

COUNCILLOR QUESTIONS TO CABINET – 27 November

Question 1

Councillor Symonds,

To: leader of the council

Could the Leader please provide a progress report on implementation of Community Infrastructure Levy, adoption of which was agreed in principle in July 2019, including confirmation that CIL can be implemented by 1st January 2021 and details of key decision dates necessary to achieve this?

Response

At its July meeting, Council resolved to ask the executive to investigate the adoption of the Community Infrastructure Levy as a matter of urgency, ensuring it is implemented for Herefordshire no later than January 2021. The executive has yet to formally determine its response but, as reported to Council in October, the core strategy review is underway with initial work focussed on reviewing existing plan documents against the revised national planning policy framework and the identification of evidence requirements. This work will inform a decision early in the New Year as to the detailed scope and timetable for the core strategy review will encompass a response to the resolution.

Question 2

Councillor Nigel Shaw,

To: leader of the council

Following disclosure under a Freedom of Information Act request I have discovered that the grant provided by the LEP via Shropshire Council (SC) for the SWTP has fourteen grant clawback terms including, "If in the reasonable opinion of (SC) progress towards delivery and completion of the Project is unsatisfactory." Following the LEP decision at their emergency board meeting on November 7th to refuse the Authority's request to amend the delivery profile and contrary to his comments published by the Hereford Times on October 17th will the Leader now admit that the grant has clawback criteria and that the £3.8m already received is at risk and should be identified as such in the corporate risk register and earmarked reserves following the requirements of the Code of Practice on Local Authority Accounting, SeRCOP and the Prudential Code?

Response

I am aware that the funding agreement for the SWTP includes the provisions identified. The Monitoring Officer has advised that the current construction pause in relation to the Southern Link Road does not constitute a trigger for claw back of the grant monies. The grant so far totalling £3.8m paid by the LEP, was paid to the council, in arrears for the stages of the scheme certified as allowable and defrayed expenditure in accordance with the grant conditions. The Council has not received any request from the LEP for the repayment of this grant. If the grant is deemed to be repayable, then the council would need to consider all of the funding options open to it to revise the funding of the South Wye Transport Package. These options could include the use of revenue budgets or reserves as well as alternative sources of capital funding.

There is a project risk register in place for this project. As risks are identified they are recorded and quantified and monitored regularly. The possible loss of funding for this scheme from the Marches LEP is identified as a risk in the project register and was considered in the recent

Cabinet Member decision on the Hereford Transport Package and South Wye Transport Package taken on the 22nd October 2019. The SWTP is also identified within the current Corporate Risk Register under the Economy and Place Directorate, reported to the Audit and Governance Committee on 19th November 2019, identifies that discussions are ongoing with funders and the risk will be updated as these discussions progress in accordance with the Council's Performance, Risk and Opportunity Management Framework.