

**Minutes of the meeting of Cabinet held at The Council Chamber -
The Shire Hall, St. Peter's Square, Hereford, HR1 2HX on
Thursday 10 May 2018 at 2.00 pm**

Present: Councillor JG Lester, Leader of the Council (Chairman)
Councillor NE Shaw, Deputy Leader of the Council (Vice-Chairman)

Councillors BA Durkin, DG Harlow, PD Price, P Rone and EJ Swinglehurst

Cabinet support members in attendance Councillors JA Hyde, JF Johnson and AW Johnson

Group leaders in attendance Councillors TM James, RI Matthews and AJW Powers

Scrutiny chairmen in attendance Councillors PA Andrews, WLS Bowen and CA Gandy

Other councillors in attendance: Councillors PE Crockett and J Hardwick

Officers in attendance: Alistair Neill, Geoff Hughes, Chris Baird, Claire Ward, Andrew Lovegrove and Stephen Vickers

117. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Bramer.

118. DECLARATIONS OF INTEREST

None.

119. MINUTES

Resolved: That the minutes of the meeting held on 12 April 2018 be approved as a correct record and signed by the Chairman.

120. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 5 - 8)

Questions received and responses given are attached as appendix 1 to the minutes.

121. QUESTIONS FROM COUNCILLORS (Pages 9 - 10)

Questions received and responses given are attached as appendix 2 to the minutes.

122. MARLBROOK PRIMARY SCHOOL: NEW PERMANENT ACCOMMODATION AND ADDITIONAL ON-SITE CAR PARKING

The cabinet member young people and children's wellbeing introduced the item. She noted that Marlbrook Primary School was a popular choice with parents and was rated outstanding by Ofsted. The proposed investment would benefit all of the children who would attend the school in future.

The director for children's wellbeing explained that the proposed expansion formed part of the schools capital investment strategy and would provide new permanent accommodation. As Marlbrook was a Teaching School, others would also benefit from the additional facilities.

The interim education and capital manager summarised the report. The school had been expanding for a number of years and was popular and heavily oversubscribed. There was a need for additional primary school places in the south wye area. Previous expansion had been accommodated in modular buildings, the current proposal would provide permanent accommodation for the whole school. The design would be to the standard specified in national guidance and architects had worked closely with the school. Cabinet had approved works to convert the Greencroft building on the school site on 18 January 2018 and this would form an initial phase of construction. The school was on a large site and even with the additional buildings there would be ample space both inside and outside the building.

In discussion of the item the following key points were noted:

- there were strong reasons to expand the school, which was rated outstanding, popular with parents and served some of the most deprived areas in the country;
- there was support for the expansion in the local community but also concern regarding the traffic congestion and parking issues in the streets surrounding the school;
- the additional parking area planned for the school would be used as part of a package of measures to encourage use of sustainable methods of transport and to improve road safety in adjacent streets at peak times;
- the new building for Colwall Primary School had been delivered using a close relationship between the designer and builder, the construction costs were accurately estimated, the project was delivered on time and, with costs being finalised as the project came to an end, almost on budget;
- the proposed process for delivery of the Marlbrook expansion was use of a framework in place for the west midlands, the relationship between the designer and builder would be a close one, an outline design was already in place and had been discussed thoroughly with the school;
- the local member, who was a member of the cabinet, would not support the expansion of the school without additional parking to alleviate congestion for local residents;
- the new building would be designed with sustainability in mind with incorporation of renewable energy generation where possible;
- planning permission would be sought and it was anticipated that it would come before the planning committee in due course.

Group leaders were invited to give the views of their group.

The leader of the Independent group commented that two Independent members with wards local to the school supported the proposal.

The leader of the Its Our County group stated that his group supported the expansion of the school but not the provision of additional parking spaces as the school did not yet

have an adopted travel plan, had access to existing walking and cycling routes and there was planned investment in further sustainable travel measures in the south wye area.

The leader of the Liberal Democrat group stated that his group were broadly in support of the proposal and that it was not viable not to have some parking for staff and parents.

Resolved that:

That:

- (a) Planning permission be sought for the permanent expansion of Marlbrook Primary School;**
- (b) Subject to securing planning consent, an extension to Marlbrook Primary School to enable its permanent expansion from two forms of entry (60 pupils per year group) to three forms of entry (90 pupils per year group) and provision of additional car parking and associated works to fulfil planning and transport requirements, be approved at a cost of not more than £4,688,500;**
- (c) a design and build contract is procured from one contractor to deliver the works; and**
- (d) the director for children's wellbeing be authorised to take all operational decisions necessary to implement the above recommendations within the agreed budget, including the process to procure and thereafter appoint a contractor who will deliver a design and build solution.**

The meeting ended at 2.56 pm

Chairman

PUBLIC QUESTIONS TO CABINET – 10 May 2018

Question 1

Mr J Milln, Hereford

To: cabinet member, infrastructure

In her report on the [Local Plan Core Strategy] LPCS, the Inspector wrote that a lower build-rate of affordable homes of 369 dpa county-wide over the period 2012-2031 was more realistic than the “highly unlikely” [Local Housing Market Assessment] LHMA figure of 691 dpa for the period 2012-2017. Has this lower ambition been achieved and how many affordable dwellings have been built in Herefordshire in the two years since adoption of the Core Strategy?

Response

The reference to the Inspector’s report needs to be considered within the in the context of the full section on affordable housing. The figure of 369 affordable dwellings per annum was considered to be a “realistic assumption of what could be achieved”. It was not an “ambition” as suggested in the question. The Inspector did not suggest a modification to the plan to incorporate any target for affordable housing but did indicate in paragraph 40 of the report that:

“..... the percentage of affordable housing identified in policy H1 is the result of balancing affordable housing against other strategic aims of the plan, including the development of large sites and associated social and transport infrastructure. In the circumstances, the approach to affordable housing is the reasonable and realistic and will bring forward much needed affordable housing.”

In the two years 2015-16 and 2016-17 some 264 affordable dwellings were completed (see appendix A of the Authority Monitoring Report 2017). However, although total housing growth in the county was significantly below that anticipated for the period, housing supply in the county is continuing to increase and this should result in increased delivery of both market and affordable housing in future years.

Question 2

Mrs V Wegg-Prosser, Breinton

To: cabinet member, infrastructure

Aided by consultants at vast expense, the Council continues to claim that ‘The Hereford Transport Package will support the delivery of 6,500 homes and 6,000 jobs’. What information has the Council gathered from the Technical Advisory Group of the Nutrient Management Board to indicate that phosphate levels will be sufficiently contained by 2027 to permit these ambitious growth targets to be pursued?

Response

The growth targets for Hereford were established through the preparation of the Core Strategy and a key element of the supporting information for this document was the Nutrient Management Plan (NMP) produced jointly by the Environment Agency and Natural England.

The NMP was developed taking into account proposed development growth within Herefordshire and Powys and it demonstrated that the levels of development proposed in the Core Strategy are deliverable over the Plan period whilst achieving and maintaining Favourable Condition Status for the River Wye SAC. The inclusion within the Core Strategy of policies such as SS3 (Ensuring sufficient housing land delivery) and SD4 (wastewater treatment and river water quality) complement the NMP measures.

There has been no indication from the Nutrient Management Board that this position has changed. However, it is important to continue to monitor the impact of the Core Strategy proposals and the measures set out in the NMP action plans to ensure that the Conservation Objectives of the SAC are achieved. The NMP Board has, through its Technical Advisory Group, commissioned the preparation of a monitoring dashboard which is being compiled by the Environment Agency and, once approved by the board at its next meeting, will be publicly available and will include data to 2017/18.

Supplementary

Independent research based on the Environmental Agency's phosphate data shows that in autumn 2017 only five out of 49 sampling points in Herefordshire along the Lugg and Upper Wye recorded phosphate levels as being within the phosphate ceilings. Two years previously, eleven of the 49 points were recorded as being within the ceilings. The trend is going in the wrong direction. The data dashboard has been delayed. When will the Technical Advisory Group meeting minutes be made publically available?

Response

The data dashboard is in draft and is fed by data from the Environment Agency who are the technical experts. The dashboard will be made public following the next Nutrient Management Plan Board meeting.

Question 3

Mrs E Morawiecka, Breinton

To: cabinet member, young people and children's wellbeing

The Council's Sustainable Modes of Travel to School Strategy 2017 reported that Marlbrook Primary school had no travel plan. This school is located close to good walking and cycling infrastructure, with £7 million of active travel investment coming to South Wye soon. Why is this Cabinet considering 53 additional car parking spaces for a school with no travel plan and how does this fit with the objectives of the strategy?

Response

Marlbrook Primary School, judged 'outstanding' by Ofsted, is popular with parents and on a site shared with a private nursery, some children's centre services and the local resident's association with space to expand. There are already issues of traffic congestion and excessive on-street parking at peak travel times; the streets around the school cannot accommodate non-residents' parking and the peak-time pressures lead to parking on footways and a potential increase in traffic hazards as well as potentially impeding emergency vehicles.

Marlbrook Primary School has a draft travel plan and is committed to maximising the number of children walking or cycling to school, or using sustainable modes of transport. The schools' catchment area extends well beyond the city into the rural area south of

Hereford. As a result of demographic change and a bulge in numbers of children born in recent years capacity must be added to primary provision in South Wye. Parental preference and a site with space to expand strongly argues for enlarging Marlbrook. The need for additional car parking to address congestion and excessive on street parking was raised by many respondents to the consultation on earlier proposals for work at the school conducted in May 2017.

The provision of additional parking space for use at the start and finish of the school day will improve the safety of pupils, parents and residents by providing a workable alternative to on-street parking, thereby supporting achievement of the first of the Sustainable Modes of Travel to School Strategy objectives to improve the safety of pupils and parents. The provision of safe car parking for users of facilities at the site is not an alternative to further development of sustainable modes of travel to school, but is an important component in managing travel in a busy area with limited capacity to accommodate on-street parking.

Supplementary

The council's vision of the Sustainable Modes of Travel to School Strategy is to improve safety, but also to improve the health and well-being of pupils and to encourage sustainable travel.

There is a need to ensure there is adequate play space for pupils. How much open play place will be available per child, how much parking per member of staff and how much parking for scooters/bikes – expressed as square meterage?

Response

There is additional scooter/bike provision in the outline design and a covered walkway to encourage walking and cycling. Details of the exact areas will be provided in written form.

Further written response

The recommended areas of school sites and buildings, including play space and internal areas, is set out in the Department for Education's Building Bulletin 103 "Area Guidelines for Schools" (<https://www.gov.uk/government/publications/mainstream-schools-area-guidelines>). Marlbrook has a large site that exceeds the recommended minimum and this will still be the case after the completion of the new building project, including the additional car parking.

The design of the new development comprising the extension of the school building and car parking has not yet been finalised, however an outline plan is being used in the procurement process which gives a reasonable guide to the likely footprint of the new build and carpark. This indicates that there will be at least 24,500m² of space available for formal and informal play. With a maximum of 630 statutory age children on roll, this equates to 38.8 m² per child. This area is shaded yellow on the attached plan However it is likely that there will be even more space available for play depending on the final layout agreed, with additional play space in the north eastern corner of the site. This is well above the recommended areas set out in BB103.

When the works are complete there are likely to be 111 car park spaces. These would be for: school staff, Merry-go-round nursery staff, children's centre staff, visiting professionals (midwives and other staff working from the children's centre or school), residents' association members as well as parents visiting the school or in some cases dropping off or collecting their children. The likely square meterage of new parking is likely to comprise: 250 m² which will provide 12 spaces, but will be used for the site compound during the construction period. And 800 m² in the area in the south west corner of the site south of the

cycle track providing 40 car park spaces: an area not currently used for sports. This area is south of the yellow shaded area in the corner of the site. The total car park area including existing parking could be 2,500 m² – however this is dependent on design work which will be developed when the design and build contractor has been appointed. The approximate number of staff working on the site when the works are complete will be: 90 (school); 14 (Merry-go-round), 4 (children's centre) and then additional staff from a variety of health and other agencies as set out above, alongside the use of the areas for drop off/pick up.

There is currently a bike shelter provided and additional provision will be made in the plans for the new development. The school has a small bike track for use by early years and KS1 pupils and a larger bike track for educating older pupils about road safety and cycling proficiency which will not be affected by the proposed works.

COUNCILLORS QUESTIONS TO CABINET – 10 May 2018

Question 1

Councillor AJW Powers, It's Our County

To: cabinet member, infrastructure

Local authorities are required to produce an Annual Progress Report (APR) summarising the progress made towards meeting objectives laid out in their Local Transport Plans. Herefordshire Council has contravened this obligation by stating that the long overdue APR for 2016/17 will now be combined with the 2017/18 APR, and by refusing to publish the 2016/17 APR on its own.

Who authorised these decisions?

Response

No formal decision has been taken.

Under the Local Transport Act 2008, there is no statutory requirement to produce a Local Transport Plan annual progress report or APR. We last produced an APR in relation to the previous Local Transport Plan period 2015/16. We did say in the Local Transport Plan adopted in May 2016 that we would report progress annually and I do acknowledge that we have not produced a bespoke summary of progress against the LTP programme and indicators for the partial first year of the plan period. We will be producing a report covering the period from adoption in May 2016 to end of March 2018 which will show the data in relation to all the indicators identified on page 37 of the LTP, by financial year.

To suggest we are 'refusing to publish' information is not correct. The council is committed to reporting transparently on progress against agreed indicators and has done so for a number of the indicators in the LTP through the Joint Strategic Needs Assessment and the routine corporate performance reporting process. The end of year corporate budget and performance report 2016/17 published and reported to Cabinet in June 2017 included data for the year 2016/17 covering some key LTP indicators relating to road safety, cycle levels, road condition, bus punctuality and journey times; the joint strategic needs assessment has also reported data on physical activity levels and the percentage of the population overweight or obese.

Supplementary

Wherever other data may be available it is not good practice for that data to have to be sought out or stumbled over by accident. I understand the intention for combined reports this summer, however given delays in analysing the data from 2016/17 will the data from 2017/18 be ready on time?

Response

I am assured that analysis of the data is on time. The combined report will cover the whole period from adoption through to end of March 2018 but with data for the separate financial years identified.

Question 2

Councillor RI Matthews, Herefordshire Independents

To: cabinet member, contracts and assets

What is the total number of assets, land/property which the council disposed of between April 1 2016 and April 1 2018, and what was the total sum generated by these sales?

Response

Response delivered by the Leader of the Council in the absence of the cabinet member

Almost 100 land or property assets were disposed of in the two years to April 2018 generating receipts in excess of £48 million pounds. It's worth noting that a significant number of these disposals were community asset transfers and therefore didn't generate a capital receipt.

Supplementary

Do you agree that this administration has sold off almost all the council's most valuable assets? There will be very little left to dispose of to support any future administration's investment plans.

Response

Some asset disposals were community transfers so these assets are still available to the community. Those assets that generated capital receipts were not given away. The smallholdings estate had a total guide price of £37m but the sales will net £46m to be reinvested in the council and the county to get a greater return from those assets. The reinvestment of receipts will aid our economy and deliver greater returns for this county.