions with neighbouring authorities, industry and the EA have informed preparation of the Plan and enabled consideration of minerals and waste planning across the region, taking into account cross-boundary movements. There are SoCGs with Shropshire Council (D2.27) and with Worcestershire and Gloucestershire County Councils (D2.30) and there is a Memorandum of Understanding with Powys Council (D2.18).
24. A draft SoCG between the Council and WMRTAB has been prepared (D2.32). Although this had not been signed at the time of the hearing, this indicates co-operation between neighbouring authorities and other bodies in planning for waste and that this took place prior to submission of the Plan.
25. We are satisfied overall that, where necessary, the Council has engaged constructively, actively and on an on-going basis with the prescribed bodies and that the Duty to Co-operate has therefore been met in the preparation of the Plan.

## **Assessment of Other Aspects of Legal Compliance**

### **Local Development Scheme**

26. The Plan has been prepared in accordance with the Council's Local Development Scheme (LDS) produced in February 2022. Although the LDS anticipated that the Plan would be adopted before the end of 2022, its adoption after this time does not raise any implications for legal compliance.

### **Statement of Community Involvement**

27. Prior to the submission of the Plan, consultation was carried out in compliance with the adopted Statement of Community Involvement (SCI) 2017. During the covid-19

pandemic the Government imposed restrictions therefore consultation methods were on-line together with telephone support. A new SCI was produced in January 2022 and the MM consultation was carried out in accordance with the new SCI.

## **Sustainability Appraisal and Habitats Regulations Assessment**

28. The Council carried out a SA of the Plan, prepared a report of the findings of the appraisal, and published the report along with the Plan and other submission documents under Regulation 19. The MMs have been assessed in the SA Addendum Report (June 2023). This was published for consultation together with the schedule of MMs.
29. A HRA for the Publication Draft Plan was carried out in December 2020. The HRA screening exercise found potential for likely significant effects on the River Wye SAC and the Wye Valley and Forest of Dean Bat Sites SAC. An Appropriate Assessment of the effects of the Plan on those sites has been carried out and the HRA makes recommendations regarding mitigation measures. The HRA concludes that subject to the mitigation measures in the Plan and those recommended, it will not give rise to adverse effects on the integrity of European sites, either alone or in combination with other plans or projects. The mitigation measures recommended in the HRA have been included in the Plan. A further assessment has been made of the MMs, in June 2023, which was published for consultation together with the schedule of MMs and it concludes that these do not alter the conclusions of the 2020 HRA or those of subsequent addenda.
30. We are content that both the SA and HRA are in line with the legal requirements.

## **Other Requirements**

31. The Plan complies with all other relevant legal requirements, including in the 2004 Act (as amended) and the 2012 Regulations.
32. The Development Plan, taken as a whole, includes policies to address the strategic priorities for the development and use of land in the Herefordshire Minerals and Waste Plan area.
33. The strategic policies in the Plan provide for sustainable resource management, sustainable transport and reclamation of sites. The minerals strategy provides for the sustainable winning and working of mineral resources. The waste strategy provides for sustainable management of waste. The Plan supports delivery of the waste hierarchy and achieving the circular economy in Herefordshire. These policies are designed to ensure that development mitigates against and adapts to climate change.



34. The Development Plan as a whole includes policies which are designed to secure that the development and use of land in the Plan area contribute to the mitigation of, and adaptation to, climate change. The Core Strategy includes Policy SS7 which requires development proposals to include measures which will mitigate their impact on climate change. The Core Strategy also includes Policies SD1, SD2 and SD3 which require sustainable design and energy efficiency, provide support to renewable and low carbon energy generation, subject to criteria, and require sustainable water management.

## Assessment of Soundness

### Main Issues

35. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearing, we have identified 7 main issues upon which the soundness of this Plan depends. This report deals with these main issues. It does not respond to every point or issue raised by representors. Nor does it refer to every policy, policy criterion or allocation in the Plan.

### **Issue 1 – Whether the Vision, Strategic Plan Objectives and Spatial Strategy are appropriate, positively prepared and are soundly based and provide an appropriate basis for meeting the future demand for minerals and managing waste sustainably**

36. Chapter 3 of the Plan sets out the context of the Plan, including local policies and strategies. These include reference to high levels of phosphates in Herefordshire's rivers and the initiatives that have been taken by the Council, EA, NE and Dwr Cymru/Welsh Water. The Plan's vision includes protection and enhancement of environmental assets and objectives 9 to 12 deal with environmental quality. The position has been updated by the Council's Position Statement on development in the River Lugg Catchment Area (April 2021). This information needs to be added to the context chapter to ensure that the Plan is sound. **MM4, MM5 and MM6** add further text accordingly.
37. The stated vision of the Plan includes the protection and enhancement of environmental, heritage and cultural assets. The Plan area includes two Areas of Outstanding Natural Beauty (AONB): the Malvern Hills and the Wye Valley. National policy requires conservation of landscape and scenic beauty in AONBs. National policy also requires conservation of heritage assets and priority habitats and ecological networks. Accordingly, the vision should include the word 'conserving' and **MM7** is necessary to make this change.
38. Throughout the Plan the term 'mineral reserves' has been used to refer to mineral resources which do not have planning permission for extraction. The use of the correct terminology within minerals planning has a fundamental influence on the interpretation of a policy and is a matter of soundness. It is important to make the

distinction between these terms to provide clarity and for effectiveness. A number of modifications (**MM1, MM8, MM12, MM13, MM14, MM26, MM32, MM33, MM35, MM36, MM40, MM44, MM46** and **MM49**) are necessary for these reasons.

39. In the submitted Plan, objective 3 is missing from Table 1. The Council stated that the objective which should have been included is to safeguard mineral and waste resources and associated transport infrastructure. **MM9** inserts this objective and is necessary for consistency with national policy and for effectiveness.
40. The NPPF states that minerals planning authorities should plan for a steady and adequate supply of aggregates. Objective 6 does not include reference to planning for an adequate supply. **MM10** is necessary to ensure consistency with national policy.
41. Policy SS7 of the Core Strategy requires development to be designed to reduce carbon emissions and promotes the use of low carbon energy. The NPPF states that, the environmental objective of sustainable development includes moving to a low carbon economy. Objective 11 of the Plan is to address the causes and impacts of climate change. In order for this objective to be effective and consistent with national policy, it should include decarbonisation. **MM11** makes this change.
42. Under the heading "Spatial Strategy" paragraph 4.3.6 refers to preferred areas of search for minerals. The Planning Practice Guidance (PPG) states that a priority order should be followed when planning for minerals in that specific sites should be designated as a first priority, followed by preferred areas, and then areas of search. In order to ensure consistency with national policy the areas identified in the Plan for consideration after designated sites should be identified as preferred areas. A number of modifications (**MM3, MM15, MM18, MM34, MM40, MM41, MM44, MM46, MM49** and **MM85**) are necessary for this reason.
43. The general explanation of the minerals strategy in paragraph 3.3.8 is not entirely consistent with paragraph 213 of the Framework. It does not indicate that there needs to be an adequate supply of aggregates as well as a steady supply. Furthermore, it does not refer to the need for specific sites and preferred areas for mineral working. **MM3** modifies the text in paragraph 3.3.8 to provide the necessary consistency with the NPPF.

## Conclusion

44. Subject to the MMs identified above the Plan's Vision, Strategic Plan Objectives and Spatial Strategy are appropriate, positively prepared and soundly based and provide an appropriate basis for meeting the future demand for minerals and managing waste sustainably.

## **Issue 2 – Whether the general Strategic Policies adequately address the Plan's Spatial Strategy, and whether they are sound**

### **General Matters**

45. The site allocations are each accompanied by key development criteria, which are set out in the Site Allocation appendix and in the Plan at section 9. This should be explained at the outset in order to ensure the Plan is clear and therefore effective. **MM16** inserts a new paragraph which explains this.
46. There are two railheads within the Plan area, one of which is operational. These provide opportunities for sustainable transport but are not referred to under section 5.3: Movement and transportation. In order to make the Plan effective in this respect, **MM17** is necessary.

### **Policy SP1 - Resource Management**

47. Policy SP1 applies to all types of development and requires sustainable use of materials in the design and construction of development and sustainable waste management during its operation. It consists of two parts, the first part setting out actions that will be taken by the Council and the second part requiring submission of a Resource Audit with development proposals.
48. Although the supporting text provides some explanation of the policy, it would not be effective in terms of positively supporting development that is designed to both use materials and manage waste in accordance with the waste hierarchy. The actions to be taken by the Council need not be included within the policy but could usefully be included in the supporting text. The purpose of the policy should be clearly set out in order for it to be effective, and the requirements in terms of submission of Resource Audits should be clear. **MM23** makes these changes to the policy and **MM20** moves the statement of measures that will be taken by the Council from the policy to the supporting text. These amendments are necessary for effectiveness.
49. A number of changes to the supporting text are also necessary to ensure the effectiveness of the policy. **MM19** amends the text to provide clarity regarding waste generation and management options. **MM21** and **MM22** provide further explanation of the requirements for Resource Audits including clarification of the requirements of development other than major development.

### **Policy SP2 – Access to open space and recreation from minerals and waste development**

50. The policy, as worded would apply only to mineral development, whereas it is clear from the supporting text and policy heading that the policy is intended to apply also to

waste development. Part (2) of the policy refers to effect on a right of way or existing open space, but the criteria refer to diversion and closure, which would only affect rights of way. It is necessary to make clear that the policy relates to waste as well as mineral developments and for it to set out requirements for development that affects open space.

51. The wording “taking account of the local context” would be clearer and more generally applicable than “integrating historic context”. The policy should state that permission will be supported in order for it to be effective. **MM25** makes all the necessary changes to the policy to ensure its effectiveness.
52. Associated modifications are necessary to the supporting text and **MM24** makes these changes. The policy includes a requirement to integrate green infrastructure and this term should be defined. **MM80** adds this definition in the Glossary. These amendments are necessary for effectiveness.

### **Policy SP3 - Transport within sites**

53. Policy SP3 requires demonstration that transport arrangements within sites minimise greenhouse gas emissions. It includes a requirement for the use of conveyors and/or pipelines where they would be appropriate to the circumstances of the site and the nature of the material to be moved. Site-specific circumstances will vary considerably and in this context the requirement for conveyors or pipelines has not been adequately justified. However, these measures could be appropriate. In order to ensure that the policy is justified and effective, it should refer to these measures, together with electric vehicles as examples of measures that could be used. The policy should state that permission will be supported. **MM28** makes the necessary changes to the policy.
54. In considering appropriate transport measures, impacts on nearby receptors will need to be considered and minimised. **MM27** makes the necessary change to the supporting text to ensure effectiveness.

### **Policy SP4 - Site Reclamation**

55. Policy SP4 requires that satisfactory reclamation schemes are submitted with applications and sets out the requirements of such schemes. Criterion (a) is vague in that it requires “development” to be taken into account. In (b), consideration of local context would be clearer than historic context and the policy should make clear that green infrastructure would be integrated. **MM31** clarifies that significant permitted or proposed development is taken into account and makes the other necessary changes to the policy. **MM30** makes the necessary changes to the supporting text. **MM80** is necessary to provide a definition of ‘green infrastructure’ in the Glossary. These modifications are necessary for effectiveness.

56. It is also necessary to explain what is meant by “landscape scale benefits” referred to within the policy. **MM29** provides this explanation in the supporting text and is necessary to ensure effectiveness.

## Conclusion

57. Subject to the MMs identified above, the general strategic policies adequately address the Plan's spatial strategy and are sound.

## Issue 3 – Whether the Plan's policies for the future supply of aggregate minerals would deliver a steady and adequate supply and whether they are sound

### Policy M1 - Minerals Strategy

58. The strategy set out in Policy M1 is to ensure the sustainable delivery of minerals. The use of alternative materials and recycled aggregates are encouraged. The policy also provides for safeguarding of mineral resources. There are no known viable resources within Herefordshire for silica sand, clay or any other mineral. These are not considered further.
59. Part (c) of the policy states that preferred areas and sites are allocated for construction minerals. This is not fully consistent with national policy which requires allocation of specific sites followed by preferred areas. **MM34** changes this accordingly. **MM18** also makes the necessary change in section 5 of the Plan (Strategic Policy and General Principles). **MM78** and **MM85** make the necessary changes to the Glossary.
60. There are hydrocarbon resources in Herefordshire, although there is currently no realistic prospect of those minerals being extracted. However, in the event that this may become viable at a future date, part (d) of Policy M1 provides for their extraction. This part of the policy requires consideration of the impacts from greenhouse gas emissions associated with the use of the hydrocarbons extracted. While this may be capable of forming a material consideration in determining a planning application, the inclusion of this requirement in the policy goes further than national policy and is not justified. **MM34** is necessary to delete that part of the policy.
61. Paragraph 6.1.9 explains the approach regarding safeguarding. Further clarification is necessary regarding the interactive mapping and **MM33** makes the necessary changes.

### Policy M3 - Winning and working of sand and gravel

62. The Minerals Need Assessment (MNA) (2021) considered Gross Value-Added forecasts, population projections and household or housing projections, together with

Core Strategy infrastructure requirements. These different data sources result in differing calculated amounts for the need for sand and gravel over the Plan period. The Council based its assessment of need on the highest level of growth, that is the one based on Gross Value-Added forecasts, which identifies a need of 4.03 million tonnes (Mt) in order to maintain a 7-year landbank at the end of the Plan period.

63. This assessment assumes that imports of aggregates would continue at their current level over the Plan period. The Council also assessed need on the basis of full self-sufficiency in aggregates production. This resulted in a wide range of forecasted need of between 4Mt and 13Mt.
64. These assessments assume that construction accounts for only 15% of aggregate consumption, on the basis of industry information. However, the information on which that assumption was based appears to have subsequently been withdrawn. The Council's sensitivity assessment is based on the tonnage of aggregates necessary to build a new home using figures provided by the Mineral Products Association and the European Aggregates Association. The figures take account of aggregates needed for refurbishment as well as new construction. The sensitivity assessment assumes that construction accounts for 100% of aggregates use and therefore results in a much lower projected need of 466,000 tonnes.
65. There are two operational quarries at Wellington and Upper Lyde and a closed quarry at Shobdon. The MNA notes that although Shobdon Quarry is inactive it still contains a sand and gravel reserve of just under 1Mt. The Local Aggregates Assessment (2021) (LAA) reports that there were nearly 2.7Mt of permitted reserves of sand and gravel in the county. The ten-year average annual sales figure of 139,000 tonnes gives a landbank of 19.3 years. The existing permissions for Wellington and Upper Lyde require cessation of working by the end of 2026 and September 2029. Although new permissions will be required from 2027 onwards, it is clear that there is a significant level of reserve at existing quarries and new quarries will not be required until later in the Plan period.
66. Policy M3 makes provision for 5Mt of sand and gravel over the Plan period. The policy states that additional provision will be made through regular reviews of the Plan and that a landbank of 7 years will be maintained at the end of the Plan period. This provision is significantly higher than the need figure identified in the MNA. Taking into account the revised industry assumptions about the proportion of aggregates used in construction, this provision would be robust. It allows for a greater degree of self-sufficiency than there is at present, if not full self-sufficiency. The position will be monitored throughout the Plan period.
67. Policy M3 identifies specific sites for sand and gravel extraction at Shobdon Quarry, Upper Lyde Quarry and Wellington Quarry. Upper Lyde and Wellington Quarries will produce about 2.95Mt. Shobdon Quarry has a reserve of just under 1Mt in addition to this. Although there is some uncertainty as to the precise amounts of mineral that will

be available from the specific sites, there is a reasonable prospect that these will provide for the identified need of just over 4Mt. Preferred Areas are identified in order to make provision in case sufficient minerals cannot be obtained from the specific sites. In order to provide clarity, and thereby effectiveness, the quantities of mineral to be provided from the specific sites should be stated, where this information is available. **MM44** adds this information.

68. A number of amendments to the supporting text to Policy M3 are necessary to update the explanation in these respects and to ensure effectiveness. **MM39** therefore updates paragraphs 6.2.2 to 6.2.6 to refer to the latest MNA and to explain the approach taken.
69. The policy allows flexibility in terms of windfall development outside the specific sites and preferred areas, where this is necessary to maintain an adequate landbank or there is a shortfall in production capacity. Paragraph 6.2.8 does not fully explain the expectation that such working would be limited in its extent, and that mineral would be transported off-site for processing, in order to reduce the potential for adverse impacts. Further explanation is necessary to provide clarity and effectiveness in this regard. **MM40** adds this explanation.
70. The policy is supportive of development both at specific sites and within preferred areas. It states an order of preference with specific sites being preferred over development in preferred areas. The Planning Practice Guidance (PPG) states that authorities should adopt this order in planning for minerals. There is a reasonable level of certainty that the identified need can be provided at the specific sites. The Plan allocates extensions to the existing permitted quarries, and it was explained at the hearing that planning applications were being prepared for those sites. The order of preference in the policy is justified on the basis of the level of certainty provided by the specific sites.
71. At the hearing clarification was sought as to the order of preference within Policy M3. **MM43** as published for consultation inserted wording to state that specific sites would be worked prior to the preferred areas and that permission would not be supported for proposals that do not respect the order of preference. The latter sentence of the modification could potentially preclude development that would be necessary to meet the requirement of the Plan. For the reasons given above, and having given this further consideration, this sentence has been deleted from the modification.
72. It should be made clear that the key development criteria set out in Table 9 form part of Policy M3(2) and they do not replace development management policy. **MM74** and **MM75** make these changes. **MM41** makes an amendment to paragraph 6.2.9 to make clear that the key development criteria form part of the policy framework rather than being additional to it. These changes are necessary for effectiveness.

73. **MM76** makes detailed changes to the key development criteria (in Table 9) which are necessary for effectiveness, having been recommended by the EA, HE and NE. These include alterations to the ground water, phased working and appropriate assessment requirements for all of the allocated sites the flood risk and heritage asset requirements for Wellington Quarry.

#### **Policy M4 - Winning and working of crushed rock (limestone)**

74. The MNA (2021) assessed two forecasts for population and housing growth which resulted in a range of forecasted need for crushed rock of between 4 million and 7.9 million tonnes on the basis of the current level of imports, or between 9.5 million and 19 million tonnes assuming self-sufficiency. Policy M4 provides for 9 million tonnes of crushed rock production over the Plan period. This would more than provide for the requirements identified in the MNA based on current imports and would allow for a move towards self-sufficiency.
75. For the same reasons as those given above for sand and gravel, the sensitivity assessment gives a much lower range of 2.3 million to 4.7 million tonnes assuming self-sufficiency. The provision made in Policy M4 would be robust in relation to the levels of need identified in the sensitivity assessment. The policy is positively prepared and justified for these reasons.
76. It is likely that the identified requirement would be met from the two allocated specific sites. The identification of Preferred Areas would add to the robustness of crushed rock supply. It is necessary to state the amount of material that will be provided by the specific sites as far as this information is available. **MM49** makes these changes to the policy and is necessary for effectiveness.
77. It is also necessary to update the supporting text to explain the approach taken in the assessment of need. **MM45** makes the necessary changes to paragraphs 6.2.11 to 6.2.15 for effectiveness.
78. Area of Search D as submitted includes land within an AONB. The NPPF states that planning policies should, as far as practical, provide for the maintenance of landbanks outside AONB. In considering planning applications, the NPPF states that permission should be refused for major development in AONBs other than in exceptional circumstances and where it can be demonstrated to be in the public interest. To be consistent with national policy, the supporting text should make it clear that mineral working should not take place within the AONB other than in exceptional circumstances. **MM46** is necessary to ensure the policy is consistent with national policy. We have added the wording "other than in exceptional circumstances" to ensure consistency with national policy.
79. Herefordshire contains more than one AONB but as Areas of Search only include part of the Wye Valley AONB it is only necessary to explicitly refer to the one AONB as



national policy would apply in any event. **MM46** makes the necessary changes to paragraphs 6.2.16 and 6.2.17. This also explains the expectation that mineral extracted from any working outside the specific sites and preferred areas would be transported off-site for processing.

80. The order of preference within Policy M4 was discussed at the hearing. **MM48** as published for consultation inserted wording to state that specific sites would be worked prior to the preferred areas and that permission would not be supported for proposals that do not respect the order of preference. The latter sentence of the modification could potentially preclude development that would be necessary to meet the requirement of the Plan. For the reasons given above, and having given this further consideration, the latter sentence has been deleted from this modification.
81. As with Policy M3, the key development criteria set out in Table 9 form part of Policy M4(2). **MM74** and **MM75** make these changes.
82. **MM76** makes detailed changes to the key development criteria which are necessary for effectiveness, having been recommended by the EA, HE and NE. These include alterations to the ground water, phased working and heritage asset requirements for the allocated sites and the appropriate assessment requirements of Perton Quarry.

### **Nutrient Neutrality**

83. Within the River Wye SAC, the River Lugg is failing its conservation objectives because of nutrient loading. The River Clun SAC is also in unfavourable condition, being well above its targets for phosphates, nitrates and suspended solids. The River Wye, above its confluence with the River Lugg, is not currently failing its conservation objectives, but the Council has concerns that there is potential for this to happen on the basis of nutrient discharge. The condition of these designated sites and the potential for further harm to occur justifies the approach taken in the key development criteria for some of the allocated mineral sites which require that proposals demonstrate at least nutrient neutrality.
84. Natural England's advice is that where there is only a limited pool of measures available for addressing targets, these should be used to bring the designated site into favourable condition rather than enabling growth. This advice is directed primarily at housing development rather than minerals development.
85. The Council issued its Position Statement on development in the River Lugg catchment area in April 2021. This provides advice with regard to achieving nutrient neutrality and actions that are being taken to provide further guidance. It is important that this information is included in the Plan to inform developers and to ensure that its policies are effective. **MM4**, **MM5** and **MM6** add text to the Context section of the Plan to provide this information.

86. The key development criteria for allocated sites require demonstration of at least nutrient neutrality. It is unlikely that minerals development would contribute significantly to additional nutrient load, but nonetheless mitigation measures will be necessary. In order to ensure the effectiveness of this policy requirement, it is necessary to explain the position to mineral developers and to provide examples of mitigation measures. **MM42**, **MM47** and **MM51** add paragraphs to the text supporting Policies M3, M4 and M5 which provide this further explanation.
87. The terms “nutrient” and “nutrient neutrality” are used throughout the Plan but are not defined. **MM83** and **MM84** insert definitions in the Glossary and are necessary for the Plan to be effective. Other relevant terms also require definition in order for the Plan to be effective. **MM77**, **MM79**, **MM81**, **MM82**, **MM86** and **MM87** provide the necessary definitions in respect of Appropriate Assessment, the Habitats Regulations, National Network sites and the designations SAC and SPA.

## Conclusion

88. Subject to the MMs identified, the Plan's policies make adequate provision for the future supply of aggregate minerals and would deliver a steady and adequate supply and are sound.

## Issue 4 – Whether the Plan makes adequate provision for sandstone and whether Policy M5 is sound

89. The supporting text to Policy M5 requires amendment to make clear the position with regard to achieving nutrient neutrality. **MM51** makes this change and is necessary for effectiveness.
90. Within Herefordshire, sandstone is worked in small quarries called delves, generally by hand with just one or two workers. The evidence suggests that there has been a consistent level of demand for around 2,000 tonnes per year. Policy M5 does not identify the permitted sandstone sites or provide any link to give weight to and enable the key development requirements to be implemented. The policy as submitted is therefore not effective. **MM53** identifies the 6 permitted delves in the policy and **MM52** makes it clear that the key development criteria for allocated sites as set out in section 9 form part of the policy and are necessary to ensure Policy M5 is effective.
91. Whilst traditionally the delves are small in scale, there is no requirement within national policy for any restriction in principle on their scale. Other development management policies within the Development Plan can be used to assess other planning matters associated with future proposals. **MM54** removes the criterion in the policy for sandstone workings to be small scale and **MM50** amends the supporting text. Both MMs are necessary for consistency with national policy.

92. **MM74** and **MM75** make the changes necessary to make clear that the key development criteria form part of Policy M5(1).
93. **MM76** makes detailed changes to the key development criteria which are necessary for effectiveness, having been recommended by the EA, HE and NE. These include groundwater and heritage asset requirements and appropriate assessment requirements.

## Conclusion

94. Subject to the MMs set out above, the Plan makes adequate provision for sandstone and Policy M5 is sound.

## Issue 5 – Whether the Plan is effective in safeguarding mineral resources, infrastructure and facilities and whether Policy M2 is sound.

95. National policy requires Minerals Safeguarding Areas (MSA) to be defined in order that known locations of specific mineral resources of local and national importance are not needlessly sterilised by non-mineral development. Within Herefordshire the mineral resources to be safeguarded comprise superficial sand and gravel, crushed rock (limestone including dolomite), sandstone (building stone) and brick clay together with coal. All are included within the MSA and illustrated on Figure 7. **MM33** is necessary for effectiveness to amend paragraph 6.1.9 to cross reference and enable the illustrative effect to Policies M1 and M2.
96. The publication version of the Plan presents an MSA which excludes urban areas. This approach is not positively prepared, effective and justified in relation to national policy and established good practice advice<sup>1</sup>. **MM35** modifies paragraph 6.1.12 to extend the MSA to cover all known minerals of local and national importance within Herefordshire without applying any viability, environmental or amenity screening criteria. It also includes a 250m buffer to the resource to protect it from the potential effects of proximal development which might otherwise affect the ability to work the mineral and operate the infrastructure. The sandstone delves are not shown within the safeguarded sandstone resource in the MSA due to limitations in geological mapping. It is necessary to explain and justify this anomaly.
97. A MSA is a significant and strategic spatial policy. Defining a MSA is the first stage of a two-stage process. As a starting point the MSA is based upon the geographical extent of the mineral resource. The second stage of policy implementation is where the planning judgement is undertaken in relation to whether the presence of mineral resources should outweigh development proposed or not. Policy M2 requires information to be submitted with the planning application to demonstrate the proposed

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<sup>1</sup> Mineral safeguarding in England: good practice advice, CE Wrighton, FM McEvoy and R Bust, British Geological Survey and The Coal Authority, 2011

development would not sterilise or prejudice future extraction of the mineral resource (criterion 1a) which is a policy principle. The NPPF does not explicitly refer to exemptions but instead refers to adopting appropriate policies. Exemptions can be used to ensure that the MSA policy strikes an acceptable balance between ensuring resource protection and a proportionate approach to the nature and scale of non-mineral development proposals within Herefordshire. The publication plan does not provide any substantive evidence to demonstrate that Policy M2 was positively prepared, justified and effective.

98. Consequently, the Council undertook some analysis of a sample of past planning applications and found that the MSA would affect around half of all planning applications submitted in Herefordshire. The analysis enabled some locally appropriate exemptions to be established in relation to the information requirement. **MM38** inserts a new policy criterion to enable the use of locally appropriate exemptions and **MM37** modifies the supporting text to explain the analysis and the exemptions. These modifications accord with established good practice in relation to the terminology used and consequently are appropriate and necessary for the policy to be positively prepared, justified and effective.
99. National policy also requires planning policies to safeguard associated minerals infrastructure. In Herefordshire these include the Moreton-on-Lugg railhead used to transport mineral from Wellington Quarry to the southeast of England, predominantly London and the currently disused railhead at Moreton Business Park. Other infrastructure includes concrete batching plant, concrete block making plant and coating plant operating on working quarries and industrial estates around Herefordshire. **MM37** adds a new paragraph 6.1.14 to be consistent with national policy. This is also confirmed by the modification to Policy M2, criteria 1f and 2 as part of **MM38**.
100. Any mineral extraction requires an assessment of economic viability. The submitted Policy M2 does not adequately recognise this. In criterion 1d if the development is strategic, it has already been established that there is a need for the development. As such **MM38** rectifies these issues to ensure that the policy is effective.

## Conclusion

101. Subject to the above MMs, the Plan is effective in safeguarding mineral resources, infrastructure and facilities and Policy M2 is sound.

## Issue 6 – Whether the strategy for waste management is appropriate, soundly based and meets the needs for waste facilities

102. The Plan sets out the ambition for self-sufficiency in relation to the management of waste. A flexible approach to the provision of waste management infrastructure is set out within the Plan. There is uncertainty around forecasting future wastes and infrastructure demand, and there is recognition that the provision of waste

management infrastructure is market led and unlikely to result in the provision of too much capacity.

103. The Waste Needs Assessment (2021) assesses the future demand for waste management capacity for each waste stream. Table 2 sets out the tonnages required and forms the basis of the requirements for management of solid waste.
104. The strategy for waste is based on the circular economy principle. It seeks to reduce the amount of waste generated and to increase the amount of waste which is reused and recycled. It also promotes recovery of energy and phosphorous. The strategy is to decrease the amount of waste disposed to landfill.
105. The Council's Position Statement on development in the River Lugg catchment area (April 2021) is an important source of advice to developers with regard to achieving nutrient neutrality. **MM4**, **MM5** and **MM6** add text to the Context section of the Plan to provide this information.

### **Policy W1 - Waste Strategy**

106. Policy W1 sets out the strategy for sustainable waste management, including sufficient provision to enable equivalent self-sufficiency with development focussed within Hereford and the market towns. Part 6 of the policy safeguards waste management facilities that are in locations consistent with the spatial strategy. This approach has been justified and is sound.

### **Policy W2 – Solid waste management requirements**

107. Policy W2 sets out the requirements for each waste stream and is supportive of development that makes that provision. The capacities required are expressed as minima. Whereas Table 2 sets out the forecast waste management requirements, there is a lack of clarity as to how these figures relate to the capacity figures in Policy W2. **MM55** provides explanation of this within the supporting text to ensure that Policy W2 is effective.
108. The capacities in Policy W2 are not expressed in terms of the rates at which waste would be processed and consequently the policy is not effective. **MM57** addresses this and inserts 'per annum' into each of the priorities.
109. In paragraph 7.2.6 the term 'recovery' is used in relation to construction, demolition and excavation (C, D & E) wastes. The Council explained that they used the term 'recovery of CD&E wastes' to refer collectively to re-use, recycling and other recovery operations. However, these terms have specific definitions as set out in Article 3 of the EU retained law Waste Framework Directive (2008/98/EC). To illustrate, 're-use' Art. 3 (13) means materials are re-used for the same purpose; 'recovery' Art. 3 (15) is the

operational process which enables the waste to be used or prepared to replace other materials; and 'recycling' Art. 3 (17) is where re-processing is undertaken for the waste to be used for products, materials or substances, whether for the original or other purposes. Consequently, **MM56** is necessary to explain the use of the term for effectiveness.

### **Policy W3 – Agricultural waste management**

110. The Council has advised that it is producing a new Herefordshire Local Plan, which will replace the Core Strategy when it is adopted. The Council will need to signpost this policy in that Local Plan and in advice to developers of livestock units as its location within the Minerals and Waste Plan will not be immediately apparent to promoters of such development. Policy W3 requires amendment to clearly state the requirement for waste management method statements.
111. NE's advice is that where there is only a limited pool of measures available for addressing targets, these should be used to bring the designated site into favourable condition rather than enabling growth. This advice is directed primarily at housing development rather than waste development.
112. There would be a need for HRA of proposals affecting European designated sites and site-specific mitigation measures could be employed to demonstrate no adverse effect. The extent to which site restoration measures could be relied upon would vary according to individual circumstances, and the provision of site-specific measures would not necessarily undermine the restoration of sites.
113. Because agricultural related waste is a significant contributor to nutrient discharges it is necessary to include a requirement in Policy W3 for each proposal, but not the entire agricultural holding, to demonstrate nutrient neutrality. The policy needs to be clear as to this requirement. **MM64** provides all the necessary modifications to the policy which are required for effectiveness. The deletion of the word "betterment" and its replacement with "at least nutrient neutrality" has been agreed between the Council and NE. A requirement for all proposals to demonstrate betterment has not been justified. This does not mean that individual proposals cannot aim to achieve betterment or that this would not be taken into account as a material consideration in planning applications.
114. The Council has progressed a draft supplementary planning document (SPD) on agricultural development. **MM63** refers to the forthcoming SPD in the context of it providing additional guidance on planning policy issues. Subsequent to the consultation on Main Modifications, the Council has advised that this guidance will now be included in its next Local Plan rather than being adopted as a supplementary document. This modification to the text is not essential to make Policy W3 sound. Given the change in circumstances we do not recommend the inclusion of **MM63** and this has been deleted from the schedule.

115. Paragraphs 7.2.16 and 7.2.17 of the submitted Plan refer to the Council's 2019 Position Statement on development within the catchment of the River Lugg. There have been subsequent discussions between the Council and NE and the position has been updated and a revised Position Statement was published in April 2021. Amendments to the text are necessary to ensure clarity and effectiveness. **MM58** and **MM59** delete paragraphs 7.2.16 and 7.2.17. **MM61** and **MM62** add new paragraphs to explain the updated position.
116. The Agriculture and Horticulture Development Board provides advice to farmers and has prepared a Nutrient Management Guide. The text should make reference to this guidance in order to assist the effectiveness of Policy W3. **MM60** inserts a new paragraph to this effect. The National Farmers Union (NFU) has also suggested that further guidance for farmers on this matter will be available in the future between the NFU, NE and the EA. No reference in the Plan to this future guidance is necessary as the NFU have confirmed that it is still work in progress.

#### **Policy W4 – Wastewater management**

117. Policy W4 sets out the guiding principles for wastewater management infrastructure. The use of the words "granted to" in the policy is unequivocal and does not acknowledge that other material considerations will be considered. This wording is also inconsistent with other policies within the Plan and should be changed to "supported" to ensure effectiveness.
118. The policy requires works to contribute to achieving nutrient neutrality or betterment within the River Wye SAC. In order to be effective, the policy should require at least nutrient neutrality.
119. **MM66** amends the policy wording to address these points and to ensure that the policy is effective.
120. In order to ensure that the policy is effective, **MM65** is necessary to clarify that the requirement of Policy W4 applies to the development in terms of the new or extended/upgraded infrastructure and not to the discharges from wastewater treatment works which will be affected by other development.

#### **Policy W5 – Preferred locations for solid waste treatment facilities**

121. Policy W5 sets out the preferred locations for solid waste treatment facilities of both small-scale and large-scale. These terms are explained in the supporting text. Small-scale facilities are to be located at industrial estates or strategic employment areas, whereas large-scale facilities are to be located at strategic employment areas and named locations. Strategic employment areas are listed in the supporting text to Policy E1 of the Core Strategy.

122. In order to ensure Policy W5 is effective, there needs to be clarity as to what is meant by the terms 'strategic employment area' and 'industrial estate'. **MM67** refers to the list of strategic employment areas under Policy E1 of the Core Strategy, and **MM68** provides an explanation of what is meant by the term 'industrial estate'.
123. **MM74** and **MM75** make the changes necessary to make clear that the key development criteria in Table 9 form part of Policy W5(3) for effectiveness.
124. **MM76** makes detailed changes to the key development criteria which are necessary for effectiveness having been recommended by the EA, HE and NE. These include appropriate assessment and heritage asset requirements.

### **Policy W6 – Preferred locations for construction, demolition and excavation waste management facilities**

125. Part (1) of Policy W6 sets out an order of preference for the location of C, D & E waste management facilities, namely the former Lugg Bridge Quarry, followed by strategic employment areas and industrial estates and then active mineral workings. That order of preference has not however been justified. **MM71** deletes reference to the order of preference for this reason.
126. It is necessary to clarify that the term 'recovery', used in connection with construction, demolition and excavation wastes encompasses re-use, recycling and other recovery. **MM69** adds text to explain this and is necessary for effectiveness.
127. Because the policy refers to strategic employment areas it is necessary to include a reference to these which are listed under Policy E1 of the Core Strategy. **MM70** provides this reference and is necessary for effectiveness.
128. **MM74** and **MM75** make the changes necessary to make clear that the key development criteria in Table 9 form part of Policy W6 for effectiveness.
129. **MM76** makes detailed changes to the key development criteria which are necessary for effectiveness having been recommended by the EA, HE and NE. These include requirements for appropriate assessment, ground water, phased working, flood risk and heritage assets.

### **Policy W7 – Waste management operations**

130. Policy W7 sets out requirements for delivery of the waste hierarchy, including specific requirements for energy recovery and landfill or landraising. The policy uses the term 'shall be' which is inconsistent with other policies in the Plan. Part 2 does not indicate whether all parts are required to be satisfied in order for an energy recovery proposal to be supported. Part 4 refers to planning permission being granted rather than



supported. The policy is not effective for these reasons. **MM73** modifies the wording of Policy W7 to address these points.

131. The supporting text describes the benefits from recovery of energy and materials from waste treatment. The policy supports the use of heat and power, and paragraph 7.4.4 explains that provision of information on the level of energy to be generated and the market for that energy would assist in determining whether a proposal is for recovery or disposal. It is critical that this question is determined by the appropriate recovery classification which is used in the Environmental Permitting regime. **MM72** adds text to explain this, and this change is necessary for effectiveness.

## **Conclusion**

132. Subject to the above MMs the strategy and policies for waste are justified, effective and consistent with national policy. The strategy for waste management is appropriate, soundly based and meets the needs for waste facilities.

## **Issue 7 – Whether the delivery, implementation and monitoring arrangements will be effective**

133. Section 8 of the Plan sets out the delivery, implementation and monitoring for the Plan. Table 3 sets out the key indicators to monitor the effectiveness of each Policy cross referenced with the Core Strategy policies.

134. The Council explained that the monitoring regime will involve data from the development management team being used in an Annual Monitoring Report (AMR) and an intermediate and more comprehensive review of the Plan will be undertaken at least every five years.

135. The AMR includes the Herefordshire Local Aggregates Assessment which sets out demand and supply indicators which are agreed by the West Midlands Aggregate Working Party. These can show whether a review of minerals policies is necessary.

136. The waste data to be collected will help to demonstrate whether the waste strategy is effective, including in terms of the circular economy, principally through an assessment of new waste management facilities by type and capacity. It is expected that this will be underpinned by the data to assess whether there has been a reduction in the amount of waste generated, an increase in the amount of waste re-used and recycled or used to recover energy and therefore a decrease in the amount of waste disposed to landfill. Resource audits and information on economic development will help to monitor the effectiveness of the waste strategy and its contribution to the circular economy.

137. A new Integrated Waste Management Strategy 2021-2035 was adopted by Herefordshire Council in July 2021 which set out 6 targets for the management of waste across Herefordshire. **MM2** provides details and is therefore necessary to state the targets which will be monitored, thereby aligning with the Waste Management Strategy and providing a consistent policy framework. This change is necessary for effectiveness.

## Conclusion

138. Subject to the MMs above, the delivery, implementation and monitoring arrangements will be effective.

## Overall Conclusion and Recommendation

139. The Herefordshire Minerals and Waste Local Plan has a number of deficiencies in respect of soundness for the reasons set out above. Accordingly, in terms of Section 20(7A) of the 2004 Act, we recommend non-adoption of it as submitted.

140. The Council has requested that we recommend MMs to make the Plan sound and capable of adoption. We conclude that the Duty to Cooperate has been met and that with the recommended Main Modifications set out in the Appendix to this Report, the Herefordshire Minerals and Waste Local Plan satisfies the requirements referred to in Section 20(5)(a) of the 2004 Act and is sound.

*Nick Palmer and Rachael A Bust*

Inspectors

This report is accompanied by an Appendix containing the Main Modifications.

## **Appendix - Main Modifications to the Herefordshire Minerals and Waste Local Plan**

Table 1 presents the schedule of Main Modifications (MM) proposed to the MWLP.

The modifications are expressed in the conventional form of ~~striethrough~~ for deletions and underlining for additions of text.

Table 2 presents the schedule of Main Modifications to the Key Development Criteria. These Main Modifications are presented in a separate table for clarity only as they are integral part of the policies of the MWLP.

**Table 1 – Schedule of Main Modifications**

Mod. Ref.	Paragraph/policy/ figure reference	Modification
Section 2. Introduction and Background		
MM1	2.4.2	British Geological Survey was commissioned to prepare comprehensive mapping of the geology and mineral reserves <u>resource</u> across Herefordshire. This information became available in early 2017 and has been used in the sites analysis.
Section 3. Context		
MM2	3.2.2 to 3.2.4	<p><del>3.2.2 A detailed review and republication of the Waste Strategy was completed in 2011. This set a suite of principles, policies and targets for the management of municipal waste across both counties. As part of this work, and in line with Government guidance, the authorities committed to review the Strategy at least every 5 years.</del></p> <p><del>3.2.3 An Addendum to the Waste Strategy was prepared in September 2017, to provide a summary of the 2016 review of the Waste Strategy. The Addendum confirms that the authorities continue to invest in the existing processing and collection capabilities, with the example of EnviroSort, the material reclamation facility having been refurbished to include the provision of a glass breaker and improved fire protection system. However, the Addendum also makes clear the challenges that lie ahead in delivering the Strategy, recognising financial constraints and budget cuts.</del></p> <p><del>3.2.4 In 2020/21 the Waste Strategy was reviewed again, to incorporate current national municipal waste management targets. It is to be expected that the Waste Strategy will continue to be updated throughout the lifetime of the MWLP.</del></p> <p><u>3.2.2 In July 2021, Herefordshire Council adopted a new Integrated Waste Management Strategy, which identified 6 targets:</u></p> <ol style="list-style-type: none"> <li><u>1. Net zero carbon by 2030;</u></li> <li><u>2. Reduce residual household waste arisings to less than 330kg/household/year by 2035</u></li> </ol>

		<p><u>3. Achieve national municipal reuse and recycling rate targets of 55% by 2025, 60% by 2030 and 65% by 2035;</u></p> <p><u>4. To meet the requirements of the Environment Bill;</u></p> <p><u>5. No more than 1% of municipal waste to be sent to landfill from 2025 and zero waste to landfill by 2035;</u></p> <p><u>6. Improve reuse and recycling at all HWRC sites to achieve a reuse and recycling target of 85% by 2035.</u></p> <p><u>3.2.3 The new Waste Strategy and the MWLP are aligned and policy of the MWLP will help to deliver these new strategic targets.</u></p>
MM3	3.3.8	The MWLP can enable a steady, <u>adequate</u> and sustainable supply of construction minerals to be delivered through a positive policy approach, identifying <u>specific sites for quarry working</u> and preferred areas of <u>search for mineral working</u> .
MM4	3.3.38 (new) This edit also introduced a new footnote (27)	<u>In April 2021, the council issued ‘Position Statement - Development in the River Lugg Catchment Area, April 2021 An Update<sup>27</sup> (River Lugg Catchment Position Statement (April 2021)) that confirmed the River Wye SAC NMP is under review with the intention to provide an increased level of certainty around phosphate reduction and timescales. The River Lugg Catchment Position Statement (April 2021) reports on the Interim Phosphate Delivery Plan that is being developed in consultation with Natural England and provides a revised position in relation to discharges to drainage fields.</u>
MM5	3.3.39 (new)	<u>The River Lugg Catchment Position Statement (April 2021) (under title ‘In the Interim’) reiterates previous advice that:</u>  <u>‘On Natural England’s advice, there remains potential for a positive appropriate assessment, where it can be demonstrated that development is nutrient neutral or would lead to betterment to enable development to proceed. Proposals will need to provide appropriate evidence of avoidance/mitigation measures. (Refer to Stage 2 of the Interim Plan for guidance).’</u>
MM6	3.3.40 (new)	<u>It is clear that the details around phosphate reduction and the protection of the River Wye SAC will change</u>

		<u>over the plan period; however, the fundamental aim remains to be that any new development with a connection to the River Wye SAC will need to demonstrate at least nutrient neutrality in order to gain planning permission.</u>
Section 4. Vision, Objectives and Spatial Strategy		
MM7	Vision	Over the period to 2041, Herefordshire will deliver sustainable provision of minerals supply and waste management, balancing development needs whilst supporting the county's communities, protecting, <u>conserving</u> and enhancing environmental, heritage and cultural assets and strengthening the local economy.
MM8	Objective 2	To prioritise the long-term conservation of primary minerals through enabling provision of sustainable alternatives, effective use of mineral <del>reserves</del> <u>resources</u> , and promoting efficient use of minerals in new development.
MM9	Objective 3 (new)	<u>To safeguard appropriate mineral and waste resources, and associated transport infrastructure, within Herefordshire.</u>
MM10	Objective 6	To plan for the steady, <u>adequate</u> and sustainable supply of minerals present within Herefordshire, to contribute to the county's economic growth, development and local distinctiveness and to make a reasonable contribution to the MASS.
MM11	Objective 11	To address the causes and impacts of climate change relating to minerals and waste development activity, including using opportunities arising from minerals and waste operations and reclamation activity to <u>decarbonise, to</u> mitigate and adapt to climate change and to leave a positive legacy.
MM12	4.3.3	Sand and gravel working is to be focussed within the large expanse of <del>reserve</del> <u>resource</u> that wraps around the northern and eastern sides of Hereford and at Shobdon, to the north-west of Hereford. These <del>reserves</del> <u>resources</u> are well located to supply aggregate for the growth proposed in Hereford and having two areas brings resilience to supply.
MM13	4.3.4	Focusing future sand and gravel workings within these areas provides the industry with access to a large area of <del>reserves</del> <u>resource</u> , but means that a proliferation of minerals development across the county can be avoided. Optimal extraction can be

		promoted at these areas before new reserves are opened.
MM14	4.3.5	Limestone working will be preferred within the <del>reserves</del> <u>resources</u> located to the north of the county and to the east of Hereford. The two areas provide resilience to supply and provide more local supply potential to the main settlements of Herefordshire.
MM15	4.3.6	No preferred areas <del>of search</del> are identified for sandstone, clay, coal or gas. Sandstone is worked as low-key development in small delves; the potential for harm is limited. There is little evidence to suggest that clay, coal or gas will be exploited over the plan period.
Section 5. Strategic Policy and General Principles		
MM16	5.1.8 (new)	<u>Each of the site allocations made in policy of the MWLP is accompanied by key development criteria. To avoid repetition and for clarity in the MWLP, these criteria are provided in the Site Allocation appendix and set out at section 9 of the MWLP; however, they are referenced within and form a part of each policy within which they are referenced.</u>
MM17	5.3.1 (new sentence)	<u>In addition, the railheads at Moreton-on-Lugg (operational) and at Moreton Business Park (not-operational) provide the opportunity to increase non-road based transport.</u>
MM18	5.4.23	As recognised in the Core Strategy, green infrastructure is a practical way to consider sustainable development. The preferred areas <del>of search</del> for minerals development and the spatial strategy for waste development reflect the priority areas of the green infrastructure concept map (Green Infrastructure Strategy, Figure 4-3 <sup>1</sup> ). This overlap means that minerals and waste development have a good reference and potential to deliver integrated benefits on site and at a landscape scale.
MM19	5.5.14	New development requires significant volumes of construction materials; <del> and the facilities provided on site can affect how it performs</del> <u>how it is designed will affect waste generation and management options</u> through its operational lifetime. The planning system has a role to play encouraging the use of secondary

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[https://www.herefordshire.gov.uk/download/downloads/id/2063/herfordshire\\_green\\_infrastructure\\_strategy.pdf](https://www.herefordshire.gov.uk/download/downloads/id/2063/herfordshire_green_infrastructure_strategy.pdf)

		or recycled construction materials, <del>and preventing</del> <u>reducing waste generated in construction and redevelopment projects and in ensuring appropriate waste management solutions are provided.</u>
MM20	5.5.15 (new)	<p><u>Herefordshire Council will encourage waste prevention by:</u></p> <ul style="list-style-type: none"> <li>a. <u>promoting a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest value for as long as possible;</u></li> <li>b. <u>maintaining engagement with businesses, community groups, and the general public to raise levels of awareness and understanding of waste issues; and</u></li> <li>c. <u>working in partnership with other public bodies to ensure that waste prevention and the circular economy is addressed in all contracts for works and services; and</u></li> <li>d. <u>leading by example in its activities.</u></li> </ul>
MM21	5.5.15	<p>Any application for major development, as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as may be amended) <u>that includes built development,</u> will be required to be accompanied by a <u>comprehensive Resource Audit addressing all the matters set out in policy SP1. A proportionate approach will be applied to all other development proposals that include built development, which should at least provide commentary on waste prevention and management measures to be implemented. All submitted applications should make reference to the national and local zero-carbon plans in place at the time in order to inform best practice measures that can be incorporated into the proposed development.</u></p>
MM22	5.5.17	<p>Such documents are expected to have an increasing role demonstrating how new development is delivered and managed in a sustainable manner, explicitly setting out: how the use of raw materials will be minimised; how waste created can be reused, with priority given to the reuse of materials on site; how the development will contribute to achieving local and national carbon reduction targets; and how</p>



		<p>the long term management of the development will contribute to delivering the circular economy. Smaller applications, accompanied by Design and Access Statements, should include commentary on waste prevention and management measures. All submitted applications should make reference to the national and local zero-carbon plans in place at the time in order to inform best practice measures that can be incorporated into the proposed development.</p>
MM23	Policy SP1	<p><b><u>1. Development proposals will be supported that contribute positively to addressing climate change and delivering the circular economy where they adopt through adopting sustainable design principles, construction methods and procurement policies. This includes using the minimal amount minimum quantity of primary materials, reusing or facilitating the recycling of wastes and materials generated on site and using alternative construction materials sourced from secondary and recycled aggregates. The level of contribution made will be demonstrated through submission of a</u></b></p> <p><del>The use of minerals and waste resources will be directed to contribute positively to addressing climate change through:</del></p> <p><del>1. Herefordshire Council encouraging waste prevention by:</del></p> <ul style="list-style-type: none"> <li><del>e. promoting a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest value for as long as possible;</del></li> <li><del>f. maintaining engagement with businesses, community groups, and the general public to raise levels of awareness and understanding of waste issues;</del></li> <li><del>g. working in partnership with other public bodies to ensure that waste prevention and the circular economy is addressed in all contracts for works and services; and leading by example in its activities.</del></li> </ul>

		<p><del>2. requiring submission of a Resource Audit, that identifies:</del></p> <ul style="list-style-type: none"> <li>▪ the quantum required and approach to sourcing construction materials, the amount and type of waste that is expected to be produced by the development and end of life considerations for the development materials; <u>and The Resource Audit will set out</u></li> <li>▪ how waste will be minimised and how it will be managed, both during the construction phase and once it is in use, in order to meet the strategic objective of driving waste management up the waste hierarchy.</li> </ul> <p><del>Information appropriate to the planning application shall be provided on the following matters:</del></p> <p><b>2. <u>The Resource Audit, to be submitted with the planning application, should address the following matters using an approach proportionate to the development proposed:</u></b></p> <ul style="list-style-type: none"> <li>a. the amount and type of construction aggregates required and their likely source;</li> <li>b. the steps to be taken to minimise the use of raw materials (including hazardous materials) in the construction phase, through sustainable design and the use of recycled or reprocessed materials;</li> <li>c. the steps to be taken to reduce, re-use and recycle waste (including hazardous wastes) that is produced through the construction phase;</li> <li>d. the type and volume of waste that the development will generate (both through the construction and operational phases);</li> </ul>
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		<ul style="list-style-type: none"> <li>e. <b>on-site waste recycling facilities to be provided (both through the construction and operational phases);</b></li> <li>f. <b>the steps to be taken to ensure the maximum diversion of waste from landfill (through recycling, composting and recovery) once the development is operational;</b></li> <li>g. <b>end of life considerations for the materials used in the development; and</b></li> <li>h. <b>embodied carbon and lifecycle carbon costs for the materials used in the development.</b></li> </ul>
MM24	5.6.7 and 5.6.8	<p>Paragraph 5.6.7</p> <p>Footpaths are rooted in <u>their local context</u> <del>an historical and landscape context</del>. A permanent diversion may sever important cultural links, but also brings the opportunity to improve a route that has been adversely affected, for example by flooding or a changed view. Permanent diversions should be well designed, reflecting the local cultural, historic and landscape context, to result in an enhancement to the rights of way network within Herefordshire. Enhancement can be achieved through improvements to the view from, surface of and/or route of the right of way, including making provision for disabled people. <u>Improving access to open spaces includes the enhancement to existing facilities and provision of new routes and open spaces.</u></p> <p>Paragraph 5.6.8</p> <p>Any <del>closure of</del> <u>permanent impact on</u> the right of way network, or existing open space, should be avoided. Where it is necessary, the council will expect compensatory provision to be made proportionate to the <del>scale of the closure</del> <u>level of impact</u>. This can include the provision of new or improved access or recreation facilities located off site. The council is clear that development should have the smallest</p>

		impact as practicable and enhancement will be sought at every reasonable opportunity.
MM25	Policy SP2	<p><b>1. <u>Planning permission will be granted supported for mineral and waste development proposals that optimise opportunities to improve public access to open spaces, <del>integrating historic context</del> taking account of the local context and integrating green infrastructure as appropriate.</u></b></p> <p><b>2. Development that affects a right of way or <del>existing open space</del> will only be supported where it is demonstrated that:</b></p> <p><b>a. any temporary diversion is designed to be for as short a distance and duration as practicable; <u>and</u></b></p> <p><b>b. any permanent diversion is designed to achieve an enhanced route over that which was previously available.; <u>and</u></b></p> <p><b><del>c. any closure occurs only in exceptional circumstances and compensatory provision is made.</del></b></p> <p><b><u>3. Development that affects an area of open space will only be supported where it is demonstrated that:</u></b></p> <p><b>a. <u>any temporary impact is over the smallest area and for the shortest duration as practicable; and</u></b></p> <p><b>b. <u>any permanent impact occurs only in exceptional circumstances and compensatory provision is made.</u></b></p>
MM26	5.7.13	Coal has historically been worked in Herefordshire, in the far south of the county with the <del>reserve</del> <u>resource</u> largely contained within the Forest of Dean.
MM27	5.10.6	Each site will have different spatial influences on transport design, requirements for the material to be moved, and receptors. An assessment should be undertaken to demonstrate that all relevant factors have been considered, with the level of detail within that assessment proportionate to the scale of development proposed. Development proposals should consider which transport mode (i.e. vehicular, conveyor, or pipeline) and route is most appropriate,

		<u>minimising adverse impacts and finding the balance between practicability, energy and carbon efficiency, reduced impacts, integrated design and safety.</u>
MM28	Policy SP3	<b>Planning permission will be granted supported for minerals or waste development where it is demonstrated that the arrangements for the transport of mineral, waste or other materials within the site minimises the potential for adverse impacts, including greenhouse gas emissions, and optimises the opportunities for green infrastructure, for example the use of conveyors, and/or pipelines and/or is required where they would be appropriate to the circumstances of the site and the nature of the material to be moved. electric powered vehicles. would be considered an appropriate alternative to fossil fuel powered vehicles.</b>
MM29	5.11.5	All new mineral workings are only likely to receive planning permission where they provide for the restoration and aftercare of the site to a beneficial use, in a phased manner. The Town and Country Planning Act (as amended) gives the council, as the mineral planning authority, the ability to apply a restoration condition requiring such steps to be taken as may be necessary to bring the land to the required standard for use for agriculture, forestry or amenity. However, reclamation provides the opportunity for delivering a range of benefits to the environment and/or amenity and the council will welcome well-considered schemes that will deliver green infrastructure priorities on a landscape scale. <u>The term 'landscape scale benefits' in policy SP4 is not focussed on the size of the benefits to be derived from the proposed reclamation scheme, but to the extent of the impact to be gained; i.e. that the proposals will incorporate the local cultural, historic and landscape features, re-integrating the site into the wider landscape, to deliver benefits beyond the site area.</u> A number of examples have been provided throughout the MWLP.
MM30	5.11.10	In all cases a high standard of reclamation will be expected, that <u>integrates historic context reflects the local cultural, historic and landscape context and integrates green infrastructure, and leaves leaving a positive legacy.</u> Defra's Guidance for Successful

		Reclamation of Mineral and Waste Sites <sup>23</sup> is a useful reference document for designing reclamation schemes. Long-term management beyond the statutory five-year aftercare period will be required where appropriate, for example to establish a new habitat or to bring community benefit. Commitment for such provision will be gained through a planning obligation, as set out in Core Strategy policy ID1.
MM31	Policy SP4,a&b	<p><b>a. proposals that take account of the geography of the site, its surroundings, and any <u>significant permitted or proposed development and development plan policies relevant to the area</u></b></p> <p><b>b. proposals that deliver landscape scale benefits and/or <del>integrated historic context</del> <u>taking account of the local context and integrating</u> green infrastructure appropriate to its location;</b></p>
SECTION 6. Minerals		
MM32	6.1.8	Because mineral resources may be substantial, it is possible for more than one quarry to operate within a single <del>reserve area</del> <u>of resource</u> , either through extensions or new quarries opening up in the vicinity of an existing site.
MM33	6.1.9	Figure 7 <del>sets out (at Annex A, with key policy details included in the interactive mapping available on the Herefordshire Council website)</del> <u>presents</u> the mineral <del>reserve</del> <u>resource</u> and key elements of infrastructure safeguarded by <del>policy</del> <u>policies</u> M1 <u>and</u> M2. Policy M2 provides further detail.
MM34	Policy M1,c and M1,d	<p><b><u>c. allocating preferred areas and sites allocation of the Specific Sites and Preferred Areas</u> that are considered appropriate in principle for construction minerals development;</b></p> <p><b>d. restricting the extraction of hydrocarbons to within either the Surface Coal Resource areas or PEDL block SO51a (as appropriate to the mineral) and requiring compelling reasons to demonstrate that the use of any hydrocarbon is necessary, acceptable and provides national, local or community benefits which clearly outweigh the likely impacts, including to protected areas and local communities and the greenhouse gas</b></p>

		<b><del>emissions associated with both the extraction and use of hydrocarbons ;</del></b>
MM35	6.1.12  FN45 (new)	<p>Figure 7 presents the Minerals Safeguarding Areas for Herefordshire, incorporating: areas of <del>reserve resource</del> indicated by the British Geological Survey data; surface coal resource areas from the Coal Authority; currently <del>consented</del> <u>permitted</u> quarries and their associated infrastructure; the operating <del>rail head</del> <u>railhead</u> at Moreton-on-Lugg; and the disused railhead at Moreton Business Park. <del>Figure 7 is available in its original A3 format at Annex A, with key policy details included in the interactive mapping available on the Herefordshire Council website.</del> <u>Limited sandstone resource is shown on Figure 7, although this is not where any of the delves are located. The Minerals Safeguarding Areas include 250m buffers, to provide effective safeguarding for the resource and associated infrastructure. Policy M2 applies across the totality of the Minerals Safeguarding Areas as shown. Detailed information about the geology in Herefordshire can be gained from Geology Viewer, hosted by the British Geological Survey<sup>45</sup>.</u></p> <p><a href="https://geologyviewer.bgs.ac.uk/">https://geologyviewer.bgs.ac.uk/</a></p>
MM36	Figure 7	<u>Mineral Reserves Resources</u>
MM37	6.1.14 to 6.1.16 (new)	<p>Paragraph 6.1.14 <u>The National Planning Policy Framework makes clear that local policy should also safeguard sites for infrastructure associated with mineral working. Within Herefordshire, these facilities are substantially located within operational mineral workings, and this is an approach that is expected to continue at appropriate sites. The two railheads are identified and safeguarded by policy M2 as they provide existing and potential alternatives to road movements.</u></p> <p>Paragraph 6.1.15 <u>Strategic development (policy M2(1,d)) is that which is either allocated in the local development plan or would constitute major development as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as may be amended). Exempt developments (policy M2(1,e) are:</u></p> <p>a. <u>applications for householder development;</u></p>

		<ul style="list-style-type: none"> <li>b. <u>applications for alterations and extensions to existing buildings and for change of use of existing development, unless intensifying activity on site;</u></li> <li>c. <u>applications for advertisement consent, for works to trees and for prior notifications (telecoms, forestry, agriculture, demolition);</u></li> <li>d. <u>any other development specified in the local development plan as exempt from the need for consideration on safeguarding grounds.</u></li> </ul> <p>Paragraph 6.1.16  <u>During the period 2020-2022 around half of all planning applications received in Herefordshire would have fallen within the Mineral Safeguarding Area. When applying the above criteria, around a quarter of all applications would have had to demonstrate how they would have protected the mineral resource and complied with Policy M2.</u></p> <p>Paragraphs 6.1.14 to 6.1.16 would be renumbered accordingly.</p>
MM38	Policy M2	<p><b>1. Within the minerals safeguarding areas, non-minerals development will only be supported in the following circumstances:</b></p> <ul style="list-style-type: none"> <li>a. <b>the development would not sterilise or prejudice the future extraction of the mineral resource because it can be demonstrated that the resource: is not of economic value; occurs at depth and can be extracted in an <u>economically viable</u> alternative way; does not exist; or has been sufficiently depleted by previous extraction; or</b></li> <li>b. <b>the mineral can be extracted satisfactorily prior to non–minerals development without materially affecting the timing and viability of the non-minerals development; or</b></li> <li>c. <b>the non-minerals development is of a temporary nature that can be completed and the site returned to a condition that does not prevent mineral extraction or operation of the associated infrastructure</b></li> </ul>



		<p>within the timescale that the mineral is likely to be needed; or</p> <p>d. <del>the need for the non-mineral development is strategic and can be demonstrated to outweigh the need for the mineral resource and associated infrastructure;</del> <u>or</u></p> <p>e. <u>it constitutes exempt development (see paragraph 6.1.15); and</u></p> <p>f. <u>the development would not prejudice the operation of associated infrastructure, principally the identified railheads.</u></p> <p>2. <u>Where the operation of an existing mineral working, including associated infrastructure, could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant shall be required to provide suitable mitigation before the new development is completed.</u></p>
MM39	6.2.2 to 6.2.6	<p>6.2.2 <del>The MNA 2019 2021 forecasts a range of future sand and gravel demand, indicating that the landbank at 2041 could be less than 7 years, particularly if a level of self-sufficiency is to be achieved. Data released by the British Geological Survey for year 2014, indicates that Herefordshire was 40% to 50% self-sufficient in sand and gravel provision. This data is not verified, but provides the most comprehensive indication of mineral movements currently available. In addition, at the time of preparing the MWLP, the two operational quarries Wellington and Upper Lyde are subject to planning conditions requiring that the winning and working of minerals must cease by 31 December 2026 and 30 September 2029 respectively.</del></p> <p>6.2.3 <u>Data released by the British Geological Survey for year 2014, indicates that Herefordshire was 40% to 50% self-sufficient in sand and gravel provision. This data is not verified, but provides the most comprehensive</u></p>

		<p><u>indication of mineral movements currently available.</u> It would be advantageous for Herefordshire to increase its level of self-sufficiency (not least to reduce the environmental burdens from transport) and to make a reasonable contribution to the Managed Aggregate Supply System ('MASS').</p> <p><del>6.2.4 In addition, at the time of preparing the MWLP, the two operational quarries Wellington and Upper Lyde are subject to planning conditions requiring that the winning and working of minerals must cease by 31 December 2026 and 30 September 2029 respectively. Therefore, regardless of which forecast most closely represents the real outcome for sand and gravel over the lifetime of the Draft MWLP, there will be a need for additional reserves of sand and gravel to be consented to meet demand from 2027 onwards.</del></p> <p><u>6.2.4 The MNA 2021 considered a range of forecasts, addressing economic, population and housing growth and infrastructure demands, which resulted in a very wide range of future demand of 4 to 13 million tonnes when assuming 100% self-sufficiency. These forecasts were further tested through the MNA Sensitivity Paper, which resulted in very much less future demand. The provision of 5 million tonnes, as sought through policy M3, is considered to reflect a higher level of forecast that will increase self-sufficiency and enable Herefordshire to make a reasonable contribution to the MASS.</u></p> <p><del>6.2.5 To ensure that an adequate supply (i.e. to maintain a landbank of at least 7 years) is available at the end of 2041 additional resource may be needed, depending on the actual scale of demand that arises. Recognising the level of uncertainty in forecasts, it can be reasonably expected that the demand forecast for sand and gravel may change over the plan period. Therefore, it is not considered appropriate to specify the precise level of further provision that may be needed in order to maintain a minimum</del></p>
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		<p>7-year landbank at 31 December 2041. This is a matter that is effectively and appropriately addressed by monitoring the MWLP, through annual reviews of the Local Aggregates Assessment and the five-year MWLP reviews, at which time the level of additional provision can be considered, with additional site allocations brought forward if necessary.</p> <p>6.2.6 Recognising the advantages of working an area efficiently, specific sites for future sand and gravel extraction are allocated adjacent or near to existing sites with planning permission to be worked. Sand and gravel reserves at Upper Lyde (<u>c.700,000 tonnes</u>), Shobdon and Wellington (<u>2.25 million tonnes</u>) are allocated in the MWLP. <del>The MWLP evidence base indicates that these allocations would provide a minimum of nearly 3 million tonnes of sand and gravel resource.</del></p>
MM40	6.2.7 and 6.2.8	<p>6.2.7 In addition, policy M3 identifies preferred areas for sand and gravel working; new operations in these areas <del>of search</del> would add to the robustness of sand and gravel supply within Herefordshire. Sand and gravel working is to be focussed within the large expanse of <del>reserve</del> <u>resource</u> that wraps around the northern and eastern sides of Hereford and at Shobdon, to the north-west of Hereford.</p> <p>6.2.8 Only where the <del>preferred locations</del> <u>Specific Sites or Preferred Areas</u> cannot be demonstrated to fulfil a reasonable level of demand, will proposals for sand and gravel extraction outside of these areas be permitted. <del>Policy M3/2 is deliberately worded to refer only to extraction.</del> <u>Mineral working outside Specific Sites and Preferred Areas is intended to be limited in its operation and consequently, in order to reduce the potential for adverse impacts, it is intended that mineral would <u>will be expected to be</u> transported off-site for processing.</u></p>
MM41	6.2.9	<p><del>In addition to</del> <u>As part of</u> this policy framework, the allocated sites are accompanied by key development criteria that present particular issues to be comprehensively addressed in association with any</p>

		development proposal. There is no key development criteria for the preferred areas of search; they are too extensive. However, this does not mean that development proposals within these areas will not be subject to the same level of scrutiny.
MM42	6.2.10 (new)	<u>Whilst minerals development is not recognised as a key contributor of additional nutrient load, policy requires nutrient neutrality to be demonstrated for development proposals located within the River Wye SAC or River Clun SAC catchments. This may be demonstrated through the absence of a pathway or through the use of mitigation techniques such as: best practice soil stripping and storage; sediment storage; the use of riparian buffer habitats; and/or coppice plantations.</u>
MM43	6.2.10	The order of preference set out at policy <del>M3/2</del> <u>M3(2,a&amp;b)</u> is for the Specific Sites to be preferred over <u>worked prior</u> to the Preferred Areas; there is no order of preference within the locations identified under each of those categories.
MM44	Policy M3,2 and M3,3	<p><b>2. In order of preference, sand and gravel extraction shall be supported at the following locations:</b></p> <p>a. <b>Specific Sites (presented in alphabetical order) subject to the key development criteria set out at section 9:</b></p> <ul style="list-style-type: none"> <li>▪ Shobdon Quarry;</li> <li>▪ Upper Lyde Quarry (<u>c.700,000 tonnes</u>);</li> <li>▪ Wellington Quarry (<u>2.25 million tonnes</u>).</li> </ul> <p>b. <b>Preferred Areas of Search:</b></p> <ul style="list-style-type: none"> <li>▪ Area B of the Key Diagram;</li> <li>▪ Area C of the Key Diagram.</li> </ul> <p><del>3.</del> <b>c. Only where it is demonstrated to be necessary to maintain an adequate landbank or there is a shortfall in production capacity available at the Specific Sites or Preferred Areas of Search, will sand and gravel extraction will be supported in any other area of reserve <u>resource</u>.</b></p>

MM45	6.2.11 to 6.2.15	<p>6.2.11 <del>The MNA 2019 2021 makes two forecasts of future crushed rock demand, indicating that the landbank at 2041 could be less than 10 years, particularly if a level of self-sufficiency is to be achieved. Data released by the British Geological Survey for year 2014, indicates that Herefordshire was 20% to 30% self-sufficient in crushed rock provision. This data is not verified, but provides the most comprehensive indication of mineral movements currently available. In addition, at the time of preparing the MWLP, there were <u>are</u> two active <u>operational</u> crushed rock quarries in Herefordshire, with the planning conditions for Leinthall Quarry requiring that the winning and working of minerals at that site must cease by 31 August 2027.</del></p> <p>6.2.12 <u>Data released by the British Geological Survey for year 2014, indicates that Herefordshire was 20% to 30% self-sufficient in crushed rock provision. This data is not verified, but provides the most comprehensive indication of mineral movements currently available.</u> It would be advantageous for Herefordshire to increase its level of self-sufficiency (not least to reduce the environmental burdens from transport) and to make a reasonable contribution to the <u>Managed Aggregate Supply System MASS.</u></p> <p>6.2.13 <del>In addition, at the time of preparing the MWLP, there were two active crushed rock quarries in Herefordshire, with the planning conditions for Leinthall Quarry requiring that the winning and working of minerals at that site must cease by 31 August 2027. There may remain a need for additional reserves of crushed rock to be consented to meet demand from 2027 onwards.</del></p> <p>6.2.13 <u>The MNA 2021 considered two forecasts, addressing population and housing growth, which resulted in a very wide range of future demand of 9.5 to 19 million tonnes when assuming 100% self-sufficiency. These forecasts were further tested through the MNA</u></p>
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		<p><u>Sensitivity Paper, which resulted in very much less future demand. The provision of 9 million tonnes, as sought through policy M4, is considered to reflect a higher level of forecast that will increase self-sufficiency and enable Herefordshire to make a reasonable contribution to the MASS.</u></p> <p>6.2.14 <del>To ensure that an adequate supply (i.e. to maintain a landbank of at least 7 years) is available at the end of 2041 additional resource may be needed, depending on the actual scale of demand that arises.</del> Recognising the level of uncertainty in forecasts, it can be reasonably expected that the demand forecast for crushed rock may change over the plan period. Therefore, it is not considered appropriate to specify the precise level of further provision that may be needed in order to maintain a minimum 10 year landbank at 31 December 2041. This is a matter that is effectively and appropriately addressed by monitoring the MWLP, through annual reviews of the Local Aggregates Assessment and the five-year MWLP reviews, at which time the level of additional provision can be considered, with additional site allocations brought forward if necessary.</p> <p>6.2.15 Recognising the advantages of working an area efficiently, specific sites for future crushed rock extraction are allocated adjacent or near to existing sites with planning permission to be worked. Crushed rock reserves at Leinthall <u>Quarry (7 million tonnes)</u> and Perton <u>Quarry</u> are allocated in the MWLP. <del>The MWLP evidence base indicates that these allocations would provide around 9 million tonnes of crushed rock.</del></p>
MM46	6.2.16 and 6.2.17	<p>6.2.16 In addition, policy M4 identifies preferred areas for limestone working, new operations in these areas <del>of search</del> would add to the robustness of crushed rock supply within Herefordshire. Limestone working will be preferred within the <del>reserve</del> <u>resource</u> located to the north of the county and to the east of Hereford. <u>Mineral working should not take</u></p>

		<p><u>place within the Wye Valley Area of Outstanding Natural Beauty other than in exceptional circumstances.</u></p> <p>6.2.17 Only where the preferred locations <u>Specific Sites or Preferred Areas</u> cannot be demonstrated to fulfil a reasonable level of demand, will proposals for limestone extraction outside of these areas be permitted. <del>Policy M4/2 is deliberately worded to refer only to extraction.</del> <u>Mineral working outside Specific Sites and Preferred Area is intended to be limited in its operation and consequently, in order to reduce the potential for adverse impacts, it is intended that mineral would <u>will</u> be expected to be transported off-site for processing.</u></p>
MM47	6.2.20 (new)	<p><u>Whilst minerals development is not recognised as a key contributor of additional nutrient load, policy requires nutrient neutrality to be demonstrated for development proposals located within the River Wye SAC or River Clun SAC catchments. This may be demonstrated through the absence of a pathway or through the use of mitigation techniques such as: best practice soil stripping and storage; sediment storage; the use of riparian buffer habitats; and/or coppice plantations.</u></p>
MM48	6.2.19	<p>The order of preference set out at policy <u>M4/2 M4(2,a&amp;b)</u> is for the Specific Sites to be preferred <del>over</del> <u>worked prior to</u> the Preferred Areas; there is no order of preference within the locations identified under each of those categories.</p>
MM49	Policy M4,2 and M4,3	<p><b>2. In order of preference, crushed rock extraction shall be supported at the following locations:</b></p> <p><b>a. Specific Sites (presented in alphabetical order) subject to the key development criteria set out at section 9:</b></p> <ul style="list-style-type: none"> <li>• <b>Leinthall Quarry (<u>7 million tonnes</u>);</b></li> <li>• <b>Perton Quarry;</b></li> </ul> <p><b>b. Preferred Areas of Search:</b></p>

		<ul style="list-style-type: none"> <li>• Area A of the Key Diagram;</li> <li>• Area D of the Key Diagram.</li> </ul> <p>3. <u>c.</u> Only where it is demonstrated to be necessary to maintain an adequate landbank or there is a shortfall in production capacity available at the Specific Sites or Preferred Areas of Search, will limestone extraction will be supported in any other area of reserve <u>resource.</u></p>
MM50	6.3.5	New sites <del>might</del> <u>may</u> be appropriate where the building stone is important to ensure the preservation of local distinctiveness, the <u>proposed</u> workings are <del>small-scale</del> (reflecting the historic pattern of sandstone extraction in Herefordshire) and the proposal is limited to the production of non-aggregate materials (principally building stone, dimension stone and roof tiles. Any overburden (the soil and rock layers overlying the sandstone) and spoil (the offcuts and residues remaining from working the building stone) shall be retained on site and used for its reclamation.
MM51	6.3.6 (new)	<u>Whilst minerals development is not recognised as a key contributor of additional nutrient load, policy requires nutrient neutrality to be demonstrated for development proposals located within the River Wye SAC or River Clun SAC catchments. This may be demonstrated through the absence of a pathway or through the use of mitigation techniques such as: best practice soil stripping and storage; sediment storage; the use of riparian buffer habitats; and/or coppice plantations.</u>
MM52	6.3.7	<del>In addition to</del> <u>As part of</u> this policy framework, the allocated sites are accompanied by key development criteria that present particular issues to be comprehensively addressed in association with any development proposal.
MM53	Policy M5(1,a&b)	a. <b>the extension of time for completion of extraction at <del>consented</del> <u>the following permitted sandstone extraction sites, subject to the key development criteria set out at section 9:</u></b> <b><u>Black Hill Delve;</u></b>



		<p><b><u>Callow Delve;</u></b>  <b><u>Llandraw Delve;</u></b>  <b><u>Pennsylvania Delves;</u></b>  <b><u>Sunnybank Delve; and</u></b>  <b><u>Westonhill Wood Delves.</u></b></p> <p>b. the lateral extension and/or deepening of workings at the following <del>consented</del> <b><u>permitted</u></b> sandstone extraction sites, subject to the key development criteria set out at section 9:</p>
MM54	Policy M5,2	<p>2. The working of sandstone at the above locations will be supported where:</p> <p>a. the need for the material for the preservation of local distinctiveness, particularly features of local historic or architectural interest, listed and vernacular buildings or archaeological sites, outweighs any material harm extraction might cause to matters of acknowledged importance; <u>and</u></p> <p><del>b. the proposed workings are small scale; and</del></p> <p><del>c. b.</del> <b><u>b.</u></b> the proposal is limited to the production of non-aggregate materials, with any overburden and spoils retained on-site and used for its reclamation.</p>
<b>SECTION 7. Waste</b>		
MM55	7.2.3	<p>A flexible approach to the provision of waste management infrastructure is set out within the MWLP. This is deliberate, recognising both the lack of certainty that exists around forecasting future wastes and infrastructure demand, and that the provision of waste management infrastructure is market led and unlikely to result in the provision of too much capacity. Table 2 presents the maximum forecast capacity demand for each waste stream (<u>as calculated in the WNA 2021</u>). <u>If food waste collection is provided across Herefordshire, this is considered likely to require additional capacity of some 10,000 tonnes. There does appear to be available capacity</u></p>

		<p><u>at recycling facilities particularly for LACW, consequently an additional 50,000 tonnes of capacity (as a minimum) is sought through policy W2, focussing on moving C&amp;I wastes up the hierarchy. The largest need for new capacity is in the recovery of residual wastes (c.110,000 tonnes) and CD&amp;E wastes (c.250,000 tonnes). This number is referenced in policy W4 (generally rounded up) to provide</u> <u>Policy W4 presents a framework for delivery over the plan period; for all management routes except disposal; this is a one-off requirement. A waste treatment facility providing 25,000tpa of capacity will be able to do this year on year, under standard operating procedures. However, a landfill void will be filled up every time a deposit is made, consequently an annual, or cumulative, tonnage is required.</u></p>
MM56	7.2.6	<p>For CD&amp;E wastes it has been assumed that a recovery rate of 90% will be achieved, which exceeds current policy expectations and would deliver management that aligns to the best practice currently found across England. Whilst higher rates of recovery are to be welcomed, it is also important to make provision for a reasonable level of disposal capacity, recognising that some wastes may not be recoverable and former mineral workings can be beneficially reclaimed. <u>Recovery of CD&amp;E wastes is used to refer collectively to re-use, recycling and other recovery operations.</u></p>
MM57	Policy W2	<p><b>Development for the following waste management priorities will be supported:</b></p> <ol style="list-style-type: none"> <li><b>1. biological treatment of household waste of at least 10,000 tonnes <u>per annum</u>;</b></li> <li><b>2. recycling capacity of municipal, commercial and industrial and non-natural agricultural wastes of at least 50,000 tonnes <u>per annum</u>;</b></li> <li><b>3. recovery of materials and energy from municipal, commercial and industrial, non-natural agricultural and hazardous wastes of at least 110,000 tonnes <u>per annum</u>;</b></li> </ol>

		<p>4. <b>recovery of materials from construction and demolition waste of at least 250,000 tonnes per annum;</b> and</p> <p>5. <b>disposal of inert wastes providing a cumulative void <u>inert waste disposal capacity in the order of 30,000 tonnes per year annum.</u></b></p>
MM58	7.2.16	Herefordshire Council subsequently prepared a Position Statement titled 'Current Development in the River Lugg catchment Area' dated 15 October 2019 (the 'Herefordshire Council Position Statement'. The Herefordshire Council Position Statement advises (on page 2) that:
MM59	7.2.17	<del>'There remains potential for a positive Appropriate Assessment to enable development to proceed, on Natural England's advice, where it can be demonstrated that any impacts would be neutral (where avoidance / mitigation measures included in the plan or project, counterbalance any nutrient (phosphate) increase from the plan or project), or would lead to 'betterment.'</del>
MM60	7.2.26 (new)  FN50 (new)  7.2.27 (new)  FN51 (new)	<p><u>The Agriculture and Horticulture Development Board (AHDB) purpose is 'to inspire our farmers, growers and industry to succeed in a rapidly changing world. We equip the industry with easy to use, practical know-how, which they can apply straight away to make better decisions and improve their performance.'</u> It is operated as a statutory levy board and is funded by farmers, growers and others in the supply chain.</p> <p><a href="https://ahdb.org.uk/">https://ahdb.org.uk/</a></p> <p><u>The AHDB provides a wide range of advice to farmers and has prepared a Nutrient Management Guide (RB209 ) to explain the value of nutrients, soil and why good nutrient management is about more than just fertiliser application. Updates are also available on the website. This advice (as may be amended over time) should be referenced in any development proposal.</u></p> <p><a href="https://ahdb.org.uk/RB209">https://ahdb.org.uk/RB209</a></p>
MM61	7.2.28 (new)	<u>The River Wye SAC NMP River Lugg Catchment Position Statement (April 2021) provides advice on</u>

	FN 52 (new)	<p><u>new thresholds relevant to discharges made within the surface or groundwater catchment of a designated site. This advice (as may be amended over time) should be referenced in any development proposal.</u></p> <p><u>Advice regarding nutrient neutrality is likely to change throughout the plan period. Up to date guidance available on Herefordshire Council's website should be consulted in understanding the current approach to nutrient neutrality.</u></p>
MM62	7.2.29 (new)	<p><u>Any development proposal located within the catchment of the River Wye SAC can bring a risk of increased phosphate entering the designated site. It is likely that an appropriate assessment will be required to consider the likely significant effect of that project, along with any measures that may be implemented to address the risk.</u></p>
MM63	(deleted)	
MM64	Policy W3	<p><b><u>Policy W3: Agricultural waste management including for livestock units</u></b></p> <p>1. <b><u>Waste management method statements will be required for proposals</u></b> <del>Planning permission for livestock unit(s) on agricultural holdings will be supported where it is demonstrated through a waste management method statement that:</del></p> <p>a. for non-EIA development, <b><u>demonstrates that both natural and non-natural wastes generated by the proposed development will be appropriately managed both on and off-site; or</u></b></p> <p>b. for EIA development, <b><u>demonstrates that both natural and non-natural wastes generated by the whole agricultural unit will be appropriately managed both on and off-site.</u></b></p> <p>2. <b>Anaerobic digestion will be supported where its use is to manage only natural wastes generated primarily on the agricultural unit within which it is located.</b></p>

		<p><b>3. <u>All development proposals for livestock unit(s) and anaerobic digestion and any other waste management proposals on agricultural holdings within the River Wye SAC or the River Clun SAC will be required to demonstrate delivery of a net reduction in nutrient discharges contributing to at least nutrient neutrality, or betterment, within the River Wye SAC.</u></b></p>
MM65	7.2.32	<p>Dwr Cymru/Welsh Water and Severn Trent Water provide wastewater treatment services within Herefordshire, with both companies operating wastewater treatment works. These facilities and the associated pipelines need to be upgraded and extended periodically in order to meet improved standards, cope with increased flows from new developments in their catchment area and to replace out of date equipment. <u>The requirement within policy W4, to achieve at least nutrient neutrality, is applicable to the proposed development.</u></p>
MM66	Policy W4	<p><b><u>Planning permission will be granted to supported for the statutory water and sewerage undertaker to extend, upgrade, or make provision for new infrastructure necessary to ensure the statutory undertaker can continue to undertake its duty to supply potable water and treat foul flows.</u></b></p> <p><b><u>Works undertaken should contribute to achieving will be required to demonstrate at least nutrient neutrality, or betterment, within the River Wye SAC.</u></b></p>
MM67	7.3.2	<p>Herefordshire has a number of well-established industrial estates and extensive strategic employment areas (<u>see policy E1 of the Core Strategy</u>) distributed within the market towns that lie within the spatial strategy. ...</p>
MM68	7.3.4	<p>Whilst it would not be appropriate to set an absolute threshold, as the development of land is site specific, the following guidelines are intended to apply:</p> <ul style="list-style-type: none"> <li>▪ Small-scale facility is one of around or less than 50,000 tonnes per annum throughput and would be focussed on delivering a more local service, for example a household waste recycling centre,</li> </ul>

		<p>open windrow composting, or construction and demolition waste recycling facility.</p> <ul style="list-style-type: none"> <li>▪ Large-scale facility is one providing more than 50,000 tonnes per annum throughput and would be focussed on providing a more strategic service, for example a materials recycling facility or energy recovery facility (either biological or incineration) accepting waste from across Herefordshire and potentially beyond.</li> </ul> <p><u>An industrial estate is a site with local plan allocation or planning permission for use under planning use classes, B2 general industrial and B8 storage and distribution.</u></p>
MM69	7.3.6	<p>There is an identified need for new waste management (recovery and disposal) capacity for CD&amp;E wastes. <u>Recovery of CD&amp;E wastes is used to refer collectively to re-use, recycling and other recovery operations.</u></p>
MM70	7.3.7	<p>The CD&amp;E waste recovery facility operating at Former Lugg Bridge Quarry has the potential for a substantial increase in capacity; this is the preferred location for additional CD&amp;E waste recovery capacity. CD&amp;E waste recovery facilities are often appropriately located on industrial estates and strategic employment areas (<u>see policy E1 of the Core Strategy</u>), where they may be close to substantial demolition and refurbishment projects. In addition, they can be located at minerals workings, where the same processing equipment can be shared.</p>
MM71	Policy W6,1	<p>1. <b><u>In order of preference, sustainable Sustainable recovery of construction, demolition and excavation wastes will be delivered at the following locations:</u></b></p> <ul style="list-style-type: none"> <li>a. <b>Former Lugg Bridge Quarry, subject to the key development criteria set out at section 9;</b></li> <li>b. <b>strategic employment areas and industrial estates, subject to the key development criteria set out at section 9;</b></li> <li>c. <b>active mineral workings, recognising that the lifetime of the waste treatment</b></li> </ul>

		<b>facility may be limited to the lifetime of the quarry;</b>
MM72	7.4.4	In order to assist both the developer and the council to determine that a proposed facility is for energy recovery and not for waste disposal, policy W7 seeks information on the level of energy recovery expected to be achieved and the market(s) for that energy (e.g. identifying an electricity connection or heat/power recipient). <u>The application should demonstrate that the proposed development has secured/will secure an appropriate recovery classification in the Environmental Permit.</u>
MM73	Policy W7	<ol style="list-style-type: none"> <li>1. <b>Facilities for the reuse, recycling or recovery of materials shall <u>will</u> be supported where it is demonstrated that the proposed development will enable delivery of the waste hierarchy and/or make a positive contribution to achieving the circular economy in Herefordshire.</b></li> <li>2. <b>Facilities for the recovery of energy shall <u>will</u> only be supported where it is demonstrated:</b> <ol style="list-style-type: none"> <li>a. that the proposed development will enable delivery of the waste hierarchy and/or make a positive contribution to achieving the circular economy in Herefordshire; and</li> <li>b. that phosphorus in the fly ash will be separately recovered and put to beneficial use; <u>and</u></li> <li>c. that both the resultant heat and power will be utilised where viable.</li> </ol> </li> <li>3. <b>Proposals for new landfill or landraising facilities or extensions to existing facilities shall <u>will</u> be supported where it is demonstrated that:</b> <ol style="list-style-type: none"> <li>a. <u>the proposed development will enable delivery of the waste hierarchy; and</u></li> <li>b. <u>the <del>proposal</del> proposed development</u> incorporates measures for safe working and satisfactory reclamation, particularly in accordance with policy SP4.</li> </ol> </li> <li>4. <b>Planning permission may be granted <u>supported</u> if these expectations are</b></li> </ol>

		<b>demonstrated to be unachievable but that a material level of benefit is otherwise gained and no unacceptable adverse impact results from the proposed development.</b>
<b>Section 9. Key Development Criteria</b>		
MM74	9.1.1	Each allocated site is subject to a number of key development criteria, <u>which form part of the policy</u> . These criteria <del>simply</del> identify the key matters that will be required to be carefully and comprehensively considered in preparing any development project at an allocated site.
MM75	9.1.2	The key development criteria do not replace development management policy; they are <u>a part of the policy within which they are referenced and are</u> additive to the requirements of all other policies within the development plan relevant to the project being proposed.
MM76	Table 9 Key Development Criteria	These changes are shown in Table 2
<b>Section 10. Glossary</b>		
MM77	Appropriate assessment	Process for assessing impacts on <del>European sites</del> <u>National Network Sites</u> , habitats or species. It is a decision making tool.
MM78	Area of Search	<del>Area of Search</del> <del>An area identified as having minerals resources potentially suitable for extraction and where working may be acceptable subject to more detailed assessment at project stage.</del>
MM79	<u>Conservation of Habitats and Species Regulations 2017 (as amended).</u>	The abbreviated term used for the <u>Conservation of Habitats and Species Regulations (England and Wales) 2017; as amended by the Conservation of Habitats and Species and Planning (Various Amendments) (England and Wales) Regulations 2018; and the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.</u>



MM80	Green Infrastructure	<p><del>A planned and delivered network of green spaces and other environmental features designed and managed as a multifunctional resource providing a range of environmental and quality of life benefits for local communities. Green infrastructure includes parks, open spaces, playing fields, woodlands, allotments and private gardens.</del></p> <p><u>A network of multi-functional green and blue spaces and other natural features, urban and rural, which is capable of delivering a wide range of environmental, economic, health and wellbeing benefits for nature, climate, local and wider communities and prosperity.</u></p>
MM81	Habitats Regulation Assessment	A Habitats Regulations Assessment is the assessment of the impacts of implementing a plan or policy on a <del>Natura 2000</del> <u>National Network Site</u> .
MM82	<u>National Network Site(s)</u>	<u>The group terminology given to SAC, SPA and Ramsar Sites under the Conservation of Habitats and Species Regulations 2017 (as amended).</u>
MM83	<u>Nutrient</u>	<u>The ecology of the River Wye SAC including the River Lugg and its catchment are sensitive to nitrate and phosphate concentration. Nitrate and phosphate are nutrients that promote algal growth, affecting the conservation objectives of the SAC.</u>
MM84	<u>Nutrient neutrality</u>	<p><u>The means of ensuring that development does not add to existing nutrient burdens and provides certainty that the whole of the scheme is deliverable in line with the requirements of the Conservation of Habitats and Species Regulations 2017 (as amended).</u></p> <p><u>Advice regarding nutrient neutrality is likely to change throughout the plan period. Up to date guidance available on Herefordshire Council's website should be consulted in understanding the current approach to nutrient neutrality.</u></p>
MM85	Preferred area of search	<p><del>Preferred area of search</del> <u>Area</u></p> <p>An area identified as having policy support for development, but where it is not practicable to define a specific development boundary.</p>
MM86	SAC	<u>A Special Area of Conservation (SAC) is one given greater protection under Conservation of Habitats and Species Regulations 2017 (as amended). They have been designated because of a possible threat to the special habitats or species which they contain</u>

		<p><u>and to provide increased protection to a variety of animals, plants and habitats of importance to biodiversity both on a national and international scale.</u> <del>is defined in the European Union's Habitat Directive (92/43/EEC), also known as the Directive on the Conservation of Natural Habitats and of Wild Fauna and Flora.</del></p>
MM87	SPA	<p><u>A Special Protection Area (SPA) is designated under Conservation of Habitats and Species Regulations 2017 (as amended). Post transition the UK is still required to identify internationally important areas for breeding, over-wintering and migrating birds and designate them as SPA.</u> <del>is a designation under the European Union Directive on the Conservation of Wild Birds. Under the Directive, Member States of the European Union (EU) have a duty to safeguard the habitats of migratory birds and certain particularly threatened birds.</del></p>

**Table 2 - Schedule of Main Modifications to the Key Development Criteria**

Mod. Ref	Site Name and Policy	Key Development Criteria
MM88	<p><b>Black Hill Delve</b> Policy M5(1,a&amp;b)</p>	<p><b>Archaeology and geodiversity:</b> Need to demonstrate the potential for archaeological remains or geological features to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Ancient Woodland:</b> Need to demonstrate the level of effect on the ancient woodland, leaving a buffer adequate to protect the designation.</p> <p><b>Black Mountains SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>Dark Skies:</b> Need to demonstrate that lighting will be kept to the minimum required to ensure safe working conditions on site.</p> <p><b>Green infrastructure:</b> Operation and reclamation phases should deliver priorities of the Herefordshire Green Infrastructure Strategy, in particular those associated with District Strategy Corridor 8. Site design should deliver a net gain in biodiversity, linking priority habitats, and incorporate key features of the landscape character.</p> <p><b>Ground water:</b> Located in the St. Maughans sandstone bedrock formation, classified a secondary aquifer. Need to demonstrate the potential risks <del>for</del><u>to</u> the water environment, <u>including abstractions (public and private supply) wells and springs.</u></p> <p><b>MOD Low Fly Zone:</b> Need to demonstrate the level of effect on the current and likely future operations within the MOD Low Fly Zone.</p> <p><b>River Monnow:</b> Need to demonstrate the level of effect on water quality and hydrology of the River Monnow.</p> <p><b>Site Access:</b> Need to demonstrate that vehicles can continue to access and leave the site, to and from the public highway, safely.</p>
MM89	<p><b>Callow Delve</b></p>	<p><b>Ancient Woodland:</b> Need to demonstrate the level of effect on the ancient woodland, leaving a buffer adequate to protect the designation.</p>

	<p>Policy M5(1,a)</p>	<p><b>Dark Skies:</b> Need to demonstrate that lighting will be kept to the minimum required to ensure safe working conditions on site.</p> <p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere; and where possible, flood risk is decreased. Flood alleviation should be considered in designing site reclamation.</p> <p><b>Green infrastructure:</b> Operation and reclamation phases should deliver priorities of the Herefordshire Green Infrastructure Strategy. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>Ground water:</b> Located within the Brownstones formation, classified a secondary aquifer and adjacent to a groundwater spring source protection zone for public drinking water supply. Need to demonstrate <del>the</del> potential risks to the water environment, including <del>private drinking water supply</del> <u>abstractions (public and private supply) wells and springs.</u></p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del><u>the</u> likely significant effect(s) on the SAC. Development <del>should</del><u>will be required to demonstrate at least</u> nutrient neutrality <del>or betterment.</del></p> <p><b>Site Access:</b> Need to demonstrate that vehicles can continue to access and leave the site, to and from the public highway, safely.</p> <p><b>Woodland at Welsh Newton &amp; Callow Hill LWS:</b> Need to demonstrate the likely effect on the key features of the designated site.</p> <p><b>Wye Valley Woodlands SAC and Wye Valley &amp; Forest of Dean Bat Sites SAC:</b> An Appropriate Assessment is required to demonstrate <del>the</del> <u>no</u> likely significant effect(s) on the SAC. Need to demonstrate how habitat severance for horseshoe bats will be prevented (which may require the periphery woodland to be retained) <u>and how noise and light impacts on this species will be avoided.</u></p>
MM90	<p><b>Former City Spares Site</b> Policy W5(3)</p>	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as</p>

		<p>appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Contaminated land:</b> Recognising the site as a former car breakers' yard, there is a high potential for contaminated land. The site is located within a drinking water protected area. Need to demonstrate how any contamination on site will be identified and remediated, particularly with reference to protection of drinking water.</p> <p><b>Landscape:</b> The site is set at a lower level than surrounding land but occupies a position on the southern boundary of Hereford. Need to demonstrate the level of effect on the surrounding landscape. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> the likely significant effect(s) on the SAC. Development <del>should</del> <u>will be required to demonstrate at least</u> nutrient neutrality <del>or betterment</del>.</p> <p><b>Veteran tree:</b> Need to demonstrate level of effect on ancient black poplar located to the north of the site.</p>
MM91	<p><b>Former Lugg Bridge Quarry</b> Policy W6(1,a)</p>	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere; and where possible, flood risk is decreased. Flood alleviation should be considered in designing site reclamation.</p> <p><b>Green infrastructure:</b> Operation and reclamation phases should deliver priorities of the Herefordshire Green Infrastructure Strategy, in particular those associated with District Strategy Corridor 2, District Enhancement Zone 2 and Hereford Fringe Zone 1. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>Little Lugg River:</b> Need to demonstrate the level of effect on water quality and hydrology of the Little Lugg River.</p> <p><b>River Lugg SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p>

		<p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> the likely significant effect(s) on the SAC. Development <del>should</del> <u>will be required to demonstrate at least</u> nutrient neutrality or <del>betterment</del>.</p> <p><b>Site reclamation:</b> Due to the site having a mineral working history and rural location it is required to be reclaimed at the earliest opportunity should current operations cease (as consented under references: 131870/N, dated 22.07.2013; 151184, dated 10.11.2015; and 162032, dated 02.12.2016).</p> <p><b>Utilities:</b> Utility infrastructure (gas) that cross the site may require diversion or a non-working buffer to enable the site to be worked.</p>
MM92	<p><b>Hereford Enterprise Zone (Rotherwas Industrial Estate)</b> Policy W5(2)</p>	<p><b>Ancient Woodland:</b> Need to demonstrate the level of effect on the ancient woodland, leaving a buffer adequate to protect the designation.</p> <p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Contaminated land:</b> Recognising the site as a former munitions factory, there is a high potential for contaminated land. The site is located within a drinking water protected area. Need to demonstrate how any contamination on site will be identified and remediated, particularly with reference to protection of drinking water.</p> <p><b>Flood Risk:</b> Site-specific flood risk assessment required to demonstrate compliance with Local Development Order. Reference should be made to the Drainage and Flood Management Strategy (2009 and as amended).</p> <p><b>Hampton Grange medical facility:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of this medical facility.</p> <p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect that</del> <u>the proposed development will appropriately minimise and mitigate impacts</u> on heritage asset(s) and their setting(s), particularly listed buildings and the scheduled monuments Rotherwas House and Rotherwas Chapel.</p> <p><b>Landscaping:</b> Site design should deliver a net gain in biodiversity, linking priority habitat, and providing enhancement for priority habitats, and incorporate key features of the landscape character.</p>

		<p><b>Pool at Rotherwas LWS:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>River Wye:</b> Need to demonstrate the level of effect on water quality and hydrology of the River Wye.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del>the likely significant effect(s) on the SAC. Development <del>should</del><u>will be required to demonstrate at least</u> nutrient neutrality <del>or betterment</del>.</p> <p><b>River Wye SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>Veteran tree:</b> Need to demonstrate level of effect on ancient black poplars located within the site, with a priority given to avoidance.</p>
MM93	<p><b>Holmer Road</b> Policy W5(2)</p>	<p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere; and where possible, flood risk is decreased.</p> <p><b>Hereford AQMA:</b> Need to demonstrate the level of effect on air quality, particularly within the Hereford AQMA.</p> <p><b>Heritage assets:</b> <u>Need to demonstrate that the proposed development will appropriately minimise and mitigate impacts on heritage asset(s) and their setting(s), particularly listed buildings in the vicinity of the site.</u></p> <p><b>Landscaping:</b> Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del>the likely significant effect(s) on the SAC. Development <del>should</del><u>will be required to demonstrate at least</u> nutrient neutrality <del>or betterment</del>.</p> <p><b>Road network:</b> Need to demonstrate the level of effect on the local road network in the vicinity of the site.</p> <p><b>Sensitive properties:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of nearby sensitive properties (housing and schools).</p>
MM94	<p><b>Kington Household Waste and Recycling Centre</b> Policy W5(3)</p>	<p><b>Landscape:</b> The site is set at a lower level than surrounding land but occupies a position on the southern boundary of Kington. Need to demonstrate the level of effect on the surrounding landscape. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p>

		<p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> the likely significant effect(s) on the SAC. Development <del>should</del> <u>will be required to demonstrate at least</u> nutrient neutrality or <del>betterment</del>.</p>
MM95	<p><b>Land between Little Marcle Road and Ross Road</b> Policy W5(2)</p>	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere; and where possible, flood risk is decreased.</p> <p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect that</del> <u>the proposed development will appropriately minimise and mitigate impacts</u> on heritage asset(s) and their setting(s), particularly listed buildings in the vicinity of the site.</p> <p><b>Landscape:</b> The site is set at a lower level than surrounding land but occupies a position on the south western boundary of Ledbury. Need to demonstrate the level of effect on the surrounding landscape. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>River Leadon:</b> Need to demonstrate the level of effect on water quality and hydrology of the River Leadon.</p> <p><b>Sensitive properties:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of nearby sensitive properties (housing, hotel and picnic site).</p>
MM96	<p><b>Leinthall Quarry</b> Policy M4(2,a)</p>	<p><b>Dark Skies:</b> Need to demonstrate that lighting will be kept to the minimum required to ensure safe working conditions on site.</p> <p><b>Downton Gorge SAC:</b> An Appropriate Assessment is required to demonstrate the likely significant effect(s) on the SAC.</p> <p><b>Geodiversity:</b> Need to demonstrate the level of effect on geodiversity and incorporate mitigation measures as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Green infrastructure:</b> Operation and reclamation phases should deliver priorities of the Herefordshire Green Infrastructure Strategy, in particular those associated with District Strategy Corridor 9. Site design should deliver a net</p>



		<p>gain in biodiversity, linking priority habitats, and incorporate key features of the landscape character.</p> <p><b>Ground water:</b> Located within the hard rock of the Silurian Aymestry Limestone Formation, classified as a secondary aquifer. Need to demonstrate the potential risks to the water environment, <u>including abstractions (public and private supply) wells and springs.</u></p> <p><b>Heritage assets:</b> Need to demonstrate <u>the level of effect that the proposed development will appropriately minimise and mitigate impacts</u> on heritage assets and their settings, particularly of Croft Ambrey Hill Fort and Croft Castle Park.</p> <p><b>Phased working:</b> Need to demonstrate optimum phasing of the allocated area, including how existing infrastructure will be used (to include at least site access and processing equipment) and reclamation at the earliest opportunity. A proliferation of ancillary infrastructure will not be permitted. <u>A consolidated application should be made, providing the opportunity to review working practices and reclamation across the whole site.</u></p> <p><b>River Teme SSSI and River Lugg SSSI:</b> Need to demonstrate the level of effect on the key features of these designations.</p> <p><b>Sensitive properties:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of nearby sensitive properties (housing)</p> <p><b>Veteran tree:</b> Need to demonstrate level of effect on ancient yew tree located to the south of the site.</p>
MM97	<p><b>Leominster Enterprise Park</b> Policy W5(2)</p>	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere; and where possible, flood risk is decreased.</p> <p><b>Heritage assets:</b> Need to demonstrate <u>the level of effect that the proposed development will appropriately minimise and mitigate impacts</u> on heritage asset(s) and their setting(s), particularly listed buildings in the vicinity of the site.</p> <p><b>Landscape:</b> The site is set at a lower level than surrounding land but occupies a position on the southern boundary of Leominster. Need to demonstrate the level of effect on the surrounding landscape. Site design should deliver a net gain</p>

		<p>in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>River Lugg:</b> Need to demonstrate the level of effect on water quality and hydrology of the River Lugg.</p> <p><b>River Lugg SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> the likely significant effect(s) on the SAC. Development <del>should</del> <u>will be required to demonstrate at least</u> nutrient neutrality <del>or betterment</del>.</p> <p><b>Sensitive properties:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of nearby sensitive properties (schools, cemetery and associated place of worship).</p> <p><b>Source Protection Zone 3:</b> Need to demonstrate how any pathways for contamination will be identified and avoided.</p>
MM98	<p><b>Leominster Household Waste Site and Household Waste Recovery Centre</b> Policy W5(3)</p>	<p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect that</del> <u>the proposed development will appropriately minimise and mitigate impacts</u> on heritage asset(s) and their setting(s).</p> <p><b>Landscaping:</b> Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>River Lugg:</b> Need to demonstrate the level of effect on water quality and hydrology of the River Lugg.</p> <p><b>River Lugg SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> the likely significant effect(s) on the SAC. Development <del>should</del> <u>will be required to demonstrate at least</u> nutrient neutrality <del>or betterment</del>.</p>
MM99	<p><b>Llandraw Delve</b> Policy M5(1,a&amp;b)</p>	<p><b>Dark Skies:</b> Need to demonstrate that lighting will be kept to the minimum required to ensure safe working conditions on site.</p> <p><b>Green infrastructure:</b> Operation and reclamation phases should deliver deliver priorities of the Herefordshire Green Infrastructure Strategy, in particular those associated with District Strategy Corridor 8. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p>

		<p><b>Ground water:</b> Located in the St. Maughans sandstone bedrock formation, classified a secondary aquifer and proximate to the side of the Black Mountains where many springs and watercourses issue off the slopes. Need to demonstrate <del>the</del> potential risks <del>for</del><u>to</u> the water environment, <u>including abstractions (public and private supply) wells and springs.</u></p> <p><b>MOD Danger Area and Low Fly Zone:</b> Need to demonstrate the level of effect on the current and likely future operations within the MOD Danger Area and Low Fly Zone.</p> <p><b>River Monnow:</b> Need to demonstrate the level of effect on water quality and hydrology of the River Monnow.</p> <p><b>Site Access:</b> Need to demonstrate that vehicles can continue to access and leave the site, to and from the public highway, safely.</p>
MM100	<b>Model Farm</b> Policy W5(2)	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect that</del> <u>the proposed development will appropriately minimise and mitigate impacts</u> on heritage asset(s) and their setting(s), particularly listed buildings in the vicinity of the site.</p> <p><b>Landscape:</b> The site is set at a lower level than surrounding land but occupies a position on the eastern side of Ross-on-Wye. Need to demonstrate the level of effect on the surrounding landscape. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del><u>the</u> likely significant effect(s) on the SAC. Development <del>should</del> will be required to demonstrate <u>at least</u> nutrient neutrality <del>or betterment.</del></p> <p><b>Wye Valley AONB:</b> Need to demonstrate the level of effect on the AONB.</p> <p><b>Source Protection Zone 2:</b> Need to demonstrate how any pathways for contamination will be identified and avoided.</p>
MM101	<b>Moreton Business Park</b>	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as</p>

Policy W5(2)		<p>appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Ancient Woodland:</b> Need to demonstrate the level of effect on the ancient woodland, leaving a buffer adequate to protect the designation.</p> <p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere; and where possible, flood risk is decreased.</p> <p><b>Heritage assets:</b> Need to demonstrate <u>the level of effect that the proposed development will appropriately minimise and mitigate impacts</u> on heritage asset(s) and their setting(s); particularly <u>listed buildings and Sutton Walls Hillfort, St Mary's Church and the historic core of Marden and other listed buildings.</u></p> <p><b>Landscape:</b> The site is set at a lower level than surrounding land but occupies a rural position. Need to demonstrate the level of effect on the surrounding landscape. Site design should deliver a net gain in biodiversity, providing enhancement for priority habitats, and incorporate key features of the landscape character.</p> <p><b>Rail:</b> Need to demonstrate the potential to use the rail network for the transport of materials or that the proposal does not prevent future use of the rail infrastructure available within the site.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <u>no</u>the likely significant effect(s) on the SAC. Development <del>should</del> will be required to demonstrate <u>at least</u> nutrient neutrality <del>or betterment</del>.</p> <p><b>Wellington Brook and Moreton Brook:</b> Need to demonstrate the level of effect on water quality and hydrology of these watercourses.</p> <p><b>Wellington Marsh LWS:</b> Need to demonstrate the level of effect on the key features of this designation.</p>
MM102	<p><b>Perton Quarry</b> Policy M4(2,a)</p>	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Dark Skies:</b> Need to demonstrate that lighting will be kept to the minimum required to ensure safe working conditions on site.</p>

		<p><b>Geodiversity, Perton Roadside Section and Quarry SSSI:</b> Need to demonstrate the level of effect on geodiversity and incorporate mitigation measures as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Green infrastructure:</b> Operation and reclamation phases should deliver priorities of the Herefordshire Green Infrastructure Strategy, in particular those associated with District Strategy Corridor 3. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>Ground water:</b> Located within the Silurian Limestones and shales of the Woolhope Dome structure, classified as a secondary aquifer. Need to demonstrate the potential risks to the water environment, <u>including abstractions (public and private supply) wells and springs.</u></p> <p><b>Heritage assets:</b> <u>Need to demonstrate that the proposed development will appropriately minimise and mitigate impacts on Registered Park and Garden Stoke Edith</u></p> <p><b>Peregrine Falcons:</b> This is a species protected under Schedule 1 of the Wildlife and Countryside Act 1981.</p> <p><b>Phased working:</b> Need to demonstrate optimum phasing of the allocated area, including how existing infrastructure will be used (to include at least site access and processing equipment) and reclamation at the earliest opportunity. A proliferation of ancillary infrastructure will not be permitted. <u>A consolidated application should be made, providing the opportunity to review working practices and reclamation across the whole site.</u></p> <p><b>River Lugg SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> likely significant effect(s) on the SAC. Development <del>should</del> will be required to demonstrate <u>at least</u> nutrient neutrality <del>or betterment.</del></p> <p><b>Sensitive properties:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of nearby sensitive properties (housing).</p>
MM103	<b>Shobdon Quarry</b>	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as</p>

	<p>Policy M3(2,a) Policy W6(2)</p>	<p>appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere; and where possible, flood risk is decreased. Flood alleviation should be considered in designing site reclamation.</p> <p><b>Geodiversity:</b> Need to demonstrate the level of effect on geodiversity and incorporate mitigation measures as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Green infrastructure and reclamation:</b> Operation and reclamation phases should deliver priorities of the Herefordshire Green Infrastructure Strategy, in particular those associated with District Enhancement Zone 2. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>Ground water:</b> Glaciofluvial sand and gravel deposits represent a secondary aquifer in hydraulic continuity with watercourses. Need to demonstrate <del>the</del> potential risks to the water environment, <u>including abstractions (public and private supply) wells and springs.</u></p> <p><b>Housing:</b> Need to demonstrate the level of effect on residential amenity at nearby properties.</p> <p><b>Pinsley Brook:</b> Need to demonstrate the level of effect on water quality and hydrology in Pinsley Brook.</p> <p><b>Phased working:</b> Need to demonstrate optimum phasing of the allocated area, including how existing infrastructure will be used (to include at least site access and processing equipment) and reclamation at the earliest opportunity. A proliferation of ancillary infrastructure will not be permitted. <u>A consolidated application should be made, providing the opportunity to review working practices and reclamation across the whole site.</u></p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> likely significant effect(s) on the SAC. Development <del>should</del> will be required to demonstrate <u>at least</u> nutrient neutrality <del>or betterment.</del></p> <p><b>Shobdon Airfield:</b> Need to demonstrate the level of effect on the current and likely future operations of Shobdon Airfield.</p>
MM104	Southern Avenue	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through</p>

Policy W5(2)		<p>desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere; and where possible, flood risk is decreased.</p> <p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect that</del> <u>the proposed development will appropriately minimise and mitigate impacts</u> on heritage asset(s) and their setting(s), particularly listed buildings in the vicinity of the site.</p> <p><b>Landscape:</b> The site is set at a lower level than surrounding land but occupies a position on the southern boundary of Leominster. Need to demonstrate the level of effect on the surrounding landscape. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>River Lugg:</b> Need to demonstrate the level of effect on water quality and hydrology of the River Lugg.</p> <p><b>River Lugg SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> <u>the</u> likely significant effect(s) on the SAC. Development <del>should</del> will be required to demonstrate <u>at least</u> nutrient neutrality <del>or betterment</del>.</p> <p><b>Sensitive properties:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of nearby sensitive properties (schools, cemetery and associated place of worship).</p> <p><b>Source Protection Zones 1 and 2:</b> Need to demonstrate how any pathways for contamination will be identified and avoided.</p>
MM105	<p><b>Three Elms Trading Estate</b> Policy W5(2)</p>	<p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect that</del> <u>the proposed development will appropriately minimise and mitigate impacts</u> on heritage asset(s) and their setting(s), particularly listed buildings in the vicinity of the site.</p> <p><b>Landscaping:</b> Site design should deliver a net gain in biodiversity, providing enhancement for priority habitats, and incorporate key features of the landscape character.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> <u>the</u> likely significant effect(s) on the</p>

		<p>SAC. Development <del>should</del> will be required to demonstrate <u>at least</u> nutrient neutrality or <del>betterment</del>.</p> <p><b>Sensitive properties:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of nearby sensitive properties (housing and schools).</p> <p><b>Yazor Brook:</b> Need to demonstrate the level of effect on water quality and hydrology of the Yazor Brook.</p>
MM106	<p><b>Upper Lyde Quarry</b> Policy M3 (2,a) Policy W6(2)</p>	<p><b>Archaeology:</b> Need to demonstrate the potential for archaeological remains to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Geodiversity:</b> Need to demonstrate the level of effect on geodiversity and incorporate avoidance, mitigation and monitoring measures as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Green infrastructure and reclamation:</b> Operation and reclamation phases should deliver priorities of the Herefordshire Green Infrastructure Strategy, in particular those associated with District Strategy Corridor 2 and Hereford Fringe Zone 4. Site design should deliver a net gain in biodiversity, providing enhancement for priority bird species, and incorporate key features of the landscape character.</p> <p><b>Ground water:</b> Glaciofluvial sand and gravel deposits represent a secondary aquifer in hydraulic continuity with watercourses. Need to demonstrate <del>the</del> potential risks to the water environment, <u>including abstractions (public and private supply) wells and springs.</u></p> <p><b>Housing:</b> Need to demonstrate the level of effect on residential amenity at nearby properties.</p> <p><b>Phased working:</b> Need to demonstrate optimum phasing of the allocated area, including how existing infrastructure will be used (to include at least site access and processing equipment) and reclamation at the earliest opportunity. A proliferation of ancillary infrastructure will not be permitted. <u>A consolidated application should be made, providing the opportunity to review working practices and reclamation across the whole site.</u></p> <p><b>River Lugg:</b> Need to demonstrate the level of effect on water quality and hydrology of these watercourses.</p>



		<p><b>River Lugg SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> the likely significant effect(s) on the SAC. Development <del>should</del> will be required to demonstrate <u>at least</u> nutrient neutrality <del>or betterment</del>.</p> <p><b>Road network:</b> Highways England identifies the site as located near to the strategic road network. Need to demonstrate the level of effect on the local road network in the vicinity of the site.</p>
MM107	<p><b>Wellington Quarry</b> Policy M3(2,a) Policy W6(2)</p>	<p><b>Archaeology and geodiversity:</b> Need to demonstrate the potential for archaeological remains or geological features to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere (<u>including Leystone Bridge</u>); and where possible, flood risk is decreased. Flood alleviation should be considered in designing site reclamation.</p> <p><b>Footpath:</b> Wellington footpaths 23, 23A and 34 cross the site and may require diversion or a non-working buffer such that the amenity value and connectivity of the footpaths are maintained.</p> <p><b>Green infrastructure:</b> Operation and reclamation phases should deliver priorities of the Herefordshire Green Infrastructure Strategy, in particular those associated with District Strategy Corridor 1 and District Enhancement Zone 3. Site design should deliver a net gain in biodiversity, providing enhancement for priority habitats, and incorporate key features of the landscape character.</p> <p><b>Ground water:</b> Glaciofluvial sand and gravel deposits represent a secondary aquifer in hydraulic continuity with watercourses. Need to demonstrate <del>the</del> potential risks to the water environment, <u>including abstractions (public and private supply) wells and springs</u>.</p> <p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect that</del> <u>the proposed development will appropriately minimise and mitigate impacts on heritage asset(s) and their setting(s) particularly <u>Sutton Walls Hillfort, St Mary's Church and the historic core of Marden and other</u> listed buildings and <del>Sutton Walls Fort</del>.</u></p>


		<p><b>Marches Line:</b> A non-working buffer may be required such that railway safety is maintained.</p> <p><b>Otter:</b> Detail protected species survey required to determine any site-specific mitigation and protection measures.</p> <p><b>Phased working:</b> Need to demonstrate optimum phasing of the allocated area, including how existing infrastructure will be used (to include at least site access and processing equipment) and reclamation at the earliest opportunity. A proliferation of ancillary infrastructure will not be permitted. <u>A consolidated application should be made, providing the opportunity to review working practices and reclamation across the whole site.</u></p> <p><b>River Lugg and Wellington Brook:</b> Need to demonstrate the level of effect on water quality and hydrology of these watercourses.</p> <p><b>River Lugg LWS and SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> the likely significant effect(s) on the SAC. Development <del>should</del> will be required to demonstrate <u>at least</u> nutrient neutrality <del>or betterment</del>.</p> <p><b>Road network:</b> Highways England identifies this site as located near to the strategic road network. Need to demonstrate the level of effect on the A49 and that vehicles can access and leave the site, to and from the public highway, safely.</p> <p><b>Sensitive properties:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of nearby sensitive properties (school and housing).</p> <p><b>Utilities:</b> Utility infrastructure (high pressure gas, water mains and foul sewer) that cross the site may require diversion or a non-working buffer to enable the site to be worked.</p>
MM108	<p><b>Westfields Trading Estate</b> Policy W5(2)</p>	<p><b>Flood Risk:</b> Need to demonstrate that: the site will be safe in the event of a flood; risk is not increased on site or elsewhere; and where possible, flood risk is decreased.</p> <p><b>Hereford AQMA:</b> Need to demonstrate the level of effect on air quality, particularly within the Hereford AQMA.</p> <p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect that</del> <u>the proposed development will appropriately minimise and mitigate impacts</u> on heritage asset(s) and their setting(s), particularly listed buildings in the vicinity of the site.</p>

		<p><b>Landscaping:</b> Site design should deliver a net gain in biodiversity, providing enhancement for priority habitats, and incorporate key features of the landscape character.</p> <p><b>Plough Lane LWS, Widemarsh Brook LWS and Yazor Brook LWS:</b> Need to demonstrate the level of effect on the key features of these designations.</p> <p><b>Sensitive properties:</b> Need to demonstrate the level of effect on the amenity, health &amp; safety and environment of nearby sensitive properties (schools).</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> the likely significant effect(s) on the SAC. Development <del>should</del> will be required to demonstrate <u>at least</u> nutrient neutrality <del>or betterment</del>.</p> <p><b>Widemarsh Brook and Yazor Brook:</b> Need to demonstrate the level of effect on water quality and hydrology of the Yazor Brook.</p>
MM109	<p><b>Westonhill Wood Delves</b> Policy M5(1,a&amp;b)</p>	<p><b>Airfield:</b> Need to demonstrate the level of effect on the current and likely future operations of the nearby airfield.</p> <p><b>Ancient Woodland:</b> Need to demonstrate the level of effect on the ancient woodland, leaving a buffer adequate to protect the designation.</p> <p><b>Archaeology and geodiversity:</b> Need to demonstrate the potential for archaeological remains or geological features to be present on the site, through desk-based assessment and/or field evaluation as appropriate. Mitigation will include recording, protection or recovery of any assets.</p> <p><b>Dark Skies:</b> Need to demonstrate that lighting will be kept to the minimum required to ensure safe working conditions on site.</p> <p><b>Green infrastructure:</b> Operation and reclamation phases should deliver priorities of the Herefordshire Green Infrastructure Strategy, in particular those associated with District Strategy Corridor 7. Site design should deliver a net gain in biodiversity, providing enhancement for priority habitats, and incorporate key features of the landscape character.</p> <p><b>Ground water:</b> Located on secondary aquifer of the Devonian. Need to demonstrate <del>the</del> potential risks to the water environment, <u>including abstractions (public and private supply) wells and springs including drinking water</u>.</p>

	<p><b>Housing:</b> Need to demonstrate the level of effect on residential amenity at nearby properties.</p> <p><b>Heritage assets:</b> Need to demonstrate <del>the level of effect that</del> <u>the proposed development will appropriately minimise and mitigate impacts</u> on heritage asset(s) and their setting(s).</p> <p><b>Merbach Hill LWS, Benfield Park LWS and Westonhill Wood LWS:</b> Need to demonstrate the level of effect on the key features of these designations.</p> <p><b>River Wye SAC:</b> An Appropriate Assessment is required to demonstrate <del>no</del> <u>likely significant effect(s)</u> on the SAC. Development <del>should</del> will be required to demonstrate <u>at least nutrient neutrality or betterment</u>.</p> <p><b>River Wye SSSI:</b> Need to demonstrate the level of effect on the key features of this designation.</p> <p><b>Site Access:</b> Need to demonstrate that vehicles can continue to access and leave the site, to and from the public highway, safely.</p>
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# Herefordshire Minerals and Waste Local Plan

Schedule of Minor Changes

**November 2023**

# Contents

<b>1. Introduction .....</b>	<b>2</b>
<b>2. Minor Changes Proposed .....</b>	<b>3</b>
<b>3. Figures of the Plan and Interactive Mapping, as at October 2022 .....</b>	<b>8</b>
3.1 Figures .....	8
3.2 Interactive mapping .....	8



# 1. Introduction

1.1 Table 1 presents the schedule of proposed minor edits to the Plan. The following approach has been used:

- All policy references, paragraph numbers, figure numbers etc are taken from the Herefordshire Minerals and Waste Local Plan, Publication Draft, January 2021.
- The edits are presented in the order they appear in this version of the Plan.
- The amended text is shown in bold text, with new text underlined (**for example**) and deleted text crossed through (~~for example~~).
- The schedules provide only those whole sentences within which an edit has been made. There may be additional text either side of the sentence, but if it is not reported it has not been changed.

1.2 Each proposed edit is referenced MCnumber.letter (eg MC2.a) in which:

- MC stands for Minor Change;
- number is the section of the Plan that is being edited; and
- letter is used to identify the order of the Minor Changes within that section e.g. MC2.a; MC2.b; etc.

## 2. Minor Modifications Proposed

Table 1 Schedule of Minor Changes to the Publication Draft MWLP

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Change
<b>Section 1. The Publication Draft Minerals and Waste Local Plan for Herefordshire</b>		
MC1.a	Chapter 1	To be deleted in its entirety.
<b>Section 2. Introduction and Background</b>		
MC2.a	2.1.4 and associated FN2	Page 9, paragraph 22, National Planning Policy Framework, <del>February 2019</del> <u>July 2021</u> .
MC2.b	2.1.6	Habitats Regulation Assessment, which has assessed any impacts on <b>National Network Sites</b> <del>European sites</del> ; and
MC2.c	2.3.7	For example, there is a network of household waste recycling centres across Herefordshire, which enables householders to deposit items no longer required at a location where they can be <b>reused</b> , recycled or disposed of safely.
MC2.d	2.4.11	Both minerals and waste need assessments were undertaken again in late 2019 using the latest available information. These are reported in the: Minerals Need Assessment 2019 ('MNA 2019'); and Waste Need Assessment 2019 ('WNA 2019'). <b>Additional assessments were published in May 2022, to consider data from years 2019 and 202. These are reported in the: Minerals Need Assessment 2021 ('MNA 2021'); the MNA Sensitivity Paper; and Waste Need Assessment 2021 ('WNA 2021').</b>
MC2.e	2.4.14	The LAA was updated again in late 2019 <b>and 2022 ('LAA 2021')</b> .
MC2.f	2.4.18	Habitats Regulations Assessment (HRA) has been used to assess the emerging MWLP to assess whether there would be likely significant effects on sites of international importance for wildlife ( <del>European sites</del> <b>National Network Sites</b> ).
MC2.g	Section 2.6	To be deleted in its entirety.
<b>Section 3. Context</b>		
MC3.a	Figure 3	To be updated with refreshed background mapping data.

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Change
MC3.b	3.1.22	The waste facilities consented in Herefordshire in <del>2019-2020</del> are all shown on Figure 4. Again, this Figure is available in its original A3 format at Annex A.
MC3.c	Figure 4	To be updated with refreshed background mapping and waste data.
MC3.d	3.3.1	At the time of <b>finalising the MWLP, whilst the UK had exited the EU it remained time-of-writing (March 2020) the UK is</b> in a transition period of negotiation with the EU, <del>expected to last until the end of 2020.</del> During this transition period, existing legislation remains in place and applicable across the UK.
MC3.e	3.3.4	The National Planning Policy Framework (the 'NPPF', <del>February 2019-July 2021</del> ) contains the Government's overarching policies on minerals planning.
MC3.f	3.3.7	The NPPF seeks to conserve important landscape and heritage assets by requiring that, <b>as far as is practicable</b> , landbanks for non-energy minerals are provided outside National Parks, Areas of Outstanding Natural Beauty, Scheduled Monuments and World Heritage Sites. <del>In National Parks and Areas of Outstanding Natural Beauty, many minerals and waste developments would be classed as 'major development' and should not be granted consent except in exceptional circumstances, as defined by a series of considerations known as the 'major development test'.</del>
MC3.g	3.3.9	<del>The NPPF was published (in February 2019) advising mineral planning authorities to recognise the benefits of on-shore oil and gas development, including for unconventional hydrocarbons (at paragraph 209a). Ministerial Written Statement made on 23 May 2019 confirms that 'paragraph 209(a) of the National Planning Policy Framework has been quashed.'</del> <b>In November 2019, the Government issued a moratorium on the hydraulic fracturing of hydrocarbons.</b>
MC.h	3.3.14	In December 2018, Defra published 'Our Waste, Our Resources: A Strategy for England' <sup>15</sup> (the 'Resources and Waste Strategy'). This was the first significant waste policy intervention by the Government in over a decade; delivery of the circular economy is a core focus of the document. Figure 5 is taken from the <b>RWS Resources and Waste Strategy</b> .

Mod. Ref.	Paragraph/policy/ figure reference	Proposed Change
MC3.i	3.3.24 (new)	<b><u>The National Model Design Code (NMDC, January 2021) presents a framework for creating healthy, greener, environmentally responsive, sustainable and distinctive places, with a consistent and high-quality standard of design. It is primarily focussed on built forms of development, but the underlying principles can be applied to minerals and waste projects.</u></b>
MC3.j	3.3.27	There are two Areas of Outstanding Natural Beauty (AONB) in Herefordshire: the Malvern Hills; and the Wye Valley. The Malvern Hills AONB Management Plan <del>2014-2019</del> <sup>20</sup> <del>2019-2024</del> <sup>20</sup> recognises that the striking scenery in the AONB is ultimately dependent on the rocks that lie beneath the ground surface and has a consequent aim to preserve, promote and wisely use the geodiversity of the AONB. The Wye Valley AONB Management Plan <del>2015-2020</del> <sup>21</sup> <del>2021-2026</del> <sup>21</sup> recognises the variety of geological outcrops and rich wildlife habitats, not least as reflected in the presence of separate Special Areas of Conservation. Conserving and, where necessary, enhancing the natural beauty of this unique landscape is a primary theme. These will be revised throughout the lifetime of the MWLP.
MC3.k	Footnote 20	<del><a href="http://www.malvernhillsaonb.org.uk/managing-the-aonb/management-plan/">http://www.malvernhillsaonb.org.uk/managing-the-aonb/management-plan/</a></del> <del><a href="http://www.malvernhillsaonb.org.uk/wp-content/uploads/2019/04/64217-Malvern-Hills-AONB-Management-Plan-2019-24-v06.pdf">http://www.malvernhillsaonb.org.uk/wp-content/uploads/2019/04/64217-Malvern-Hills-AONB-Management-Plan-2019-24-v06.pdf</a></del>
MC3.l	Footnote 21	<del><a href="http://www.wyevalleyaonb.org.uk/index.php/about-us/management-and-guidance/management-plan-2015-2020/">http://www.wyevalleyaonb.org.uk/index.php/about-us/management-and-guidance/management-plan-2015-2020/</a></del> <del><a href="https://www.wyevalleyaonb.org.uk/wp-content/uploads/dlm_uploads/Wye-Valley-AONB-Management-Plan-2021-26-finalised.pdf">https://www.wyevalleyaonb.org.uk/wp-content/uploads/dlm_uploads/Wye-Valley-AONB-Management-Plan-2021-26-finalised.pdf</a></del>
MC3.m	3.3.37	In response to this judgement, and discussion with Natural England, the council concluded that the measures set out in the River Wye SAC NMP could no longer be relied upon and <b>in March 2020</b> issued three <b>new</b> documents relevant to development that could affect the River Wye SAC. <del>At the time of writing the MWLP, the most recent versions of these documents were published in March 2020 and</del> titled:
MC3.n	3.4.1 (first bullet under minerals)	Ensuring a continuity of minerals supply to meet the social and economic needs of the county to <del>2031</del> <u>2041</u> , taking account of cross-boundary supply challenges.

<b>Section 4. Vision, Objectives and Spatial Strategy</b>		
MC4.a	Table 1, MWLP Objectives	There are two objectives numbered 11. The second has been amended to number 12 and the objective formerly number 12 has been renumbered to 13.
MC4.b	Figure 6	To be updated with refreshed background mapping and to clarify policy.
<b>Section 5. Strategic Policy and General Principles</b>		
MC5.a	5.4.1 As modified: 5.4.5	To relocate this paragraph under the sub heading Landscape and Townscape – Core Strategy policy LD1.
MC5.b	5.4.10	The Ecological Mitigation Plan should specify working methods, timings and buffers within the development site to protect vulnerable features, including <del>European sites</del> <b>National Network Sites</b> . The size and shape of the buffer will be defined on a site-by-site basis dependent on the attributes of the feature.
MC5.c	5.4.21	The sand and gravel sites at Shobdon and Upper Lyde are Local Geological Sites designated for their glacial and glacial-fluvial features respectively, whilst sub-alluvial gravels have been extracted at Wellington that may hold clues to the changing drainage patterns in Herefordshire in glacial times.
MC5.d	5.11.9	As a starting point, developers should refer to the particular issues identified in the key development criteria (section 9) established for <del>the each</del> allocated sites and the Green Infrastructure Strategy already in place.
<b>SECTION 6. Minerals</b>		
MC6.a	6.1.3	The limestone is predominantly crushed for use as a primary aggregate and building stone offcuts from the sandstone delves <del>are used</del> <b>are used</b> in their restoration.
MC6.b	Figure 7 (within Plan and Figure)	To be updated with refreshed background mapping and to clarify policy. Title updated as shown: Figure 7 Minerals Safeguarding Areas <b>including Rail Heads</b> <b>Figure Figure 7</b>
MC6.c	6.1.15	Policy M2 applies to all minerals resources, regardless of whether they have gained the necessary planning permission to be worked. Identification of these areas does not imply that any application for the working of minerals within them will be granted planning permission. Policy M2 also applies to the infrastructure associated with the mineral resource, including <del>rail heads</del> <b>railheads</b> .

<b>SECTION 7. Waste</b>		
MC7.a	7.1.8	Consequently, the policy priority is <b>to</b> provide a positive framework within which to deliver additional waste management capacity, addressing all levels of the waste hierarchy, except non-hazardous disposal, but making development opportunities for residual waste treatment facilities particularly attractive.
MC7.b	7.2.15	<del><b>In November 2018, judgement was handed down from the Court of Justice of the European Union in the case of Cooperatie Mobilisatie (Joined Cases C-293/17 and C-294/17, the ‘Dutch Case’). The Dutch Case concluded that where a site is failing in its water quality objectives, and is therefore classed as being in an unfavourable condition, there is limited scope for the approval of additional damaging effects and that the future benefit of mitigation measures cannot be relied upon at Appropriate Assessment, where those benefits are uncertain at the time of the assessment.</b></del>
MC7.c	7.2.18	The River Wye SAC <del><b>Nutrient Management Plan NMP</b></del> makes clear that the farming community plays a crucial role in the River Wye SAC catchment.
MC7.d	7.2.19	<del><b>Whilst the River Wye SAC NMP is being reviewed, the</b></del> ‘Top 5’ recommendations for agriculture directly addressing waste management practices, <del><b>remain relevant</b></del> including:
<b>Section 8. Delivery, Implementation and Monitoring</b>		
MC8.a	8.3.5	It should be remembered that not all the information will be readily available annually. For example, the Environment Agency is responsible for <b>collecting collating</b> information on C&I , CD&E and hazardous waste and recording this it within the Waste Data Interrogator, with an annual update being made available.
MC8.b	Table 3 (header row)	<del><b>Draft</b></del> MWLP Policy
<b>Section 9 Key Development Criteria</b>		
MC9.a	9.1.4	<del><b>In addition, The</b></del> key development criteria are <b>also</b> presented, along with site mapping, in the Allocated Sites Appendix. The Allocated Sites Appendix is unlikely to be suitable for users of assisted technology, <del><b>whilst Table 9 has been prepared to be easier to read.</b></del>

### 3. Figures of the Plan and Interactive Mapping

#### 3.1 Figures

3.1.1 In updating Figures 6 and 7, new and improved, base mapping was realised to be available.

3.1.2 The opportunity has been taken to also improve the base mapping for **Figures 3 and 4**, and consequently to revise them with updated information relevant to both mineral sites and waste facilities.

3.1.3 The modifications to **Figure 6** are proposed to:

- ensure Preferred Area of Search A remains within the plan area;
- exclude the Wye Valley Area of Outstanding Natural Beauty from Preferred Area of Search D;
- change the words 'General Search Areas' to 'Safeguarded Resource';
- identify Hereford and the market towns; and
- include the railheads that are safeguarded.

3.1.4 The modifications to **Figure 7** are proposed to:

- correct a spelling mistake;
- change 'reserves' to 'resources'; and
- provide greater clarity in relation to the safeguarded railheads.

3.1.5 Together, these revised figures create a proposed, modified Annex A to the Plan, dated November 2022.

#### 3.2 Interactive mapping

3.2.1 The interactive mapping on the Herefordshire Council website is proposed to be updated to ensure the details are consistent with the Plan.





# Title of report: Amendments to Constitution

**Meeting: Council**

**Meeting date: Friday 8 March 2024**

**Report by: Chairman of Audit & Governance Committee**

## **Classification**

Open

## **Decision type**

This is not an executive decision

## **Wards affected**

(All Wards);

## **Purpose**

A report to propose amendments to the constitution in relation to: the Members Code of Conduct and functions of the Standards Panel; functions of Audit and Governance Committee; co-opted member recruitment to Children and Young People Scrutiny Committee; and functions of Planning and Regulatory Committee.

## **Recommendation(s)**

**That Council approves changes in the Constitution:**

**a) in Appendix 1 to enable:**

- (i) a change to the Standards Panel and process used to better enable concurrent oversight of the Code of Conduct standards arrangements; and**
- (ii) a change to the Code of Conduct, in relation to Disclosure of Non-Registerable Interests, to reflect case law on this issue;**

**b) in Appendix 2 to enable oversight by Audit and Governance Committee of the council's arrangements for Complaints, Companies and RIPA.**

**c) in Appendix 3 to enable amendment to the co-opted membership of Children and Young People Scrutiny Committee.**

## Alternative options

1. Council may choose not to approve the proposals and agree that functions will remain as currently described in the Constitution.

## Key considerations

### Appendix 1 - Reporting and oversight by Standards Panel

2. Council has delegated to Audit and Governance Committee responsibilities including, at Part 3 of the Constitution, section 3.5.14, the responsibility to promote and maintain high standards of conduct by members and co-opted members of the Council, through the Code of Conduct and its arrangements.
3. Audit and Governance Committee met on 12 December 2023 and [resolved to recommend](#) to full Council to change the Constitution as set out in Appendix 1. The proposals at (a) above reflect the resolutions made by Audit and Governance Committee.
4. Section 3.5.14 (f), describes Committee's specific responsibility to review on an annual basis the overall figures and trends from Code of Conduct complaints which will include the number of upheld complaints by reference to individual councillors within unitary, town and parish councils and when a code of conduct complaint has been upheld by the Monitoring Officer or Standards Panel, to promptly to publish the name of the councillor, the council, the nature of the breach and any recommendation or sanction applied.
5. The Constitution defines the responsibilities of the Standards Panel at Part 3, section 3.5.16. This includes at section 3.5.19 a responsibility to undertake a twice a year sample review of decisions made by the Monitoring Officer under the Code of Conduct complaint process.
6. The Monitoring Officer has responsibility for the implementation of the Code of Conduct, which is included in the Council's Constitution at Part 5 section 2. This means that, except in circumstances where a decision is referred to the Local Government Ombudsman, or a claim of judicial review is made, there is no appeal against the decision of the Monitoring Officer nor against a determination of the Standards Panel following a hearing.
7. It is considered that the role of Standards Panel to retrospectively undertake sample reviews of decisions made by the Monitoring Officer 6 or 12 months after the event, does not achieve any useful outcome. There is an important and useful element of oversight necessary by the Standards Panel but this isn't considered to be as effective (or could be more effective) by a change to the procedure used. Council has delegated initial decision making to the Monitoring Officer who must consult with the Independent Persons before making a decision. In the absence of an appeal process, it is considered that oversight by Standards Panel gives an important quality check to the processes.
8. However, it is considered that receiving the views of the Standards Panel 6 or 12 months after the decision is not particularly helpful. The Audit & Governance Committee already has an annual obligation to comment on the process, trends and resourcing. Feedback from Standards Panel on specific cases so long after the event, is not considered particularly effective or useful.
9. This report therefore proposes that the Constitution is amended at Part 3, paragraphs 2.8.27 and 3.5.19, to remove the twice/annual review of the Monitoring Officer's decisions by the Standards Panel.

10. This will be replaced by:

- a. notification to all members of the Panel on a confidential basis of all decisions as they are made by the Monitoring Officer (whether at the Initial Assessment or post-Investigation stage). This will give the Committee an understanding of decisions as they are being made rather than waiting 6 months; and
- b. there will be no requirement for an exempt meeting to discuss the decisions. Each member can simply contact the Monitoring Officer should they have any questions; and
- c. the Chair of the Panel can request the Monitoring Officer to convene a formal meeting should a specific matter need to be discussed; and
- d. the Audit and Governance Committee receiving a report on a 6 month basis in respect to processes, trends and resourcing.

11. The consultation with the Independent Persons on all decisions will continue and remains fully effective if the proposal is approved. The Council has to appoint Independent Persons under section 28 of the Localism Act 2011, to work with the Monitoring Officer to support them with Code of Conduct complaints and standards issues. Independent Persons are people who are neither councillors or officers of the Council.

12. It is also recommended that Part 3 section 5 is amended to provide for the Independent Persons to be invited to attend any Audit and Governance Committee meeting when the agenda includes consideration of any report pertaining to Committee's functions concerning the Code of Conduct, at Part 3, section 3.5.14 of the Constitution.

13. The proposals will also streamline the actions and responsiveness of Standards Panel and will improve budget efficiency by removing an existing area of duplication of reports and unnecessary formal meetings.

14. Members can be reassured that the current provision for Standards Panel to undertake 6 or 12 monthly sample reviews of decisions made by the Monitoring Officer under the Code of Conduct complaint process is not necessary as a matter of law and is not an approach mirrored in other councils that we have found. Instead of dip sampling some decisions 6 or 12 months after the event, the proposal is to give all members of the Standards Panel oversight of all decisions as they happen.

#### Composition of Standards Panel

15. Part 2 Article 8 - 2.8.24 of the constitution describes the composition of Standards Panel.

16. The amendments proposed in Appendix 1 enable a more efficient functioning of Standards Panel and ensures that the Chair is a member who has voting rights.

17. Part 3 Section 5 - 3.5.19 of the constitution describes the functions of Standards Panel and the proposed amendment at 3.5.20 clarifies that the Independent Person and parish councillor (as co-opted members) may take part in any discussion but do not have a vote where a decision is to be made by the Standards Panel.

#### Ordinary Registerable/Non Registerable Interests and Bias

18. Part 5 Section 2 of the constitution at 5.2 - Appendix B at Paragraph 9 refers to the 'Disclosure of Non-Registerable Interests'.

19. In relation to the recommended amendment to the Code of Conduct regarding Disclosure of Non-Registerable Interests, members are advised that this proposal flows from a review of the Code and noting the decision of the High Court in the case of [CPRE \(Somerset\), R \(On the Application Of\) v South Somerset District Council](#) [2022] EWHC 2817 (Admin). This case exposed a risk to members, inherent in the Council's adopted Code, which is addressed by the amendment. The court considered that the current wording in the Code in respect to whether a matter 'affects' an interest was more restricted than bias under the common law. The effect is that a member would not be in breach of the Code even if the member's decision was clearly biased. The change to the Code of Conduct aligns it to the law on this point.

### **Appendix 2 - Reporting and oversight by Audit & Governance**

20. Audit and Governance Committee already receives an annual review of the Council's Information Requests and Complaints. Appendix 2 and the proposal at (b)(i) above more accurately reflects this part of Audit and Governance Committee's terms of reference.
21. Paragraph 13.5 of the Council's [Regulation of Investigatory Powers Act 2000 \(RIPA\) Policy](#) requires an annual report to be presented to Audit and Governance Committee, so that the committee can ensure that RIPA use is consistent with the policy and that the policy remains fit for purpose. Appendix 2 and the proposal at (b)(ii) therefore accurately reflects the intention of Council to include this within Audit and Governance Committee's terms of reference.
22. On 12 January 2023, Cabinet resolved to [set up a Shareholder Committee](#) and resolution d) included that Audit & Governance should have oversight of the Shareholder Committee. As such the recommendation is to include this within the Terms of Reference for Audit and Governance Committee.

### **Appendix 3 - Co-Optees in Children & Young Persons Overview & Scrutiny**

23. On 14 Nov 23 CYP O&S considered a [report](#) on co-opted member recruitment. The committee noted the difficulty in recruitment of co-opted members.
24. Paragraph 4.5.7 of the Constitution has included additional qualification restrictions on co-opted members in that it specifies the number and origin for a parental governor. As an example it states that 1 governor must be from the primary sector where the [2001 regulations](#) simply state that between 2 and 5 parent governors must be appointed.
25. The Constitution also enables the committee to appoint to 2 further co-optees but again that these have to be from a qualifying skill or experience area (teaching and support by social workers).
26. CYP O&S noted that the further qualifications added by council was restricting the potential pool of candidates and unanimously voted to recommend to Council to remove the additional qualifying restrictions.
27. Appendix 3 contains the proposed changes to the Constitution. The effect is that CYP O&S can appoint 3 parent governors (removing the requirement that they must be from a particular sector) and that the 2 additional co-optees do not need to have a particular skill or experience.
28. Children and Young People Scrutiny Committee met on [14 November 2023](#) and resolved to recommend to full Council to change the Constitution with regard to the recruitment of co-opted members: Appendix 3 reflects the resolutions made by Children and Young People Scrutiny Committee.

## **Community impact**

29. The proposals do not have any community impact, nor do they link to other local or national strategies or policies. They are proposals that fall within Council's powers to make local arrangements.

## **Environmental Impact**

30. The proposals do not have any environmental impact.

## **Equality duty**

31. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to:-

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
32. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and policies and in the delivery of services. Equalities data is collected with the complaints form.

## **Resource implications**

33. The changes to the reporting to Standards Panel may have resource implications if the change is adopted. The requirement for less formal meetings (2 Standards Panels) will free up officer and member time and resources. However, the new arrangements could lead to more contact time between officers and members, and even more formal meetings (albeit shorter and more focused). This will be monitored and even if there is more contact time, it is considered necessary for the benefits of focused feedback which is provided as it happens.

## **Legal implications**

34. Under Section 28 of the Localism Act 2011, local authorities must have in place 'arrangements' under which allegations that an elected or co-opted councillor of the authority or of a town or parish council within the principal authority's area has failed to comply with the authority's Code of Conduct can be considered and decisions made on such allegations.
35. It is for the Council, as principal authority to decide the details of the arrangements, as a matter of local choice.

## **Risk management**

36. There are no risks arising directly from the report.

## **Consultees**

37. At its meeting on 12 December 2023, Audit and Governance Committee considered the proposals in Appendix 1. Committee made the following resolution:

That Committee:

- (a) Considered and approved the proposals in principle; and
- (b) recommended to full Council to change the Constitution as set out in Appendix 1.

38. The Independent Persons were consulted before Audit and Governance Committee on 12 December 2023 and discussions centred on the purpose of review, being that of considering trends that will inform allocation of appropriate resources to the process, as well as identifying any areas for development and training that might reduce the number of complaints received, rather than a detailed review of the Monitoring Officer's decisions.

39. The Group leaders were also consulted before Audit and Governance Committee on 12 December 2023. A response was received from group leaders and where possible the recommendations were amended in consideration of the views expressed. The response included elements that are wider than the subject matter of this report which is principally around transparency and reporting. That included redrafting the guidance and arrangements adopted by the Council so that it is clearer but would not be changing the procedure. If the proposals in this report are adopted by Council, the proposed redrafting can incorporate Council's resolutions and can be published in accordance with consequential changes to process upon approval by the Monitoring Officer.

40. Group Leaders were consulted on this report on 19 February 2024.

## **Appendices**

Appendix 1 - Changes to the Constitution

Appendix 2 - Amendment to Standards Procedure

Appendix 3 – Amendment to Co-Optees in Children and Young People Scrutiny Committee

## **Background papers**

None identified

## **Useful links:**

[Constitution Section 5 - Other functions.](#)

[Constitution Part 2 Article 8-The audit and governance committee.](#)

## Appendix 1 - Changes to the Constitution - Members Code of Conduct

Note: strikethrough indicates text removed. Underline indicates new text.

<b>Section</b>	Part 2 Article 8 - 2.8.24 & 2.8.27 – Standards Panel
<b>Proposed Changes</b>	<p>2.8.24 The standards panel will consist of an independent person (<del>who will chair the panel</del>); <del>three members</del> <u>the chair</u> of the audit and governance committee <u>and two other members of audit and governance committee</u> and a parish councillor nominated by Herefordshire Association of Local Councils. <del>Where an independent person is not available,</del> One of the members from the audit and governance committee shall chair the panel.</p> <p><u>2.8.25 The three members from audit and governance committee shall be appointed at the first audit and governance meeting after the Council AGM. The committee may also appoint up to two further substitute members who should only substitute if any of the three standing members are unavailable.</u></p> <p><del>2.8.27 To undertake an annual sample review of decisions by the monitoring officer under the code of conduct complaints process.</del></p> <p><u>2.8.27 The members of the panel will also receive copies of all decisions made by the monitoring officer under the code of conduct complaint process and may directly provide feedback of their views on the decision or meet informally with the monitoring officer. Where requested by the Chairperson of the panel, the monitoring officer will convene a meeting to discuss a specific decision.</u></p>
<b>Section</b>	Part 3 Section 5 - 3.5.19 – Standards Panel
<b>Proposed Changes</b>	<p>3.5.19 The members of the panel will also <u>receive copies of all</u> <del>undertake a twice a year sample review of</del> decisions made by the monitoring officer under the code of conduct complaint process <u>and may directly provide feedback of their views on the decision or meet informally with the monitoring officer. Where requested by the Chairperson of the panel, the monitoring officer will convene a meeting to discuss a specific decision.</u></p> <p><u>3.5.20 The Independent Person and parish councillor (as co-opted members) may take part in any discussion but do <b>not</b> have a vote where a decision is to be made by the Standards Panel.</u></p> <p><u>3.5.21 when a Code of Conduct complaint has been upheld by the Monitoring Officer or the Standards Panel, to promptly publish the name of the councillor, the council, the nature of the breach and any recommendation or sanction applied for a period of 6 years from the date of decision.</u></p> <p><u>3. 5.22 The Monitoring Officer (in consultation with the Chair of Stands Panel) may also publish for such period as considered appropriate (but no more than 6 years) other decision notices that do not amount to a breach.</u></p>
<b>Section</b>	Part 3 Section 5 - 3.5.14 (f) Code of Conduct (part of function of Audit & Governance)
<b>Proposed Changes</b>	

Further information on the subject of this report is available from  
Sean O'Connor, Tel: 01432 383622, email: Sean.O'Connor@herefordshire.gov.ukl

	<p>f) To <del>twice yearly</del> <u>annually</u> review overall figures and trends from code of conduct complaints which will include number of upheld complaints by reference to individual councillors within unitary, town and parish councils <u>with the independent persons in attendance who can provide feedback on decision making and trends for complaints / suggestions for training.</u></p> <p><del>and when a code of conduct complaint has been upheld by the Monitoring Officer or by the Standards Panel, after the option of any appeal has been concluded, promptly to publish the name of the councillor, the council, the nature of the breach and any recommendation or sanction applied.</del></p>
<p><b>Section</b></p>	<p>Part 5 Section 2 - 5.2. Appendix B at Paragraph 9 'Disclosure of Non-Registerable Interests'</p>
<p><b>Proposed Changes</b></p>	<p>9. Where a matter (referred to in paragraph 8 above) <b>affects</b> the financial interest or well-being:</p> <ul style="list-style-type: none"> <li>a. to a greater extent than it affects the financial <u>or well-being</u> interests of the majority of inhabitants of the ward affected by the decision <u>and/or</u> ;</li> <li>b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest</li> </ul> <p>You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.</p> <p>If it is a 'sensitive interest', you do not have to disclose the nature of the interest.</p>



## Appendix 2 - Changes to the Constitution – Audit & Governance

Note: strikethrough indicates text removed. Underline indicates new text.

Section	Part 3 Section 5 - 3.5.12 – Governance
<b>Proposed Changes</b>	<p>3.5.12</p> <p>(j) to annually review the council's Information Governance arrangements.</p> <p><u>(m) to annually review the council's arrangements for Complaints including Corporate Complaints and Children's Statutory and Complaints Policy.</u></p> <p><u>(n) to oversee the council's arrangements for Regulatory Investigatory Powers Act 2000 (RIPA) and Investigatory Powers Act 2016 under its Policy.</u></p> <p><u>(o) to oversee the council's arrangements in relation to the shareholder governance and function for the companies that the Council's has either ownership or membership.</u></p>



## Appendix 3 - Changes to the Constitution – Children and Young People Scrutiny Committee

Note: strikethrough indicates text removed. Underline indicates new text.

Section	Part 4 Section 5 – paragraph 4.5.7
<b>Proposed Changes</b>	<p>The committee with responsibility for education shall include the following co-opted statutory education representatives, as appointed by Council:</p> <ul style="list-style-type: none"> <li>• one representative as nominated by the diocese of Hereford</li> <li>• one representative as nominated by the archdiocese of Cardiff</li> <li>• <u>one three</u> parent governors as elected from the <u>primary</u> school sector</li> <li>• <del>one parent governor as elected by the secondary school sector</del></li> <li>• <del>one parent governor as elected by the special school sector and</del></li> </ul> <p>Additionally</p> <ul style="list-style-type: none"> <li>• <u>One two</u> further <u>appointments with such skills and experience as determined by the committee representatives from the teaching sector</u></li> <li>• <del>One representative from a family who are or have been supported by social workers</del></li> </ul>





# Title of report: Leaders report to Council

**Meeting:** Council

**Meeting date:** Friday 8 March, 2024

**Report by:** The Leader of the Council

## Classification

Open

## Decision type

This is not an executive decision

## Wards affected

(All Wards);

## Purpose

To provide an update on the work of the Cabinet since the meeting of Council held on 8 December, 2023.

## Recommendation(s)

### That:

- (a) the report be noted.

## Alternative options

1. There are no alternative options; the constitution requires the Leader to provide Council with reports on the activities of the executive.

## Key considerations

2. It is a constitutional requirement for the Leader of the Council to provide a report to the council meeting, other than the budget meeting, on the work of cabinet since the last meeting. The leaders report is set out in appendix 1.
3. The report includes a summary of the matters decided by the cabinet and the cabinet members, any decisions taken under the urgency provisions and those subject to call in.
4. It is customary for all of the decisions to be listed in an annex to this report (appendix 2). These decisions have been made available on the council's website. All councillors and members of the public have the opportunity to review these decisions as they are being made.

5. Of the decisions taken since my last report no key decisions have been taken under the general exception provisions (giving more than five but less than 28 calendar days' notice) and none were taken under the urgency provisions (less than five days' notice).
6. Included in my report is a summary of what I consider the most significant priorities, as well as some additional subjects that I hope will be of interest.

### **Community impact**

7. The community impact of any decisions of the executive have been set out within the relevant decision report and taken into consideration at the time the decision was taken. Reporting to Council the activities of the executive demonstrates the council's commitment to the code of corporate governance principle of implementing good practices in transparency, reporting and audit to deliver effective accountability.

### **Environmental Impact**

8. The environmental impacts of any decisions of the executive have been set out within the relevant decision report and taken into consideration at the time the decision was taken. Reporting to Council the activities of the executive demonstrates the council's commitment to the council's [environmental policy commitments](#) and aligns to the following success measures in the County Plan.
  - a) Increase flood resilience and reduce levels of phosphate pollution in the county's river
  - b) Reduce the council's carbon emissions
  - c) Work in partnership with others to reduce county carbon emissions
  - d) Improve the air quality within Herefordshire
  - e) Improve residents' access to green space in Herefordshire
  - f) Improve energy efficiency of homes and build standards for new housing
  - g) Increase the number of short distance trips being done by sustainable modes of travel – walking, cycling, public transport

### **Equality duty**

9. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
10. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. As this

report provides a summary of activity undertaken, we do not believe that it will have an impact on our equality duty. These considerations are set out in each of the relevant reports informing the decisions listed at appendix 2, and will inform any future decision making.

### **Resource implications**

11. There are no new resource implications arising from the recommendations of this report. The resource implications of any decisions of the executive listed at appendix B have been set out within the relevant decision report and taken into consideration at the time the decision was taken and will inform any future decision making.

### **Legal implications**

12. The council and committee, and cabinet rules within the constitution require the Leader to provide a report to Council on the work of the cabinet since the last meeting of Council and, at the first meeting to follow the annual meeting of Council (except in a year when there are ordinary elections), on the priorities of the cabinet and progress made in meeting those priorities. This report ensures these requirements are met.
13. There are no legal implications arising from the recommendations of this report. The legal implications of any decisions of the executive listed at appendix A have been set out within the relevant decision report and taken into consideration at the time the decision was taken.

### **Risk management**

14. There are no risks arising from the recommendations of this report. The risks of any decisions of the executive listed at appendix A have been set out within the relevant decision report and taken into consideration at the time the decision was taken and will inform future decision making.

### **Consultees**

None

### **Appendices**

**Appendix 1:** Leaders report to Council, 8 March, 2024

**Appendix 2:** Executive decisions taken since 30 November, 2023 to 29 February 2024

**Appendix 3:** Cabinet member portfolios


### **Background papers**

None Identified





## Appendix 1: Report of the Leader of the Council - 30 November 2023 to 29 February 2024

<b>Leader's Report</b>	
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*The beginning of 2024 and the period since my last report in December has seen a significant amount of our time and work focused on shaping and proposing the budget, which Council agreed at our February meeting. It has been a major undertaking to be able to set a balanced budget in these financially constrained times. This position has not been achieved without taking some difficult decisions. But we are confident that the decisions we have taken will maintain Herefordshire Council's financial viability in the coming years ahead.*

*A central underpinning to our budget is ensuring local children, young people and their families in receipt of our services experience improved outcomes with those services. This remains a top priority. At their most recent meeting (31 January) the Improvement Board met to consider the required quickening of pace in a number of areas of improvement identified by Ofsted.*

*Whilst progress continues to be made in areas such as social work practice we remain resolute in our focus that all identified areas of improvements are delivered as quickly as possible. We continue to implement this improvement supported by our colleagues from Leeds. Their insights of a local authority moving from inadequate continue to give additional support which is greatly valued.*

*Since my last report there have been some other really positive developments. I was pleased to receive the decision of the Stronger Towns Fund to support the council's proposed relocation of the Hereford Library to Shirehall. The £3 million received from the fund now paves the way to delivering our ambitions to create a new modern library and learning centre within one of our city's most historic buildings. We believe it will create a wonderful visitor experience whilst also enabling the restoration and return to use of one of Herefordshire most recognisable and iconic buildings. We look forward to work starting in the near future.*

*As many members will know consultation has taken place with a wide number of stakeholders as we seek to develop our longer term plans, through a new County Plan for Herefordshire. I am really keen to use the feedback received to set the strategic direction and priorities for the coming years ahead.*

*Finally, as I am sure many of you will have seen, Hereford city centre is currently undergoing a very welcome transformation with eight new public artworks on our city streets. These artworks are starting to appear on gable ends of prominent buildings, in underpasses, in passageways, and above shops throughout February and March 2024. The commissioned artists range from international and regional level to new Herefordshire talent.*

*Some of the artworks will continue to emerge over the coming weeks so look out for the artists as they work across the city. I am sure you will all agree with me, they create a very welcoming and impressive addition to the way our city looks and feels. I am certain it will be a real draw for many residents and visitors alike.*

## Children's Services

### 1. Update Children's services

During February, we hosted our fourth Ofsted Monitoring Visit which focussed on care leavers and older children in our care. We expect the formal report on this most recent visit on 27 March. Initial feedback received identifies areas of continuing improvement as well as ongoing areas where we need to step up the pace of progress. Whilst some children and families are receiving a better service, it is not the case that all children and families are and this is the focus in 2024. While it is important to be able to recognise success where it is observed our attention has to be maintaining focus on the areas where improvements are still required.

Our work with the Leeds City Council's Relational Practice Centre continues with a focus on delivering a range of practice improvements. A huge amount of work has already been completed to strengthen this area of service delivery. We continue to build on the progress outlined in my December report.

You can view our progress on the improvement plan on all of the areas of action that require improvements on the council's [website](#)

## Rivers, Nutrient Management and Growth

### 2. Sustainable growth – unlocking river restoration through phosphate credits

We continue to lead from the front in our continued efforts around river restoration. This was recently recognised when we secured further grant funding from Government to invest further in our mitigation measures to address the pollution in our rivers.

Colleagues will recall that in my last report I noted the announcement for the Chancellor of the Exchequer on 24 November 2023 two funding streams for local planning authorities. A planning capacity fund to target application backlogs and a local nutrient mitigation fund to deliver high quality schemes to offset nutrient pollution, unlocking planning permissions that are otherwise stalled.

I am delighted to report that our work in connection with river restoration has recently received a very welcome financial boost - securing a grant of up to £1.76 million from the local nutrient mitigation fund. This funding recognises this council's frontline role in finding solutions towards river restoration and accelerating our work towards river betterment. It will enable the creation of more wetlands and more phosphate credits to be issued which in turn will facilitate more planning permissions to be granted.

This is excellent news for the county's rivers, house builders and our communities through the anticipated delivery of more housing. It is a credible example of truly sustainable development – a 'win-win-win' scenario; appropriate safeguards and restorative criteria to the environment built in to the planning consents; delivery of more housing which in turn will return much needed capacity to accommodate the growth of the County.

To provide some context. In Herefordshire, since commencing the trading of phosphate credits in July 2022, the council has received £420,782 phosphate income to manage and invest in future wetland projects and released planning permissions for 185 dwellings. Since my last report in December, these figures have risen by £56,000 to £476,700 and an additional 14 (199 in total) dwellings.

### **3. Phosphate Mitigation Strategy**

On 29 February Cabinet agreed the Phosphate Mitigation Strategy. At present, the Local Plan identifies a housing need of circa 4,000 new homes in the Lugg sub-catchment and now proposes a three Phase Nutrient Mitigation Scheme to deliver nearly all of that need. Luston is the first such site in the world and will enable around 1,112 homes to be built whilst maintaining nutrient neutrality.

In addition to Constructed Integrated Wetlands, exploratory work has been undertaken with a number of schools which would see old septic tanks decommissioned and replaced with a modern Package Treatment Plant. This would reduce phosphate levels and as with the Wetland Programme, release phosphate credits. Design and Delivery of up to two further Wetland sites and the replacement of further schools Septic Tanks with package treatment plants alongside the Council's Nutrient Trading Phosphate Mitigation Scheme will deliver a minimum of 3,471 homes.

To ensure legal obligations to achieve scientific certainty beyond reasonable doubt it has been prudent to take a conservative view of the amount of phosphate mitigation that will be produced from each site. Once sites are established and being monitored it may become evident that they are performing above expectations. Should that be the case then there is a potential for a further credits enabling 416 homes which nearly closes the gap with the proposed development in the local plan.

I will look to report further on these exciting new development as they progress.

## **Economic development and developments**

### **4. Transfer of functions from the Local Enterprise Partnership.**

As I reported at the end of last year, the Government announced that they would no longer fund Local Enterprise Partnerships. From April 2024, government will support local authorities to take on Local Enterprise Partnership functions. Namely, business representation, strategic economic planning, and responsibility for the delivery of government programmes where directed.

Herefordshire Council will play the lead role for the Marches Joint Committee with Shropshire and Telford and the Wrekin Councils to oversee this transition. Our first meeting was on 7 March where we collectively agreed the transfer agreement. This sets out the legal framework for the transfer of functions, current schemes, staffing, pension obligations, existing grant funding contracts, and publically funded assets to the Local Authorities.

The Joint Committee comprises 3 members; the Leader or nominated lead portfolio holder from each local authority's. The Marches Joint Committee will have delegated powers within the respective budgetary and policy frameworks set by each of the constituent Councils.

Shropshire Council remains as the accountable body for all legacy arrangements. This includes the transfer of both benefits and obligations. The transfer will be completed by 12 March 2024. This will bring to a close the current government funded activity for the Marches Growth Hub in March (2024) and the Marches Career Hub in August 2024. The government has confirmed an allocation of up to £240,000 to accountable bodies, such as Shropshire Council, in 2024/25 to meet the on-going costs of Local Enterprise Partnership transition.

### **5. Maintaining focus on skills, jobs and growth**

Herefordshire Growth Hub and the newly formed Herefordshire Skills Board, both projects that will continue beyond the Local Enterprise Partnership, held a Skills and Employers Roundtable event (on 5 February). The event provided opportunity for local employers to

discuss current and future workforce skills requirements and help inform local education and skills provision.

We increasingly see the closer communication and engagement between local businesses, education, training and government agencies as the means to understand business needs. We know workforce planning and an appropriate level of available skills in the workforce can be a limiting factor to growing a business in Herefordshire. The event has shed new light, and will improve our understanding around the barriers to growth. In bringing together business and training providers we will know where to better target future investment and business support.

In hosting the event we are also sending a clear signal to business leaders that Herefordshire is an enterprising place to start, run and grow your business. We want to ensure that we attract a cross-section of businesses of different sizes and sectors to the County. A place that your business will be supported in attracting the skills that local employers really need.

## **6. Further meetings with Midlands Connect**

In January I had a further meeting with Sir John Peace, Chairman of Midlands Connect. It was a further opportunity to present our growth plans and our priority areas for infrastructure. It was also a useful opportunity to press home Herefordshire's case as a credible partner for investment.

## **7. Local Transport Fund – local infrastructure improvements**

I was very pleased that the government has recognised that councils should have more control over investment in local infrastructure. Herefordshire will benefit from just over £100M worth of funding. More details about the scheme will be published in due course, but we are excited about the changes that this could deliver locally.

## **8. Development work at Model Farm in Ross-on-Wye**

£8million funding commitment by Herefordshire Council for the first phase of development at Model Farm. This significant investment will enable development to start on the employment land this year, establishing all the necessary infrastructure for the whole site including utility supply, road access and required changes adjoining the A40.

Model Farm forms part of the Ross Town investment plan, which has been a driver of the need for this investment. When the first phase of work is complete the site will provide the opportunity for the private development of a mix of office and industrial space across four acres initially. This will then act as a catalyst for future phases of development across the remainder of the site.

## **9. Delivery Plan/Council Plan**

Running hand-in-hand with setting out our spending priorities is the ongoing development of the Council Plan. This is the key strategic document for the council that outlines our ambitions and objectives over the next four years. So far, we have themed the Plan around prioritising:

- **People** – Enable resilient and connected communities to ensure that everyone lives well and has the best start in life.
- **Place** - Protect and enhance our environment and keep Herefordshire a great place to live.

- **Growth** - Support growth across the county which builds on the county's strengths and resources and asks respondents to consider when they should be delivered during the next four years, and
- **Transformation** –securing the council's long term resilience and future sustainability by transforming services to ensure they allow the council to work as efficiently as possible while also improving the customer experience when engaging with the council

Thank you to those of you who have offered your views and ideas. They are so important to helping us to identify and unlock the huge potential of our County. We will be reviewing the responses we have received during February to help shape and refine the priorities.

There will then be further opportunity for people to feedback on the draft Plan in March. We will be announcing the dates for this shortly. Your continuing involvement and influence is hugely valued.

### Other matters of significance in the County

#### 10. **Establishing a cross-party housing working group**

Members will recall that at full Council on 8 December 2023, Council agreed to request the cabinet develop a programme to deliver an ambitious number of units of social housing (*including market-rent lifetime tenancies' affordable home ownership and market sale properties*). The proposal was to fund this through the prudent use of borrowing, capital receipts and the management of council assets in time for this to be agreed by Council as part of next year's capital programme.

In order to progress this motion, Cabinet is seeking to establish a cross-party housing working group to oversee the development of the strategy and associated delivery programme. We are currently agreeing the scope of this work to include:

- Developing the Affordable Housing Strategy for Herefordshire and the associated five-year delivery programme.
- Engaging with housing registered providers and housing developers operating in Herefordshire to secure commitment to the strategy and programme of works.
- Reviewing and advising Cabinet on best practice in relation to affordable housing, particularly in a rural context.
- Advising on current land ownership and opportunities to acquire land to deliver against identified priorities, and
- Reviewing and considering the implications for the Council of changes in national housing policy or legislation

It is our intention that the Housing Working Group will be an advisory board to Cabinet and will be chaired by the Cabinet Member – Economy and Growth with cross party input. It is expected that the Working Group will meet monthly. It is also our intention that the working group will consider the outputs from the request for the Connected Communities Scrutiny Committee review of good practice in local authority housing delivery. Their recommendations are anticipated to feed directly into Cabinet by June 2024.

In the meantime, the Chief Executive has already met with the Chief Executives of the main Registered Providers operating in the county and will be hosting a follow up meeting with them in early April.

#### 11. **Transformation of Waste Collection Services**

On 25 January, Herefordshire Council's Cabinet approved the awarding of a new waste collection contract.

This is a significant moment in the transformation of waste services. Environmental impact has been key to the development of the service specification, which will include extensive

requirements to minimise waste, reduce energy and carbon emissions and enhance biodiversity.

The new waste collection service will help us to minimise waste and increase reuse, repair and recycling. It will also contribute to investment in low carbon projects, and strengthen our stewardship of Herefordshire's natural resources. The current contract runs to the end of August, residents and businesses will experience no changes to the current service. The council will be communicating with all residents as the current service comes to an end and the new services takes over.

## **12. Free School Meals**

Over 4,650 Herefordshire children received free food vouchers during the February half term school holidays. Herefordshire children and young people in nurseries, schools and colleges will continue to receive free school meals support. Pupils who are entitled to benefits related free school meals will receive a free food voucher up to the value of £15 or equivalent directly through their schools, to cover the cost of a lunchtime meal during half term.

Children who are eligible for the early year's pupil premium and are not in a school setting, will receive a voucher posted direct from the council. The free school meals food voucher scheme is funded by the Department for Work and Pensions (DWP) through the government's Household Support Fund to support vulnerable families who are struggling financially.

## Appendix 2: Decisions Taken from 30 November, 2023 to 29 February, 2024

Decision	Effective From
<a href="#">Shirehall Phase 1 Refurbishment Work and Care Leavers Base ref: 9947</a>	28/02/2024
<a href="#">Commissioning of the Herefordshire NHS Health Checks Service ref: 9880</a>	19/01/2024
<a href="#">Ross Enterprise Park Phase 1 ref: 9929</a>	17/02/2024
<a href="#">2024/25 Council Tax Reduction Scheme ref: 9907</a>	25/01/2024
<a href="#">2024/25 Capital Investment Budget and Capital Strategy Update ref: 9903</a>	25/01/2024
<a href="#">2024/25 Budget, Medium Term Financial and Treasury Management Strategy – Revenue ref: 9832</a>	25/01/2024
<a href="#">2024/25 Draft Budget – Revenue ref: 9833</a>	14/12/2023
<a href="#">2024/25 Draft Capital Investment Budget and Capital Strategy Update ref: 9834</a>	14/12/2023
<a href="#">Adoption of the revised Pyons Group Neighbourhood Plan and the consequential updates to the countywide policies map ref: 9921</a>	21/02/2024
<a href="#">Herefordshire co-ordinated school admissions arrangements 2025/2026 ref: 9945</a>	21/02/2024
<a href="#">Q2 Performance Report ref: 9849</a>	30/12/2023
<a href="#">Annual review of earmarked reserves ref: 9842</a>	30/12/2023
<a href="#">Progress Report to the Minister of State for Children and Families on Children Services in Herefordshire Children’s Services ref: 9851</a>	30/12/2023
<a href="#">Appointments to Shareholder Committee ref: 9841</a>	30/12/2023
<a href="#">Schools Budget 2024/25 ref: 9910</a>	20/02/2024
<a href="#">Customer Service Strategy ref: 9918</a>	02/02/2024
<a href="#">Procurement of new waste collection service – update ref: 9917</a>	01/02/2024
<a href="#">Executive Response to the Motion Regarding the Climate and Ecological Emergency</a>	28/02/2024





## Appendix 3: Section1 - Cabinet member portfolios

### **Leader (corporate strategy and budget): Councillor Jonathan Lester**

#### **Cabinet Support Members: Councillors Dan Hurcomb and Nick Mason**

- Corporate policy and strategy
- Corporate budget
- Represent the Council on various business and economy organisations including the Marches LEP, Herefordshire Business Board and the Enterprise Zone Board. Working with the Portfolio holder for the Economy.
- Governance of external arrangements with companies, outside bodies and partnerships
- Member of the Council's Shareholder Committee
- External liaison and relationships
  - Local Government Association (LGA)/County Councils' Network (CCN)
  - European and national matters
  - Regional matters
  - Marches Local Enterprise Partnership
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any initiative not specifically allocated to any other portfolio

### **Environment (Deputy Leader): Councillor Elissa Swinglehurst**

#### **Cabinet Support Members: Councillors Dan Hurcomb and Nick Mason**

- Deputise for the Leader in their absence.
- Waste Management Strategy
- Waste collection and disposal
- Cabinet Commission on Phosphates
- Planning services, land use strategies including Core Strategy
- Environmental and conservation promotion, protection and sustainability including response to climate emergency.
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader

**Community Services and Assets: Councillor Harry Bramer**

- Council asset, investment property strategies and property strategies
- Council property services including facilities management
- Major Contracts
- Commissioning and procurement strategy and policy
- Community services:
  - Parks and countryside
  - Leisure Services
  - Cultural services
  - Libraries
  - Heritage Services
  - Archives
  - Public conveniences
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader

**Children and Young People : Councillor Ivan Powell**

- To provide leadership and ensure coordination across the range of council children's services, and through engagement with partners, with a particular focus on children and young people's health & wellbeing and safeguarding
- Services for vulnerable young people/children/families
- Lead member for children's services in accordance with the Children's Act 2004
- Corporate parenting
- Children and young people's education and attainment
- Post 16 education, training and skills development, including NMiTE
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader

**Finance and Corporate Services: Councillor Pete Stoddart**

- Agreeing and leading the process for developing revenue and capital budgets, medium term financial strategy, council tax and NNDR
- Financial policy, fees and charging policy, financial control and reporting
- Council tax benefits
- Council ICT services and digital strategy
- Human Resources
- Health and safety
- Performance, improvement, risk management, research and intelligence
- Services under Governance and Legal Services
- Registrars and Coroner Services
- Communications, and social media including website
- Digital Connectivity
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader

**Adults, Health and Wellbeing: Councillor Carole Gandy**

- Provide leadership and ensure coordination across the range of council adult social care services, and through engagement with partners
- Services for vulnerable adults
- Adult safeguarding
- Homelessness, housing allocation and condition
- Leadership of Health and Wellbeing Board and partnership working with health
- Co-chair of the Integrated Care Partnership Assembly
- Public Health Strategy
- Emergency planning and business continuity
- Community engagement and development, encompassing Talk Community, Talk Parish Summits and Parish Shared Services
- Customer services
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Community Safety including the Community Safety Partnership
- Bereavement services
- Any other specific responsibilities as allocated by the leader

**Economy and Growth: Councillor Graham Biggs**

- Economic development and regeneration
- Strategic Housing
- Tourism strategy
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader.

**Roads and Regulatory Services: Cllr Barry Durkin**

- Animal health and welfare
- Environmental health and trading standards
- Markets and fairs
- Licensing
- Car parking policy and services
- Public realm contract management
- Gypsy and traveller services
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader

**Transport and Infrastructure: Councillor Philip Price**

- Transport and highways policy and strategy
- Public Transport and active travel measures
- Land drainage, flood alleviation, rivers and waterways
- Public Rights of Way
- Street scene design, policy and delivery
- Traffic Management
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader



## **Title of report: Motions on notice**

**Meeting: Council**

**Meeting date: Friday 8 March 2024**

**Report by: Director of Governance and Law**

### **Classification**

Open

### **Decision type**

This is not an executive decision.

### **Wards affected**

Countywide

### **Purpose**

To consider motions received on notice.

### **Recommendation**

**THAT: the motions listed at paragraph 6 are debated and determined by Council.**

### **Alternative options**

- 1 There are no alternative options to the recommendation; the constitution makes provision for motions on notice to be debated and decided by Council.

### **Key considerations**

- 2 The constitution provides that members of Council may submit written notice of motions for debate at Council. A motion must be signed by the proposer and seconder and submitted not later than midday on the seventh working day before the date of the meeting. A member cannot propose more than one motion on notice per meeting and a maximum of three motions will be debated at meetings of full Council.
- 3 Motions must be about matters for which the council has a responsibility or which affect Herefordshire.
- 4 Motions for which notice has been given will be listed on the agenda in the order in which notice was received unless the member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.
- 5 Up to one and a half hours will be allocated to debate motions on notice but that time may

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Further information on the subject of this report is available from  
Matthew Evans, democratic services officer on Tel (01432) 383690

be varied at the discretion of the chairman.

- 6 Two motions have been received and will be debated at the meeting. The motions for discussion are set out below:

### **Motion 1 – Gaza**

(Proposed by Councillor Ed O’Driscoll, Seconded by Councillor tbc)

**This Council expresses deep sympathy for all those affected by the conflict in Israel and Palestine. For those in Herefordshire who have been affected by this conflict we offer our support at this difficult time.**

**This Council calls for an immediate release of all hostages and a sustainable bilateral ceasefire with unfettered access to humanitarian aid across Gaza in order to strengthen the possibility of a permanent peaceful resolution.**

**This Council believes that people of all faiths and none should feel safe both in Herefordshire and throughout the world, and utterly condemn the increase in anti-Semitic and Islamophobic abuse and violence. Herefordshire Council thanks community leaders for the role they are playing in reducing tensions at this sensitive and difficult time.**

**This Council resolves to write to the Prime Minister, Foreign Secretary, and Herefordshire’s two Members of Parliament stating that the Council supports a sustainable and lasting bilateral ceasefire requesting they do all in their power to work towards a viable two state-solution.**

**We also ask they recognise with additional funding the key role local authorities play in promoting cohesion and understanding throughout their communities by supporting the many voluntary organisations and faith groups who work together to help those affected by this and other conflicts.**

### **Motion 2 – Household Support Fund**

(Proposed by Councillor Ellie Chowns, Seconded by Councillor tbc)

**The government proposes to end the Household Support Fund on 31st March this year.**

**This fund has been providing vital support to help vulnerable households cope with the rising cost of living.**

**Many local community groups and charities across Herefordshire do amazing work to help ensure this funding gets to those who need it most.**

**Since the cost of living is still rising, and very many families are still struggling, this council believes it is not right for the government to axe the Household Support Fund.**

**This council therefore asks the Leader and Chief Executive to write to the Chancellor of the Exchequer to:**

- a) **express this council’s deep concern that the Household Support Fund has been axed, and ask that the decision be reversed;**
- b) **urge the government to establish improved funding settlements (multi-year, with greater levels of funding) for local councils, in order to support our essential services for all Herefordshire residents.**

**Updates – outstanding resolutions**

7 The constitution provides that the report to Council, containing notices of motion on hand, will also include detail of progress of all outstanding resolutions. There are outstanding resolutions with respect to motions considered at earlier meetings of full Council; updates of progress against these resolutions are provided below:

Date of meeting	Motion	Current Status
29 July 2022	Cabinet Commission on Phosphates	<p>The Council continues to press for concerted action to systemically tackle the river pollution challenges that the Wye faces. Significant progress has been made in the Council’s own efforts to provide relief to house builders and people wanting new homes in the Lugg sub-catchment with a revised Phosphate Mitigation strategy agreed by Cabinet at its February meeting. Never the less such progress does not address the underlying pollution issues especially from agriculture. A successful conference was held in November 2023 bringing together the farming and environmental lobby in which farmers were able to present the innovative solutions they are working on to reduce river pollution.</p> <p>Whilst a response has yet to be received from the letter sent to the Secretary of State on 14<sup>th</sup> November 2023 previously reported to Council, DEFRA officials have recently indicated they continue to work on a plan for the Wye and have offered to meet officers to discuss. Separately, In January 2024, the Office of Environmental Protection (OEP) who have a statutory role to monitor whether public bodies are meeting their environmental obligations expressed general concern about national progress to address river pollution issues. The Cabinet Commission will meet again in March 2024 and will continue to keep under review the progress being made by the Statutory Officers Group under the recently changed NMB governance arrangements. If as partner Council’s we together conclude that progress is inadequate then discussions will take place on how best all the Councils can together resource and support a submission to the OEP.</p>
<p>RESOLVED: We welcome all the actions that Herefordshire Council and other statutory partners have taken and continue to take to address the issue of phosphate over-loading of the River Wye SAC. As scientific research now exists which indicates that further impactful and coordinated responses are required to save the river catchment from permanent eutrophication, this motion calls upon the executive to:</p>		

Consider including the following areas of urgent action in the remit of the proposed Cabinet Commission on Phosphates:

1. Request of government that:
  - the new Minister in charge of Defra clarifies what additional evidence they require before they would be prepared to reconsider the Council's Water Protection Zone request for the Wye;
  - DEFRA commission the catchment-wide appraisal of nutrient flows in the Wye (and all other river systems within Herefordshire) that will inform and enable consideration of the cumulative impact of housing, agricultural and industrial development.
2. Request that:
  - the Environment Agency improve the effectiveness of their regulatory and enforcement actions and their work with partners, to deliver best practice in sewerage treatment and manure management and to encourage and support the ongoing work of compliant farm businesses.
  - Natural England update their current (2011) River Wye water quality data in relation to the SSSI and SAC targets in a timeframe which is aligned to the current update of the Herefordshire Local Plan; and provide guidance on appropriate conditioning of permissions to achieve the necessary reduction targets.
3. Identify now how best to use the update of the Local Plan to:
  - recognise and address proportionately the legacy and ongoing contribution to phosphate pollution made by each development sector;
  - promote and support best practice nutrient actions across all sectors;
  - encourage and incentivise catchment restoration through alternative, restorative and regenerative land use; and
  - decommission intensive poultry units that have reached the end of useful life.
4. Using the 'precautionary principle' explore immediately the adoption of a planning position statement for all future development which accurately reflects the sector risks identified in research; and reinstating the consideration of '*cumulative impact*', in co-ordination with Powys County Council, to ensure that the Supplementary Planning Document on Agricultural Development, which is already in progress, enables officers to exercise the full extent of the council's planning powers in these regards.
5. Consider urgently how data sharing, data management and data visualisation can support science-led and evidence-based decision-making at all levels and across all stakeholders.



Date of meeting	Motion	Current Status
9 December 2022	Multi-storey car park (Bus Station)	The Parking Service is seeking to undertake a review of parking in the city, this review will help to inform plans for future parking provision. Once the review is complete then we will be in a position to determine the future parking requirements and whether or not a new multi storey car park on the Bus Station site would be a part of the solution.
The Council, therefore, calls on the Executive to explore the construction of a new multi-storey car park on the current bus station site to serve the needs of Hospital Staff, visitors and contractors as well as to provide additional car parking capacity to support the railway station and town centre.		

Date of meeting	Motion	Current Status
8 December 2023	Affordable Housing	Cabinet will establish a cross party housing working group to oversee the development of an Affordable Housing Strategy for Herefordshire and the associated five year delivery programme. Engagement with registered providers has taken place with a view to holding a strategic summit with them by the end of April 2024.  Connected Communities Scrutiny Committee is considering this issue as part of its work programming.
Council therefore resolves to: <ul style="list-style-type: none"> <li>Request the cabinet develop a programme to deliver an ambitious number of units of social housing, market-rent lifetime tenancies, affordable home ownership and market sale properties, funded through the prudent use of borrowing, capital receipts and the management of council assets in time for this to be agreed by Council as part of next year's capital programme.</li> <li>Request that the Connected Communities Scrutiny Committee undertake a review of good practice in housing delivery provided directly by local authorities and make recommendations to Cabinet by June 2024.</li> <li>Request that the Leader of the Council to provide an update on housing delivery at each meeting of the Council.</li> </ul>		

## Community impact

- 8 Herefordshire Council's adopted code of corporate governance provides the framework for maintaining high standards of corporate governance in order to achieve the council's vision of "people, organisations and businesses working together to bring sustainable prosperity and well-being for all, in the outstanding natural environment of Herefordshire."

- 9 In accordance with the code, the long-term nature of many of Herefordshire Council's responsibilities mean that we should define and plan outcomes and that these should be sustainable. Decisions should further the council's purpose, contribute to intended benefits and outcomes, and remain within the limits of authority and resources. Input from all groups of stakeholders is vital to the success of this process and in balancing competing demands when determining priorities for the finite resources available.

## **Equality duty**

- 10 Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 11 The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. If any motion results in a request that the executive (cabinet) consider taking some action, the cabinet will have regard to the equality duty when determining its response to the request.

## **Resource implications**

- 12 None arising from the recommendation; if any motion results in a request that the executive (cabinet) consider taking some action the implications of such action will inform any decision by cabinet.

## **Legal implications**

- 13 None arising from the recommendation; if any motion results in a request that the executive (cabinet) consider taking some action the implications of such action will inform any decision by cabinet.

## **Risk management**

- 14 None arising from the recommendation; if any motion results in a request that the executive (cabinet) take some action the risks associated with such action will inform any decision by cabinet.

## **Consultees**

- 15 None.

## **Appendices – None**

## **Background papers – none identified**