

Minutes of the previous meeting – Appendix 2

Question Number	Questioner	Question	Question to
MQ 1	Councillor Terry James, Kington	Bearing in mind that the current administration fought the last election on a policy of abolishing the Cabinet system and replacing it with a Committee structure and having been fully aware of the time scales necessary to introduce such changes, could he give us what progress have been made in this matter.	Leader
<p>Response:</p> <p>We have had discussions with the council's Monitoring Officer concerning the process for making a change. No change may be made without the approval of full Council. This seems correct to me – it would be wrong for a new administration to be able to make such a change without the support of full Council and following full consultation. There is a motion before Council today proposing a review of governance models to ensure that the pros and cons of all options are fully understood in order to inform a future decision of full Council. Some councils that have made a swift change have subsequently reverted to their former model and I hope that the motion makes clear that we would wish to take sufficient time to fully explore the issues, before determining the best model of governance to achieve our objectives of being open and enabling the engagement of all members in the decision making process. I hope that all members will join me both in supporting that motion, and contributing their views to any review that will follow if the motion is passed.</p> <p>That said, and pending the outcome of that work should the motion be passed, this administration is committed to increasing the engagement of all members of this council in the development of strategy and policy, and in our decision making. To this end we are developing further the relationship between the executive and scrutiny to encourage the involvement of all members in developing policy options for the future. Basic information about future decisions is already made available on the published forward plan and we will supplement that information through monthly briefings from the Cabinet to all members. All members of cabinet have been asked to consider the most appropriate way of consulting members about decisions they are taking. This will vary from decision to decision depending on the scope and likely impact of each decision. I would encourage all members to make the most of these opportunities, and I would welcome any other ideas members may have to improve engagement.</p>			
<p>Supplementary Question:</p> <p>The motion concerning governance models on the agenda proposed delaying any changes until October 2020. Has the delay resulted from the executive's experience of the cabinet system which they are now reluctant to lose?</p>			
<p>Leader's response:</p> <p>A proper constitutional process was required; any changes to the governance model would be a decision for full Council.</p>			

MQ 2	Councillor Bob Matthews, Credenhill	<p>It is my understanding that you personally strongly believe in openness and transparency, but at recent Cabinet meetings Scrutiny Chairpersons and Group Leaders have been strongly discouraged from asking questions in respect of issues being debated and decisions of Cabinet.</p> <p>It has always been the case that the Chairperson of ANY committee can use their discretion in allowing appropriate questioning to take place, and I am confident in saying that I believe the public would welcome this more democratic approach.</p> <p>I therefore ask that you assure members that in future you will allow up to two precise questions per agenda item at the meeting, from the above mentioned post- holders.</p> <p>Cllr Tony Johnson, when he was Leader, always allowed appropriate and reasonable questioning, and this approach was always greatly appreciated by members and the public generally.</p>	Leader
<p>Response:</p> <p>As you will appreciate, being new to the meetings' procedures of Herefordshire Council, I must rely on the provisions of the constitution and advice from the Monitoring Officer.</p> <p>I note that the constitution (para 4.4.11) says that the following rules regarding attendance and speaking at Cabinet meetings will apply:</p> <ul style="list-style-type: none"> • where relevant to the agenda, the chairpersons of the scrutiny committees (or in their absence their vice chairpersons) have the right to attend cabinet meetings for the purpose of presenting any recommendations from their committee • group leaders have the right to attend cabinet meetings for the purpose of reporting the views of their group on any matter under consideration at the meeting. <p>No provision is made under these rules for questions to be asked, and a further provision (para 4.4.17) makes clear that the meetings of the cabinet are to be used as a means of taking final soundings from those attending on an issue for decision rather than be the forum for detailed questioning or scrutiny of decisions being taken.</p> <p>I cannot comment on Councillor Johnson's practice when he was Leader, but given Councillor Lester's objection to my having allowed a question from you at a meeting of Cabinet, I would assume that he managed Cabinet meetings in accordance with these provisions.</p>			

In addition to the rights of attendance and speaking which are set out above, there is the option for any member to submit a question to Cabinet in the usual way, and the constitution provides for the views of political groups on key decisions to be captured at a point in time when they may effectively influence the decision. I very much welcome the views from political groups about matters being discussed at Cabinet; this administration also wishes to go further in engaging members in our decision-making, as I have outlined in my response to the question from Cllr James.

Supplementary Question:

The chairpersons of committees have the discretion to allow questions when appropriate, in the interests of openness and transparency will the Leader allow two questions for groups leaders under each item at cabinet?

Leader's response:

Currently the provisions of the constitution would be relied upon as summarised in the initial response. Any potential options for changes to the arrangements would be done in consultation with past Leaders.

MQ 3	Councillor William Wilding, Penyard	In light of the cabinet decision to commit to zero carbon by 2030 could you tell us if a 'climate champion' is to be appointed?	Leader
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Response:

Thank you for making this suggestion which would certainly be one way of raising the profile of this important issue. Our current thinking is that all cabinet portfolio holders should consider this issue as part of their portfolio, and to make a special appointment would detract from this holistic approach.

Supplementary Question:

Would you consider creating a climate emergency committee, as part of the climate action day on 21 October, to support cabinet members and put forward plans and actions?

Leader's Response:

The suggestion would be actively considered.

Response sent on 25 October 2019:

This suggestion is being actively considered, with a focus on ensuring there is broad input and support for plans, actions and policies brought forward by cabinet and council. We will advise in due course following consultation with the cabinet member.

MQ 4	Councillor Bernard Hunt, Newton Farm	GIVEN THAT - this council has a historically poor record of dealing with receipts of Planning Gain Section 106 monies AND THAT many agreements go back many years EG The Old Road ,Bromyard development [ten years or more] AND THAT a recent meeting of Mayors of all five market towns unanimously agreed that the current situation is unacceptable and deprives County residents of much needed local benefits - will the appropriate cabinet member undertake to investigate and circulate a report of the statistics involved, including recommendations of how to rectify this longstanding situation?	Cabinet member infrastructure and transport
<p>Response:</p> <p>I thank Cllr Hunt for his pertinent question and his continued interest in Bromyard in particular. For his reassurance, the council has processes in place to secure financial contributions from development sites for community infrastructure, to monitor those sites to ensure that monies are paid at the requisite point and to spend those monies in accordance with the terms of the section 106 agreement. The council is currently working with 31 parishes and wards, and numerous community groups and clubs to deliver projects for the benefit of communities.</p> <p>The council's section 106 process has been subject to audit by the South West Audit Partnership in 2016/17. Although this audit report found the service was generally working well, it did make a number of recommendations for further improvement, all of which have been undertaken. In addition, the council's section 106 process is routinely challenged at monthly performance team meetings.</p> <p>Since the appointment of the new administration, individual briefings have taken place with new members where the council is progressing with the spend of section 106 monies in their wards.</p> <p>In addition, the council will be arranging for training for all members to assist them in understanding the process.</p> <p>With regards to the section 106 monies for Old Road, Bromyard, referred to in the question these are committed in the Balfour Beatty Annual Plan at Annexe 4 for delivery of improvements in this location.</p>			
<p>Supplementary question:</p> <p>Can the cabinet member produce a ball park figure for the amount of monies currently being held in the system and the figure updated and circulated to members on an annual basis?</p>			
<p>Cabinet Member response:</p> <p>This was a fair and good request which the executive would seek to apply.</p>			
<p><i>Response sent on 28 October:</i></p>			

The following section 106 contributions are held on the council balance sheet as of 22 October 2019

Gain Type	
Recycling	£29,105.38
Waste	£66,498.82
Offsite Play/Open Space	£788,222.91
Sports	£298,360.25
Education	£2,384,389.84
Transport	£3,668,339.91
Libraries	£50,944.35
Monitoring	£6,331.38
CCTV	£28,144.00
Public Realm	£109,913.00
Primary Care - CCG	£40,554.00
Health Care - Wye Valley Trust	£121,668.14
Flood	£507,501.32
Public Art	£15,519.93
Biodiversity	£5,000.00
Total	£8,120,493.23

On 1st September 2019 the Community Infrastructure Levy Regulations 2010 (as amended) introduced a requirement for local authorities, who have received developer contributions, to publish an Infrastructure Funding Statement (IFS) at least annually.

The IFS should include the following data;

- Details of the development and site
- What infrastructure is to be provided including any information on affordable housing
- Any trigger points or deadline for contributions
- When developer contributions are received
- When contributions have been spent or transferred to other parties

For the financial year 2019/20 onwards the local authority must publish online an Infrastructure Funding Statement by 31 December 2020 and by 31 December each year thereafter. The council is working towards achieving this requirement.

In addition to the financial contributions, the Infrastructure Funding Statement should set out future spending priorities on infrastructure and affordable housing in line with up-to-date or emerging plan policies. Infrastructure funding statements should set out the infrastructure projects or types of infrastructure that the authority intends to fund, either wholly or partly, by planning obligations. This will not dictate how funds must be spent but will set out the local authority's intentions.

This should be in the form of a written narrative that demonstrates how developer contributions will be used to deliver relevant strategic policies in the plan, including any infrastructure projects or types of infrastructure that will be delivered, when, and where.

MQ 5	Councillor Christy Bolderson, Wormside	To support local authority Brexit preparations, a total of £77 million of funding has been made available by central government. I understand that no template has been provided to local councils to guide them in their preparations, however, key areas of focus should include (and not be limited to): all statutory and regulatory services which councils are responsible for; the impact on supply chains; data handling; Local Partnership Working; and communications. By outlining how the money has been used, can the responsible Cabinet member give assurance to the people of Herefordshire that this Council is fully prepared to exit the European Union?	Leader
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Response:

Herefordshire Council is as best placed as it can be for exit from the EU, given the information tools that it has been provided with and the current degree of knowledge about a planned exit. We have received £105k from government. This money has not been used for any day-to-day work- it will be focused, as and when needed, to support the residents of Herefordshire. Herefordshire Council has provided on our website as much information as we have available for the residents of Herefordshire. We continue to update this information as more becomes available. Over the next few days, we will be including a 'frequently asked questions' section on the website giving as much straight forward information as possible. The website will continue to point residents to the gov.uk website where more detailed information is available.

Herefordshire Council (as part of the Local Resilience Forum) is taking part in weekly Chief Officer (strategic level officers) teleconferences. Officers are working on a day-to-day basis with partner agencies and with those critical council services (such as social care and regulatory services) where an impact could be felt. Services are currently reporting to the Emergency Planning Team every

Thursday any impacts they are experiencing. To date, there has been nothing of significance reported. From Monday 21 October we will be required to report on a daily basis to MHCLG.

Supplementary Question:

Can you further outline the risk management process in place and the body responsible for scrutiny of the process for the brexit arrangements?

Leader's response:

The chief executive provided the following response:

A website was being developed to assist people with information about brexit. To manage risk the local resilience forum engaged the police and partners. The risk register of the council focused on risks to the council's services; the risks associated with brexit were most pronounced in organisations beyond the council. The issues raised in the supplementary question would be considered in compiling frequently asked questions about brexit to be uploaded on to the website.

MQ 6	Councillor Nigel Shaw, Bromyard Bringsty	This autumn has seen a further reduction in public transport services between Hereford and Worcester on the 420 route which have impacted my ward, Bringsty /Bromyard. The 2019/20 budget included an additional amount of £500k as capital support to the county's community transport organisations, to help them to renew their fleets with new, modern and energy efficient, fit for purpose vehicles. Six months on can the cabinet member advise how much of this investment has now been delivered to these vital bodies who help deliver a service to support the independence and well-being of our rural and market town communities?	Cabinet member infrastructure and transport
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Response:

The 420 bus service is a service operated commercially by First Group between Worcester and Bromyard on weekdays. First Group recently notified us of their intention to withdraw the service as of 14th October. We are working with Worcestershire County Council to see how we can maintain the service in the short term and further work will be carried out by the two councils to determine the options for the service long term.

Council authorised an amendment to the 2019/20 budget which allocated an additional £500k to passenger transport services, £225k of this was allocated to public bus services to offset a planned savings target in the year, and a further £275k was allocated to fund a grant scheme for Community Transport operators to purchase new vehicles. A decision to commit this funding has yet to be taken and will need to be considered in the context of the overall budget position for public transport to ensure we protect essential services.

Supplementary Question:

Is the administration intending to use monies that Council intended for Community Transport to pay for uncontrolled spending in other areas of the transport portfolio?

Cabinet Member's Response:

A response to points raised would be provided in writing.

Response sent on 28 October:

No decision has been taken on the re-allocation of the one off funding allocated for community transport vehicle grant.

Funding support for community transport has been maintained and the 2019/202 budget has been allocated to the schemes to continue to support their activities and the important work they undertake coordinating volunteer drivers and a decision will be taken shortly which confirms how the additional one off grant of £275,000 will be allocated.

MQ 7	Councillor Roger Phillips, Arrow	When was the new surfacing on B4349 at Dunan corner laid?	Cabinet member infrastructure and transport
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Response:

The high friction surfacing scheme (anti-skid) at Dunan corner, also known as McIntyre's corner, was laid on the 23rd and the 24th of September 2019 in accordance with this year's Annual Plan. As part of the review of locations there were 3 sites identified as needing resurfacing with High Friction Surfacing (anti – skid), these are previously treated accident sites. The locations are; A4113 Brampton Bryan, B4349 Dunan Corner/McIntyre's Bend and A449/ B4224 Old Gore crossroads. The original treatment at Dunan Corner/McIntyre's Bend, which was implemented in 2002, following a number of collisions which included a fatality, has performed well with the original treatment lasting over 17 years.

Supplementary Question:

Does the work to replace the high friction surface indicate that a decision has been made to not proceed with the bypass?

Cabinet Member's Response:

The location where the work was undertaken lies outside the area allocated for the bypass. Three areas had recently had anti-skid high friction surfacing replaced.

MQ 8	Councillor John Hardwick, Backbury	Thank you for honouring the pledge made within some member's election manifestos in connection with the SWTP and HTP. Would Cllr Harrington	Cabinet member infrastructure and transport
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		care to provide the Council with an update on his decision and the next steps?	
Response: I refer to the answer given to Mrs Protherough's question above.			
Supplementary Question: We await the response to the scrutiny committee, will the cabinet member also be scoping out other ways of reducing congestion and promoting choice in regards of transport in the city and county.			
Cabinet Member's Response: The recommendations of scrutiny had been considered and all had been accepted. Methods to reduce congestions would be investigated; the SWTP and HTP were not schemes to relieve congestion but they will be reviewed to see if they unlock land or create jobs. Statistics show that 56% of people in Hereford travel less than two mile by car and in order to address this improvement are required to cycling and bus infrastructure. Travel to school arrangements also need to be addressed and the viability of an Eastern river crossing would be investigated which, it had been indicated, would reduction traffic on A49 by 29%. Proposals to remove traffic lights that hindered traffic flow were also being considered and meetings were arranged with Highways England. Congestion needed to be relieved but in the context of the climate emergency.			