

MEMBERS' QUESTIONS TO COUNCIL – 23 NOVEMBER 2012

Question from Councillor DC Taylor of Councillor PD Price Cabinet Member Corporate Services

Your Community Your Say Public Event

- 1A *What is the total number of members of the public that attended each of the Your Community Your Say public event?*
- B *How many public questions were submitted at each event?*
- C *What was the total cost of holding all of the events and can this be seen as providing value for money for the public?*

Answer from Councillor PD Price Cabinet Member Corporate Services

Answer to question 1

We held a total of 21 “your community – your say” (YCYS) events across Herefordshire with attendance numbers provided below:

Event	Date	Attendance
Ross-on-Wye	20 th September	40
St Peter's Centre, Peterchurch	22 nd September	20
Ledbury	24 th September	60
Ewyas Harold	25 th September	30
Leintwardine	26 th September	18
Dorstone	27 th September	19
Weobley	1 st October	23
Hereford (Belmont)	2 nd October	15
Shobdon	8 th October	9
Bromyard	9 th October	45
Kington	10 th October	52
Herefordshire International School	13 th October	18
Leominster	15 th October	14
Hereford (St Barnabas)	17 th October	20
Hereford Disability United	17 th October	14
Leominster Area Regeneration Company meeting	22 nd October	12
Burley Gate	23 rd October	10
Fownhope	24 th October	30
Ledbury children's centre	31 st October	10
Herefordshire Carers Support Group	7 th November	20
Cleghonger	8 th November	10
Total		489

In addition to these locality based events we also worked with eleven local organisations that helped us to hear the views of seldom heard and hard to reach groups, including Age UK and West Mercia Women's Aid. For those who didn't wish to or were unable to attend an event, there was the opportunity to have their say online.

In total we believe we reached approximately 1,000 residents through the YCYS process.

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The events were deliberately not based on a traditional public meeting format with questions and answers; rather the approach taken was designed to engage residents in a discussion around a number of key questions about future priorities. Of course any questions that attendees had and which we were not able to answer immediately are being followed up and answers will be provided to all residents who asked to be kept informed about the YCYS process and will be included on the council's website.

The total cost for the YCYS process is approximately £42,700. This does not relate solely to the events but includes, for example, production of an introductory DVD which can be used for future consultations. We have also created an online forum to capture the views of those people who did not wish to or could not attend the events. The online forum will be used for future public consultation.

Engaging the community in the future of service delivery has always been important and, as we face significant reductions in funding from central government together with increasing demographic pressures on services for the vulnerable, the need to inform the community of these issues and include their views in the process of prioritising those resources becomes even more important.

A members' seminar on the YCYS process is planned for 12 December and I would encourage all members to attend.

Question from Councillor RI Matthews of Councillor R Hamilton Cabinet Member Environment Housing & Planning

Eastern Access Road

- 2 *It is a well known fact that local businessmen generally support an eastern access road to serve the existing, and hopefully expanding, Rotherwas Industrial Estate. I understand that such a road could be constructed for substantially less than the proposed city link road, owing to the considerable cost of compulsory purchase orders and other associated expenditure. Which of these schemes does the executive believe would be of most benefit to the local economy in these difficult times?*

Answer from Councillor R Hamilton Cabinet Member Environment Housing & Planning

Answer to question 2

The council has, of course, already invested significantly in improving road access to the existing industrial estate at Rotherwas; indeed this investment contributed to the success of the bid for Enterprise Zone status which was in no way dependent on the additional access suggested by Cllr Matthews.

The already approved City Link Road and talk of any potential eastern access road to an expanding Rotherwas Industrial Estate that would serve a very different purpose and should not be confused or linked. Whilst I am aware that some members of the business community support the idea of an additional access road I know that this is not the view of the business community as a whole as may be inferred by the question. As Cllr Matthews

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knows, a recently commissioned assessment of the economic and wider social impacts of a potential eastern link road extending from the Rotherwas Enterprise Zone to the A438 recommended that the construction of an Eastern Link Road should be dismissed as providing insufficient economic impact and poor value for money.

In times of reducing finances we must ensure that future investment is directed towards those projects which best meet the needs and ambitions of the county as a whole; this prioritisation will inform our proposals for the future capital programme to be considered by Council in February.

Supplementary Question

I don't believe the question has been answered could the Cabinet Member please answer the question.

Cabinet Member Response

They are not directly comparable.

Question 3 disallowed under Herefordshire Council Constitution Part 4, 4.1.15.4 c on the grounds that the answer to the question will be substantially the same as a previous answer, public question 4, 20 July 2012.

Question from Councillor AJW Powers of Councillor RJ Phillips, Cabinet Member Enterprise and Culture

Board Meetings of Hereford Futures

- 4 Following a Freedom of Information request from a member of the public it has been confirmed that minutes of the Board meetings of Hereford Futures Ltd are not held by the Council, that no copies of minutes are kept by any Council staff present at those meetings and that, under Schedule 1 of the Freedom of Information Act, Hereford Futures is deemed not to be a 'public authority' and therefore not obliged to respond to FOI requests. The Old Cattle Market Development Agreement has finally been signed, and has gone unconditional, so "commercial confidentiality" ought no longer to be the justification for the non-disclosure of minutes.

As the providers of funding to Hereford Futures, when will members of the public, Councillors and Council officers be entitled to receive the minutes of previous and forthcoming HF Board meetings?

Answer from Councillor RJ Phillips, Cabinet Member Enterprise and Culture

Answer to question 4

Cabinet agreed with Overview & Scrutiny Committee's recommendation (number 5), and a review is underway.

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Of course, as with any project or organisation that receives funding from Herefordshire Council there are financial and performance reporting arrangements in place to ensure that funding is used for the purposes intended and to deliver agreed objectives or outcomes. If there is a particular performance concern that you have I would be happy to look into this for you.

Supplementary Question

Why does Hereford Futures Ltd., of which the Leader and the Chief Executive are Board members, appear to be exempt from the Council's 'principles to guide behaviour' (Corporate Plan) which include being 'open, transparent and accountable'.

Cabinet Member Response

There is a technical answer to your question, which I will ensure reaches you.

Written Response

Hereford Futures was established by the Council as an independent, arms-length company with separate governance and procedures set outside the Council's political process with a remit to deliver projects on the Council's behalf. As such, the company routinely deals with a great deal of commercially sensitive material. The Company reports to the Council, through a variety of channels, at both officer and member level. The Company is responsible for the delivery of a Business Plan which is a public document. In addition to appearing before Cabinet and Overview and Scrutiny Committee, the Company also publishes an annual report, annually discloses financial information, operates a website and has Facebook and Twitter networks through which it publishes progress on the business with which it is charged. The Company has recently taken the decision to publish board minutes, commencing in January, 2013.

Furthermore at the Cabinet meeting on 12 November 2012, which discussed the development of the old livestock market, it was agreed that the Monitoring Officer would review the issues of disclosure and commercial confidentiality and report back further.

Question from Councillor GA Powell of Councillor PM Morgan, Cabinet Member Health and Wellbeing

Co-operation between the Council and the Health Authority

5 *During these difficult financial times can Cllr Morgan assure us that the co-operation between the council and health authority is still providing satisfactory results?*

Answer from Councillor PM Morgan, Cabinet Member Health and Wellbeing

Answer to question 5

Following the national changes to NHS commissioning structures it is true that the council, as with other local authorities across England, is developing new relationships with the Herefordshire Clinical Commissioning Group. We are of course building on existing section

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75 joint funding agreements to ensure that we effectively commission services that provide efficient and effective care pathways.

Whatever the structural changes, it remains true that all partners working across the health and social care system, under the leadership of the Health & Wellbeing Board, must continue to work together to ensure that our reducing resources are directed in the most effective way, to meeting the priority needs of the community.

The Health & Wellbeing Board has identified three priority work streams:

- Sustainability of the local health and social care system – focusing on financial sustainability and overall effectiveness of the system;
- Demand management – improving care pathways, raising awareness of factors influencing health and wellbeing and enabling individuals to take greater responsibility for their own health and care management
- Crisis prevention – ensuring the most vulnerable including older people, families and children have access to the services they need, when they need them

The Health and Social Care Overview & Scrutiny Committee will have a key role to play in providing robust challenge to all partners to ensure that our resources are used effectively and efficiently in delivering positive outcomes for Herefordshire people.

Supplementary Question

I acknowledge the work to be done by Health and Social Care Scrutiny Committee, but what personally will you be doing to ensure in these difficult times that all our vulnerable people do receive the services they need?

Cabinet Member Response

I spend all my time ensuring services are available for peoples' needs.

Question from Councillor MAF Hubbard of Councillor GJ Powell, Cabinet Member Education & Infrastructure

Negotiations with Royal Mail and Delivery of the Link Road

6 Please would the Cabinet Member explain:

- a) what stage the negotiations with Royal Mail have got to with regard to the acquisition of part of their site to enable the delivery of the Link Road?
- b) an estimate of how much the deal with Royal Mail will cost?
- c) whether delivery of the Link Road will be within the £27million budget set aside by this Council to deliver the project?

Answer from Councillor GJ Powell, Cabinet Member Education & Infrastructure

Answer to question 6

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- a) Following the latest meeting with Royal Mail on 4 October, they have reconfirmed they are supportive of the scheme in principle and will be working with HC to agree options for re-provision of facilities to meet the current operational requirements of this site. However once a Compulsory Purchase Order is published, it could be expected that Royal Mail would be likely to lodge an objection to protect their position until formal agreement is reached regarding the delivery of any agreed works.
- b) The cost will be subject to commercial negotiations and agreement with Royal Mail regarding the extent of works required to meet their operational requirements.
- c) The budget for the scheme remains at £27million. Scheme cost estimates will be regularly reviewed during the project as the scheme design and accommodation works are developed in detail. Any changes to the estimated cost of the scheme would be reported in accordance with budget monitoring procedures and at key stages in the project.

Supplementary Question

Please would the Cabinet Member confirm that, other than an agreement 'in principle', there is nothing else in place pursuant to finalising a deal with Royal Mail and that this constitutes a major risk to delivery of the project and should be marked as such on the relevant risk register.

Cabinet Member Response

Supportive of scheme, they will at time of Compulsory Purchase Order (CPO) register. They are in principle in agreement and do not see as risk, I will confirm in the next Cabinet report.

Question from Councillor WLS Bowen of Councillor RB Hamilton, Cabinet Member Environment, Housing and Planning

Energy Efficiency for all New Builds

- 7 *Is the Cabinet Member aware that I have asked many times that our Planning Department should demand much higher than national standards of energy efficiency for all new builds in Herefordshire? When can we expect to see some positive action taken on this matter?*

Answer from Councillor RB Hamilton, Cabinet Member Environment, Housing and Planning

Answer to question 7

I was not aware of Cllr Bowen's long-standing interest in this matter, but I would like to thank him for his interest.

Cllr Bowen will hopefully be aware of my own commitment to energy efficiency as evidenced by my recent significant announcements of energy efficiency measures including greater use of LED units in public street lighting, installation of photo-voltaic

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panels on public buildings and the installation of a network of electric car charging points throughout the County.

The national standards for energy efficiency in new development are applied through the planning process and by the Building Regulations; these national standards are regularly reviewed. With respect to the planning process in order to be able to apply a standard there must be an appropriate policy in place.

The Unitary Development Plan 2007 does not contain such a specific policy so progress on this issue has to date been through negotiation with the developer. However I believe that this needs to change and that the council will demonstrate leadership in this important area. I can reassure Cllr Bowen that I will be doing all that I can to ensure that policies that will be included in the emergent Local Plan (Core Strategy), will go as far as reasonably possible but as a minimum, conform to national policy as set out in the National Planning Policy Framework. In addition to this I would strongly encourage local communities to embrace the opportunity to develop Neighbourhood Plans through which they will be able to develop their own planning policy in this regard should they choose.

Supplementary Question

Do you agree that Herefordshire Council planners should and could demand much higher standards of energy efficiency and design policy for all developments, and should implement these standards as soon as possible and not at some vague time in the future?

Cabinet Member Response

Set out is a clear commitment as to what to expect. There is a clear timetable around the core strategy and I hope that many of these issues will be addressed through the core strategy.

Question from Councillor WLS Bowen of Councillor RB Hamilton, Cabinet Member Environment, Housing and Planning

Protection of Locally Important Buildings

8 *Is the Cabinet Member aware that many, usually small, cottages which have recognition as being of local significance and importance are all too often wantonly destroyed? Can it be ensured that these locally important buildings can be given the protection that they deserve? Is the Cabinet Member aware that these cottages can be saved and adapted for modern use and thereby preserve the historic, and beautiful look of our villages and also retain important relics of our local vernacular architecture? Please, can action be taken before these local treasures are torn down to appease the greed of developers?*

Answer from Councillor RB Hamilton, Cabinet Member Environment, Housing and Planning

Answer to question 8

I am aware of the importance of character buildings to the environment and diversity of the county.

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Clearly buildings which are listed buildings and/or those in a Conservation Areas are subject to protection. For other buildings the Unitary Development Plan 2007 contains a policy which protects "locally important buildings". A similar policy context will be included in the emerging Local Plan (Core Strategy). Local communities if they choose to develop a Neighbourhood Development Plan could choose to include more locally specific policies in this area. In every case there is of course a balance to be struck between retaining the historic character and adapting the building for modern use.

I know that the Council's development control officers, local communities and town/parish councils attach great importance to the desirability of retaining local buildings of character; and buildings considered to be of special architectural or historic interest and in danger of demolition or alteration in such a way as to affect their special character may receive temporary protection through issue of a Building Preservation Notice. Local members are best advised to raise issues of concern directly with the relevant case officer when a planning application has the potential to impact on any building of local character, or should they become concerned about a particular building of local interest.

Supplementary Question

Is the Cabinet Member aware that Herefordshire planning officers seem to be totally unaware of the policy of respecting 'locally important buildings' and consequently we are constantly losing locally important historic and irreplaceable buildings?

Cabinet Member Response

I would object to anyone saying planning officers are not aware of issues in their remit of work and feel this is a generalised statement. I am aware of one property that has been brought to my attention by a Councillor, but if the Councillor knows of another property then please let me know.

Question from Councillor SJ Robertson of Councillor PM Morgan, Cabinet Member Health and Wellbeing

Ofsted Safeguarding Report

9 Following release of the September 2012 OFSTED Safeguarding report, it was noted that there had been significant improvements in early help services. Therefore:

- a) *How is the Cabinet Member going to ensure that this continues, particularly with the government reducing the size of the early intervention grant and the predicted rise in the number of children in care and children in the early help system?*
- b) *With demands on the Council's budget for implementing the Improvement Plan, can the Cabinet Member give an assurance that funds for early intervention will not be siphoned away from this area, especially as resources to support costs relating to the Improvement Plan have yet to be identified?*

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Answer from Councillor PM Morgan, Cabinet Member Health and Wellbeing

Answer to question 9

I hope all councillors will be aware, given the importance of this issue, that following the findings of the inspection we have moved swiftly to increase the pace of our improvement under the guidance of an independently chaired improvement board. The improvement plan rightly tackles the areas identified as of greatest risk and lays the foundation for good practice and these improvement actions must be resourced and delivered in a way that minimises any adverse impacts on other valued services.

This council has protected and enhanced the child protection budgets over the past three years at a time when overall council funding has seen significant reductions. We know that we are facing further significant cuts in funding from central government at a time when service demand amongst the most vulnerable in our community is increasing. This challenge will need to be addressed when Council sets its budget in February 2013 to ensure we continue to direct our resources to meet our agreed priorities.

Supplementary Question

In light of recent media coverage and the very worrying report from the Office of the Children's Commissioner, does the Cabinet Member not agree that early intervention is crucial to ensuring children are protected from harm or neglect and, therefore, should have the financial support to achieve this aim?

Cabinet Member Response

Would absolutely agree with Councillor Robertson, we must do all we can to stop children from being harmed and ensure a budget is in place to support this.

Question from Councillor MD Lloyd Hayes of Councillor JG Jarvis, Leader of the Council

Cattle Market Development

- 10 *Having provided Stanhope to the tune of £500,000 to prop up the deal for the Cattle Market development – Can the Leader of the council reassure me that no further council assets, in cash or in kind , will be employed ,transferred, paid, waived, channelled or borrowed in aid of this project ?*

Answer from Councillor JG Jarvis, Leader of the Council

Answer to question 10

I do not envisage any further resource requirements beyond those agreed.

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Supplementary Question

Can the leader provide reassurance with regards to leases taken up for the cattle market development?

Leader's Response

Since last I spoke on this matter three parties have signed leases. With regards to queries regarding availability of minutes on the web for Hereford Futures. Full discussion has taken place with the Board with a view to publishing minutes in an appropriate way for the public to view.

Question from Councillor MD Lloyd Hayes of Councillor GJ Powell, Cabinet Member Education and Infrastructure

Replacement of Trees in High Town

11 *What is the programme for replacing the trees in high town as promised when the Hereford bull was installed?*

Answer from Councillor GJ Powell, Cabinet Member Education and Infrastructure

Answer to question 11

Discussions have taken place with interested parties, including local traders, regarding the location and number of trees. Opinions vary regarding the number and location of trees to be replaced and the provision of benches. A final decision will be taken early in the New Year in consultation with the local ward member.

Supplementary Question

As the decision has been made on the replacement of trees in high town what consultation was carried out?

Cabinet Member Response

Consultation was carried out with traders not long ago as to the best thing to do and there was some disagreement as some didn't want trees. I have discussed with traders what we are going to do in high town and I think the number of trees to be planted in town will meet all expectations.

Question from Councillor JLV Kenyon of Councillor RJ Phillips, Cabinet Member Enterprise and Culture

Council Priorities

12 *Where on this Council's list of priorities for economic development does active support to the historic city centre come?*

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Answer from Councillor RJ Phillips, Cabinet Member Enterprise and Culture

Answer to question 12

As you will see from the corporate plan report appearing elsewhere on Council's agenda today, supporting a successful economy that includes vibrant city and market town centres that are attractive and keep people spending locally, is and will continue to be a key priority for this council together with our support for vulnerable people.

Supplementary Question

What is the Cabinet Member doing to ensure that Hereford Futures adhere to their priority to support the historic core, and as leader of the Council for four years prior why wasn't it done?

Cabinet Member Response

This has been on the Council's priority list from 2003. No one has spent more money in the city centre than I have. It can be shown exactly how much has been spent in the city centre compared to the market towns. The city centre must always be the focus as a city retail centre.

Question from Councillor EPJ Harvey of Councillor RJ Phillips, Cabinet Member Enterprise and Culture

Town Team Partnerships

- 13 This month four towns in Herefordshire will each receive £10k towards the launch of Town Team Partnerships as a result of the work they have done this year under the Portas initiative to encourage community use and economic enhancement of their town centres.

If the Town Teams are successful in acquiring further contributions to these projects from parish councils and local businesses by the end of this financial year, what level of additional or matched funding would Herefordshire Council be prepared to contribute to these community-led economic development projects in 2013?

Answer from Councillor RJ Phillips, Cabinet Member Enterprise and Culture

Answer to question 13

Firstly I would like to congratulate Hereford, Ledbury, Leominster and Ross on Wye; the energy they put into their initial bids for Portas Pilot funding and their subsequent activities which have resulted in this award of funding are an excellent demonstration of what communities can achieve when they work together.

We are of course in the process of developing our budget proposals for the coming financial year and it would be inappropriate to speculate at this stage on any of the detail within those proposals. I am however pleased to note that Cllr Harvey is participating in the

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economic review and would hope that we can identify opportunities for support to market towns through this process.

Supplementary Question

I remain disappointed that no assurance in principle has been made to provide matched funding. I ask why this council has shown no inclination in the last four months, despite my repeated requests, to make any progress in implementing the unanimously supported notice of motion from July's Council meeting to realise the local government level recommended from the Portas review.

Cabinet Member Response

Pleased to see that we are on the list of Portas review. I know work has been done with the Hereford Business Board. There has been heavy criticism for moving the livestock market from the town centre, but I note that the Portas report states that's exactly what should be done.

Question from Councillor EPJ Harvey of Councillor RB Hamilton, Cabinet Member Environment, Housing and Planning

Adoption of the Core Strategy and the County's Economic Future

- 14 The adoption of the core strategy is central to the delivery of the county's economic future.

What level of importance does this council place on ensuring consistency between this strategy and those policies in development by business, economic and community stakeholders within the county and beyond; and how is this coherence being realised?

Answer from Councillor RB Hamilton, Cabinet Member Environment, Housing and Planning

Answer to question 14

The adoption of the Core Strategy is central to the development and prosperity of the county as a whole. The strategy will address a wide range of important subjects that together will underpin the economic prosperity of the county for the future.

It is critically important that the Core Strategy provides a suite of positive policies and proposals which will meet the needs of business and enable economic development over the lifetime of the plan.

The council has engaged with the business community throughout the preparation of the Core Strategy and will continue with this engagement in on-going work and through the future consultation processes.

In addition I have had helpful meetings with rural members, four of the five market towns and the city (and further meetings are scheduled with those I have not yet met) so that we can collectively ensure that the core strategy provides an effective tool to pull the different

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housing planning and land use policies together and demonstrate how all areas of the county contribute to its overall prosperity of Herefordshire.

The Core Strategy continues to be prepared in such a fashion so that it will be consistent with (amongst others) the council's Sustainable Community Strategy, Health & Wellbeing Strategy, the Economic Development Strategy and the Local Transport Plan.

Supplementary Question

I thank the Cabinet Member for his answer, but I direct my supplementary question to the Leader. Despite my asking this Council back in May, again in July and September, why has the Leader persisted in his failure to explain why this Council is not using the LFD Steering Group?

Leader's Response

The Cabinet Member and I have discussed this and we feel it is better to have Member seminars and therefore, dates have been organised for both rural and urban seminars. I suggest that we meet to discuss this with Councillor Hamilton. A letter can then be sent to Members.