

**Public questions to Council - 30 September 2016**

**Question from Mr P McKay, Leominster**

**Question 1**

**Community representation as part of the Strategic Development Plan (SDP)**

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

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

**Answer from Councillor Philip Price, cabinet member infrastructure**

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

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

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

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

**Supplementary question**

Thank you for your reply, my not having been aware of that and it not being mentioned in the SPD, so may I ask if any procedure is available enabling communities to request consideration of detailed changes to the obligations not expected to be of any concern to the developer, with the objective of better addressing the local community concerns, and to determine when the allocated monies will be used by yourselves or cascaded down to the community to use for the defined purpose?

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### Answer from Councillor Philip Price, cabinet member infrastructure

If the question could be put in writing, I will do my best to answer within a short period of time.

### Subsequent written response from Councillor Philip Price, cabinet member infrastructure

When section 106 contributions are received, the Council will liaise with the ward member, parish council and any resident groups on the spend of the monies. With regards to whether the benefactor project can be amended/alterd after the agreement has been completed this can only be done in exceptional circumstances for example, where a contribution has been requested for a facility and that facility no longer exists. The contribution will have been calculated on the basis of evidenced need. The agreement will have been completed only where the statutory legal tests will have been met. A developer would need to be in agreement with an amendment. Seeking their approval could result in them requesting the money back as the original contribution is no longer justified.

Mr McKay has been provided with information on play and sports provision in the County and who is responsible for delivery.

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### Question from Mr R Palgrave, How Caple

#### Question 2

#### Rail freight

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

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

- by reducing road congestion
- improving industry productivity
- cutting carbon emissions and air pollution"

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

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

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

### Answer from Councillor Paul Rone, cabinet member transport and roads

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

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### Question from Ms K Sharp, Hereford

#### Question 3

##### Southern link road

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

##### Answer from Councillor Philip Price, cabinet member infrastructure

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

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### Question from Ms D Toynbee, Hereford

#### Question 4

##### Destination Hereford

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

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

##### Answer from Councillor Philip Price, cabinet member infrastructure

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

[https://www.herefordshire.gov.uk/media/4690109/destination\\_hereford\\_report\\_final\\_for\\_issue\\_signed.pdf](https://www.herefordshire.gov.uk/media/4690109/destination_hereford_report_final_for_issue_signed.pdf)

That evaluation identified the evaluation identified:

- A reduction in car based trips as a proportion of all trips
  - An increase in walking and cycling as a proportion of all trips
  - An increase in walking, cycling and public transport trips (both bus and rail)
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## Public questions to Council - 30 September 2016

### Question from Mrs E Morawiecka, Breinton

#### Question 5

#### South Wye transport package

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

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

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

#### Answer from Councillor Philip Price, cabinet member infrastructure

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

#### Supplementary question

Thank you Councillor Price for clearly stating that 'The delivery of sustainable transport measures is not being delayed until after the Southern Link Road has been built.' However, the final version of the South Wye Transport Package (SWTP) Monitoring and Evaluation Plan issued in June 2016 by Herefordshire Council states equally clearly in Section 4 on the Delivery Timeframe, that the SLR will be completed in 2019 but the active travel measures will not be completed until Autumn 2021, 5 years from now. With the results of the Destination Hereford project now publicly available it is clear that less than £5m of funding in sustainable transport measures resulted in fewer car journeys and a considerable rise in active travel across the city in less than 4 years. With such an improvement in active travel and reduction in car use, would Councillor Price reassure the public that many of the sustainable transport measures of the SWTP will be implemented ahead of or alongside construction of the Southern Link Road (SLR) to try to minimise the 15% increased vehicles forecast to transfer to the A49 Ross Road in Hereford on the opening of the SLR?

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### Answer from Councillor Philip Price, cabinet member infrastructure

A report that came out did say that there has been a reduction in car use and an increase in cycling and walking of those people that were part of the questionnaire and part of the response. Unfortunately, whilst that may be the case, there is a continual rise in car use in the city.

With regards to where the money is spent on sustainable measures, there is a consultation currently going on and we will hear what people are saying on that.

It was quite clear that some of the sustainable active travel arrangements could not be implemented until after the SLR has been completed. In particular, the weight limit on the Belmont Road could only be enabled once the road has been built and some of those sustainable measures could then be implemented. We are looking at it, it is ongoing.

Some of the actions have already been taken over the last year or two and the consultation will come to a conclusion as to where we spend the money going forward but some of the active measures will have to be implemented after the delivery of the link road.

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### Question from Mr J Perkins, Hereford

#### Question 6

#### Investment in Rotherwas

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

### Answer from Councillor David Harlow, cabinet member economy and communities

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

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

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

### Supplementary question

Thank you Councillor Harlow for the answer you have provided and highlighting how successful the Enterprise Zone is in Hereford. As the HEZ site is so successful and with so much public land being developed or in the process of being sold for development, could the cabinet member explain why the A49 and the Rotherwas relief road are constraining development at the HEZ and to such an extent that the council needs to spend £27m on building a road from the A465 to the A49 to improve access to this poorly serviced site?

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### **Answer from Councillor David Harlow, cabinet member economy and communities**

Clearly there are rules about expanding on the Enterprise Zone, including traffic levels on the A49, and our aim is to keep the expansion going. We don't want to stop the investment that is being made, it is a real success story. This is one of the most successful of the enterprise zones but, without addressing the traffic issues, there are doubts as to how much we can develop the HEZ further. We are in discussions to create an extra 24,000 sq m of new work space, with 460 job opportunities identified. This is hugely positive but we can only expand at full speed with the road infrastructure.