

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

**Appendix 2**

Question Number	Questioner	Question	Question to
MQ 1	Councillor Matthews, Credenhill	<p>Sargeants Bus Company based at Kington, run a 7am daily service into Hereford bus station transporting the public and several pupils who attend Hereford Colleges.</p> <p>Over recent times, they have experienced long delays in accessing and leaving the city centre, resulting in up to seventy school pupils whom they transport from Credenhill to Weobley High School on their return trip, arriving up to twenty minutes late for registration. Sargeants cannot adjust their timetables because of fixed arrangements in place with other bus companies.</p> <p>Can you look into this matter, to ascertain if there is any action that can be taken to help resolve this worrying and unacceptable situation?</p>	Cabinet member, transport and regulatory services
<p><b>Response:</b></p> <p>Thank you for raising the matter which I am pleased to advise has already been resolved.</p> <p>Sargeants Brothers bus company and other stakeholders contacted the council from 20 September to raise concerns about the changes in traffic conditions in Hereford central area. Our investigation found that there had been a temporary disruption to the system (SCOOT) which coordinates traffic signal operations in the central area. That issue affecting SCOOT has now been resolved, and traffic movements have returned to normal such that bus operators including Sargeants are able to fulfil their published bus timetables. Sargeants have confirmed that their services have been able to return to normal operations.</p> <p>Whilst the council will strive to ensure that traffic movements remain free flowing, Hereford's transport network lacks resilience and can be severely disrupted by relatively minor incidents such as signal failures, temporary road works and vehicle breakdowns. The council's longer term strategy, which includes new highway infrastructure including a by-pass alongside complementary transport measures will help improve resilience and reduce the impacts of such incidents in the future.</p>			
<p><b>Supplementary question</b></p> <p>It was asked if ward members could be kept informed of such issues to enable them to inform the public.</p>			
<p><b>Response to supplementary question</b></p>			

The request was noted and would be considered.

MQ 2	Councillor Chappell, Hinton and Hunderton	How many contracts have been given by the council to private 'Home Care' companies in the last 12 months, and what is the total value of these contracts?	Cabinet member, health and wellbeing
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**Response:**  
Care at home within Herefordshire operates via an open framework of providers. The framework was commissioned in 2018.

There are now 60 providers approved on the framework with 35 currently actively delivering care in Herefordshire. The total home care budget spent with providers is forecasted at £9.8m this financial year. Services are currently supporting 814 people within Herefordshire. While home care services are a vital part of the overall care and support offer, the implementation of our new pathway to care model is already having an impact delivering the following improvements, as I reported at Cabinet last month:

- Continued improvements of responsiveness at the first point of contact resulting in fewer phone calls and a greater proportion of calls being responded to upon the first request
- An increase in the proportion of cases being signposted to other universal services at the initial point of contact
- A reduction in the average cost of care packages compared to pre-strength based practice
- An increasing number of cases identified with a military background, meaning we are able to refer them to other avenues of support

**Supplementary question**  
Could I be assured that contracts are regularly audited and action taken when found wanting?

**Response to supplementary question**  
Care providers were required to operate within the council's safeguarding procedures and required to report any change in circumstances that would affect the commissioned care. Quality assurance for home care rested with families in the first instance. However, there was confidence that providers took pride in their service and had a sense of responsibility. The council's whole system strength based approach to assessing and meeting outcomes for residents had been recognised as a best practice model. Providers were expected to demonstrate an understanding of and adhere to the model. The care heroes website had been established to aid recruitment of care workers.

MQ 3	Councillor Lloyd-Hayes, Aylestone Hill	Could you please clarify that if the population of Herefordshire does not reach 225,000 residents by 2020 we will lose our unitary authority status, is this true or false?	Cabinet member, corporate strategy and budget
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<p><b>Response:</b></p> <p>I have no information to suggest this to be the case.</p> <p>In answer to a parliamentary question regarding unitary council minimum sizes in April the Parliamentary Under Secretary of State for Housing, Communities and Local Government provided the following response: “It is the statutory guidance, issued by the Secretary of State on 27 March 2018 under the Local Government and Public Involvement in Health Act 2007, which states that a proposal for unitary local government should seek to achieve unitary authorities with populations as a minimum substantially in excess of 300,000.</p> <p>The Secretary of State has issued this guidance, including on population size, having regard to past reorganisations, the Northamptonshire County Council Best Value Inspection Report of March 2018, and research, including that from the County Councils Network in 2016 into lessons from previous unitarisation which found that the scale of a unitary council was key, with larger authorities able to deliver economies of scale while smaller unitary councils were more likely to be less resilient, putting key services at potential risk.”</p> <p>This guidance relates to proposals for new unitary authorities and does not have retrospective application.</p> <p>Although the Northamptonshire best value inspection report and County Council Network research may have indicated that smaller unitary councils are more likely to be less resilient, Herefordshire Council has through a prolonged period of robust financial planning, investment in service change, and proactive partnership working, combined with taking some difficult decisions, ensured that we are in a sound position to face the challenges of the future. This was evidenced recently by the findings of the Local Government Association Corporate Peer Challenge team who noted in their report that: “financial statements indicated that the council should be financially sustainable over the medium term; this view has also been supported by the external auditor” and in comments made following an independent assessment of the council’s balance sheets by Link Asset Services that noted: “this is probably the best positioned authority’s accounts I’ve seen in terms of year on year performance for some while.”</p>			
<p><b>Supplementary question</b></p> <p>Councillor Lloyd-Hayes indicated that she, rather than Councillor Michael as listed in the published supplement, had submitted the question. In Councillor Michael’s absence the Chairperson permitted her to ask a supplementary question. She asked if there was a danger of Herefordshire experiencing the difficulties it was considered smaller unitary authorities could face?</p>			
<p><b>Response to supplementary question</b></p> <p>The financial difficulties experienced by some authorities reinforced the importance of ensuring the council was financially sustainable and this could only be achieved by good investment and growing the economy. The council had a good track record in making savings and</p>			

addressing many of the challenges faced by rural authorities. Decisions had also been taken to grow the economy to ensure continued sustainability.			
MQ 4	Councillor Jinman, Golden Valley South	Given the recent adoption of the Community Infrastructure Levy by councils neighbouring Herefordshire and given that one of the main reasons for undertaking the considerable amount of work by parish councils to develop and adopt Neighbourhood Development Plans was the opportunity to have access to 25% of the CIL funds for use within their parish areas, when will Herefordshire Council be given the opportunity to reconsider the adoption of the CIL currently delayed by decision of cabinet?	Cabinet member, infrastructure
<p><b>Response:</b></p> <p>Our decision to pause implementation of the community infrastructure levy (CIL) was taken in 2016 following the government's announcement of an independent review of CIL. That review recommended significant changes to the operation of CIL but government has not yet fully responded; some potential draft changes to the operation of CIL were published at the beginning of 2018 but have not yet been confirmed and therefore it may still be considered premature to undertake what may be abortive work on a CIL at this time. We will of course keep this matter under review.</p> <p>Herefordshire's parish councils and communities should feel immensely proud of their achievements in this area – as you say there is a significant amount of work involved and the county remains at the forefront of this work. To date, a total of 110 neighbourhood areas have been designated, over 80% of all Herefordshire's 133 parishes are within a designated neighbourhood area and, with 40 plans adopted to date (and a further 22 at a stage of development to carry material weight) Herefordshire has both the highest number of designated neighbourhood areas and adopted plans of all the counties in England.</p> <p>To focus on the potential income parishes may derive from any CIL associated with the development of ten or more houses in their area as being one of the main drivers for undertaking the work would, in my view, be mistaken. Producing a neighbourhood development plan gives local people the opportunity to decide the future of the places where they live and work. It allows the community to set out the vision for their area and the planning policies for the use and development of land, which can include choosing where the community wants new homes, shops, leisure facilities or employment opportunities to be built and what these buildings should look like. It is also worth noting that s106 planning obligation funding remains available where appropriate.</p>			
<p><b>Supplementary question</b></p> <p>It was questioned whether CIL was based on the development of ten or more houses in an area as stated in the answer noting that this would mean that many parishes would not be able to benefit from it. It was also asked what S106 money had been raised to date, how that</p>			

had been spent, and how much had been spent within the Golden Valley South Ward and whether this information could be provided to all councillors?

### **Response to supplementary question**

It was believed the original assumption had been that CIL would be based on each house and it was acknowledged that many Neighbourhood Development Plans (NDP) had been prepared based on that assumption. However, the NDPs carried with them more benefits than the CIL money alone. The cabinet member said he would circulate a report to all members on the position regarding CIL. He would also supply a written answer on S106 monies.

### **Response sent on 31 January 2019:**

*For point of clarification CIL is not limited to the development of 10 or more houses and the qualifying information is provided in this answer for clarity. The reference to 10 or more homes in the previous written answer sought to reflect the minimum from which affordable housing is triggered and was included in error. Apologies if this was confusing. In such circumstances a developer is required to provide affordable housing and financial contributions towards community infrastructure under section 106 of the Town and Country Planning Act.*

*Development would be liable to pay the Community Infrastructure Levy if it:*

- Involves a new build of at least 100m<sup>2</sup> gross internal area (GIA) floorspace; or*
- Involves the creation of one or more dwellings.*

*Importantly, this includes development permitted by a 'general consent' (including permitted development) and the charge is levied in £ / m<sup>2</sup> on the net additional increase in floorspace.*

*With regards to section 106 monies for the Golden Valley South ward, outline planning permission (P141963/O) was granted on 6 May 2015 for the erection of up to 38 houses and apartments on land at Callowside, Elm Green, Ewyas Harold. The application is subject to a section 106 agreement that secures affordable housing and financial contributions towards education, libraries, recycling, sports and transport infrastructure.*

*An application for approval of reserved matters (P181538/RM) has been submitted for the site. The application is undetermined but based on the scheme that has been submitted with the application the following affordable housing and financial contributions would be required;*

*Social Rented Tenure*

*2 x 1 bedroom walk up flats (plots 33 and 34)*

2 x 2 bedroom bungalows (plots 11 and 12)  
 4 x 2 bedroom dwellings (plots 17, 8, 35 and 36)  
 1 x 3 bedroom dwelling (plot 4)

Intermediate Tenure

1 x 2 bedroom bungalow (plot 13)  
 2 x 2 bedroom dwellings (plots 31 and 32)  
 1 x 3 bedroom dwelling (plot 3)

The open market units comprise;

- 13 x 2 bedroom dwellings
- 12 x 3 bedroom dwellings

Education

<i>Unit Type</i>	<i>Contribution per dwelling</i>	<i>Number of units</i>	<i>Total contribution</i>
2 bedroom	£1,891.00	13	£24,583.00
3 bedroom	£3,106.00	12	£37,272.00
		<i>Total</i>	£61,855.00

The contribution will provide improved educational infrastructure at Ewyas Harold Primary School, Kingstone Secondary School, St Marys Roman Catholic School, Youth Service, Early Years and SEN.

Libraries

<i>Unit Type</i>	<i>Contribution per dwelling</i>	<i>Number of units</i>	<i>Total contribution</i>
2 bedroom	£146.00	13	£1,898.00
3 bedroom	£198.00	12	£2,376.00

		<i>Total</i>	<i>£4,274.00</i>
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*The contribution will provide for improved library services in Hereford.*

*Sports Facilities*

<i>Unit Type</i>	<i>Contribution per dwelling</i>	<i>Number of units</i>	<i>Total contribution</i>
<i>2 bedroom</i>	<i>£496.00</i>	<i>13</i>	<i>£6,448.00</i>
<i>3 bedroom</i>	<i>£672.00</i>	<i>12</i>	<i>£8,064.00</i>
		<i>Total</i>	<i>£14,512.00</i>

*The contribution will provide indoor and outdoor sports facilities in the locality of the development in accordance with the council's draft Playing Pitch Assessment.*

*Recycling*

*Open market dwellings £120.00 x 25 = £3,000.00*

*Transport*

<i>Unit Type</i>	<i>Contribution per dwelling</i>	<i>Number of units</i>	<i>Total contribution</i>
<i>2 bedroom</i>	<i>£1,721.00</i>	<i>13</i>	<i>£22,373.00</i>
<i>3 bedroom</i>	<i>£2,583.00</i>	<i>12</i>	<i>£30,996.00</i>
		<i>Total</i>	<i>£53,369.00</i>

*The total contribution payable is **£137,010.00** (to be index linked).*

*There is a 2% monitoring fee payable prior to commencement which equates to £2,740.20 to monitor the trigger point for payment of the contributions.*

*The transport contributions are required to be paid prior to the commencement of the development with all others required to be paid prior to the occupation of the open market units.*

*With regards to section 106 contributions for the wider county, the council holds the following section 106 monies;*

<b><i>BREAKDOWN OF GAIN TYPES</i></b>		
<i>Biodiversity</i>		<i>5,000.00</i>
<i>Camera</i>		<i>28,144.00</i>
<i>Education</i>		<i>1,918,601.67</i>
<i>Flood</i>		<i>532,457.12</i>
<i>Grave yard</i>		<i>15,762.79</i>
<i>Library</i>		<i>46,422.52</i>
<i>Offsite Play/Open Space</i>		<i>508,240.64</i>
<i>Public Art</i>		<i>39,135.21</i>
<i>Public Realm</i>		<i>113,913.00</i>
<i>Recycling</i>		<i>73,374.25</i>
<i>Sports</i>		<i>208,006.06</i>
<i>Transport/Highways</i>		<i>2,969,442.55</i>
<b><i>S106 TOTAL</i></b>		<b><i>6,458,499.81</i></b>

*These monies will be spent in accordance with the terms of the individual section 106 agreements for each development site and may be pooled to deliver a package of measures in some circumstances.*