

Agenda item no. 5 - Questions from members of the public

Question Number	Questioner	Question	Question to
PQ 1	Mr Martin, Hereford	<p>I would like to understand why the council do not hold public meetings to debate the major decisions for Herefordshire?</p> <p>We have venues that can hold good numbers of the public who can in person scrutinise decisions the council make and voice their opinions on what they want to happen.</p> <p>Everything seems to be done behind closed doors and via controlled methods just like this where questions have to be emailed.</p> <p>This is not how it should be and I (as a taxpayer) demand change to this.</p>	Chairman of the Council
<p>Response: Thank you for your question. By law the council's formal meetings must be held in public, although there are some instances where the public and press can be excluded for discussions on confidential items (known as 'Part 2'). Council meetings, held in public, are open to the public to attend and, as you have pointed out, provided with the opportunity to ask questions. However, the scope of public questions is limited to and must relate to the function of the committee or a matter on the relevant agenda. Council meetings are primarily and principally meetings designed to transact council business.</p> <p>Once public questions have been concluded, there is no further provision for public involvement other than to witness the meetings as they happen. This is because there are limitations, set out in law, as to what business council committees can transact. The legislation regarding how local government operates allows only the elected representatives to take part in decisions and debate on items under consideration at formal council meetings. The relevant legislation, which also extend to the Parish tier of local government, can be found via the following link: http://www.legislation.gov.uk/ukpga/2011/20/schedule/2/part/1</p> <p>There are distinctions, in law, that differentiate formal council meetings being 'held in public' to that of public meetings. Public meetings are ways for people to come together to express their opinions, hear a public speaker or proposed plan, engage in shared learning about a topic, or work together to develop solutions. Public meetings do not have to follow any specific script or agenda, unlike formal council meetings. In the case of public meetings, whilst councillors and council officers may be participants, the council has no jurisdiction or decision-making powers at such meetings.</p>			
PQ 2	Mr Hill, Hereford	Further to the imminent changes widely expected to the National Planning Policy Framework (NPPF) at the end of this year, including likely reimposition of mandatory housing targets, will the Cabinet Member be able to provide Herefordshire Councils full response to the recent NPPF	Cabinet member environment

		consultation and Herefordshire Councils current five year housing land supply position for 2024 including implications for plan-making and decision-making?	
<p>Response: A response to the <i>National Planning Policy Framework (NPPF) Reform Consultation</i> has been submitted to the Ministry for Housing, Communities and Local Government (MHCLG) on behalf of Herefordshire Council via their online form. Please find in the following link a compilation of all the questions and answers, collated into one document, that form the Council's response; NPPF Reform Consultation response.</p> <p>The NPPF consultation set out proposed mandatory housing targets which takes a new approach based on a revised formula and data. This means the housing target for Herefordshire has increased from 773 dwellings per annum to 1,375 dwellings per annum. This would mean 27,500 dwellings over a 20-year plan period. The recent Draft Local Plan (March 2024) consultation set out a target for 16,100 homes over the plan period, so this is a significant proposed increase.</p> <p>A significantly changed housing target for Herefordshire, of the magnitude proposed, means that it is highly likely that the Council would need to go back to the start of plan-making and consult on a new strategy. However, the implications will only be understood once MHCLG has considered all consultation responses received, and the NPPF has been formalised thereafter. This is anticipated to be in January 2025 at the earliest.</p> <p>Work to determine the 5-Year Housing Land Supply is in progress and is due to be concluded shortly with a report expected to be published in the next 3-weeks.</p>			
<p>Supplementary question: Does the cabinet member consider that Herefordshire Council will need to repeat the Regulation 18 of the emerging Local Plan 2021-2041, and if so, does the cabinet member consider that the current envisioned spatial approach as set out in the emerging local plan need to be reconsidered back to both the current Policy RA2 identified settlements of the Core Strategy, given the likely change in meeting housing need or to relocate considerable concentration to around particularly Hereford if the current administration are intent on a 'growth corridor' around Hereford?</p>			
<p>Response from Cabinet Member Environment: The implications for the local plan and the plan-making process will only be fully understood once the NPPF has been formalised early next year. The stage in the plan-making process will be dependent upon the mandatory housing target set in the NPPF and the implications that this would have for the plan strategy. It would be premature to comment at this stage.</p>			
PQ3	Ms Martin, Hereford	The traffic model produced for the Southern Link Road by JMP Consultants in 2014 is now well beyond the five year threshold regarded as robust for Base Year validation and forecasting purposes and updated trip data and forecasting commissioned by AECOM is not yet available. With no up to date trip data, no updated modelling or forecasts, no up to date benefit/cost ratio, no business case and a clear lack of understanding among Members of the fundamental principles of transport planning science in relation to the effects of peri-urban road building on congested local networks, on what basis was the decision made to justify Herefordshire Council's £300m road building strategy as offering best value for money for the residents of Herefordshire?	Cabinet member transport and infrastructure

		If AECOM's anticipated report is now available, where can it be accessed?	
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Response:

In its decision of 28 March 2024, Cabinet agreed to recommence progress of the Hereford Western Bypass to the west and south of Hereford. As part of this work the council will develop a revised business case for the western bypass to reflect contemporary legislation and needs.

The business case will consider a variety of options, including comparison with a do nothing and eastern crossing, to ensure that the proposal offers value for money before proceeding to the next stage and will reflect updated traffic modelling and consideration of the needs arising from a review of the masterplan for Hereford, local housing and employment requirements and Local Transport Plan such that any proposals progressed to the next stage for the western route reflect the holistic needs of the City and broader strategic transport demands.

It should be noted that the Aecom Commission for an updated model was for a tool that would enable all new infrastructure and development proposals to model their impacts upon rather than a report. A report on the traffic impact of the western bypass will be produced utilising this model as part of the development of the business case.

Supplementary question:

If AECOM's report, utilising an updated traffic model, forecasts marginal and unstable peak hour time savings on the A49 through the city, with a slight increase in overall journey times on the A49 compared to Base Year in the Do Something (build the roads) scenario, echoing JMP's conclusion that "...a nil detriment scenario is unlikely to be possible" *, will work on the Southern Link Road and Western Relief Road be halted or will the Council disregard the findings and press ahead regardless of clear evidence that the two schemes would not reduce congestion in the city?

* JMP Transport Strategy Phasing Study, Transport Strategy Review, 20/5/2014 - Section 3 Modelling Outputs @ 3.17

Response from Cabinet Member Transport and Infrastructure:

The strategic case for any new road scheme will necessarily need to consider a broad array of outcomes, as will be set out within the Councils Local Plan and forthcoming Local Transport Plan (LTP), and not on traffic growth against an historic base year. New infrastructure should be designed to meet the future needs of the area rather than just resolving existing issues. The recent draft Local Plan consultation set out a minimum of 5,600 new homes around Hereford with government proposals currently increasing the demand for new housing even further. The Local Plan also identifies 40-60ha of areas for new employment around the City.

All of this will place significant pressure on existing infrastructure meaning a do-nothing scenario is likely to show a significant detriment compared to a base year. It is considered that a new road around Hereford will free up space for more active travel measures within the city, enabling more sustainable modes for shorter trips and therefore any road proposals need to be considered holistically alongside other transport modes as will be set out within the councils LTP and Local Cycling and Walking Infrastructure Plans. A new strategic case will be developed, including modelling various scenario's, to ensure that the council invest into infrastructure that delivers the greatest benefits to Hereford and the broader strategic transport network.

PQ 4	Mr Milln, Hereford	<p>In 2016 the proposed Southern Link Road was budgeted at £27m out of a £35m project to include £8m complementary improvements to public and active travel known as the South Wye Transport Package.</p> <p>At Council on 26th July, Mrs Morawiecka, mindful of the c.£8m overspend on the City Link Road, asked how the inevitable overspend on the SLR would be addressed. The response claims the road could still be delivered at between £31 and £35m, though clearly without the package elements. Given it was the sustainable transport elements which provided the value for money when it was a 'package', how does the Council propose to convince anyone it has a business case supported by a robust cost benefit ratio (BCR) for the poorly performing, cost-spiralling SLR as a stand-alone road?</p>	Cabinet member transport and infrastructure
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Response: The Council continues to see any new road as part of a broader package of transport schemes that work together holistically to improve the way that people are able to move in and around Hereford and enable economic growth within the City. In January 2023, the council was successful in its bid for £19.9m of funding from the Levelling Up Fund to help deliver a broad package of transport and active travel measures within the City which will see many elements of the South Wye Transport Package delivered in parallel with the progression of the Southern Link Road.

Costs for the delivery of the road have understandably risen in line with inflation since the initial proposal in 2016, in line with all national infrastructure works, however the benefits associated with a road will also have risen by a proportional amount and therefore increased costs are not anticipated to have a meaningful impact on the BCR.

Supplementary question:
In attempting to use the £19.9m LUF grant won by the last administration for public and active travel in the City to justify the current administration's motor road ambitions through the countryside around it Herefordshire Council pursues an implausible chimera. The projects are separate in funding and objectives and contradictory in effect. Transport planners have long understood that motor road building increases traffic, while investment in sustainable alternatives relieves it, and of course the Council has failed to include pedestrian, cycle or bus infrastructure alongside its proposed Southern Link Road.

That being so would work on the cost-spiralling, stand-alone SLR and WRR schemes be halted or would the Council carry on regardless, in the event a recalculated BCR confirms them to be poor value for money?

Response from Cabinet Member Transport and Infrastructure:
Proposals for the Southern Link Road were always considered synonymously with the South Wye Transport package, for which the LUF award has enabled many elements of the package to be brought forwards.

New infrastructure should be designed to meet the future needs of the area rather than just resolving existing issues. The recent draft Local Plan consultation set out a minimum of 5,600 new homes around Hereford with government proposals currently increasing the demand for new housing even further. The Local Plan also identifies 40-60ha of areas for new employment around the City, which will place significant pressure on existing

infrastructure. A revised strategic case considering how this growth will be best mitigated and growth best enabled by new infrastructure will be undertaken and appropriate decisions on future infrastructure investment will be made based on the outcomes of that work.

PQ 5	Mr McGeown, Weobley	<p>Cabinet Member Children and Young People Responded to PQ2, 17 Sept 2024, C&YPSC, regarding doubling and then tripling of Section 47 investigation enquires between 2020 and 2022 to an eye watering 1,393 then continuing 1,000+ annually: “During 23/24 the Herefordshire rate of S47 was 75 per 10,000 children. The regional average rate being at 67 and rates of the other Inadequate local authorities being 83 and 71, so Herefordshire rates are reflective of this pattern.”</p> <p>But: (https://www.gov.uk/government/publications/local-authority-interactive-tool-lait) Shows that the rate of S47s is much higher in Herefordshire (255.40 per 10,000 children) than its Statistical Neighbours.</p> <p>A most concerning number and one that’s been 250+ per 10,000 children for the last few years.</p> <p>So why such a fundamental difference between numbers perceived by Cabinet Member C&YP and real world data?</p>	Cabinet member children and young people
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Response:
Dear Mr McGeown, thank you for your further question and challenge.

With my apologies the data provided to your original question was a quarterly rate not the annual rate. The data reported was taken from the West Midlands Children’s Services Regional Performance Update which presents information by quarter, the data provided was for quarter 1 2024/25. This report does not provide the annualised rate.

The explanations regarding the increased rate of section 47 enquiries in the original question remain valid.

The inclusion of the comparator information was also quarterly data and sought to show how rates of section 47 per 10,000 in Herefordshire compared to regional local authorities who are in a similar position.

For clarity in quarter 1 2023/24 the rate of section 47 enquiries per 10,000 in Herefordshire was 100, the West Midlands regional average was 67 and the comparator authority rates were 88 and 106 respectively.

The rate in quarter 1 2024/25 in Herefordshire was 72. The West Midlands regional average was again 67 and the comparator authority rates were 71 and 83 respectively. As stated previously “ Herefordshire rates are reflective of this pattern” (given within the narrative of the original answer to PQ2 at CYPSC on 17 September 2024).

Supplementary question:

Your answer doesn't reveal the full picture, only a selected quarter.

I understand that "255.40 per 10,000 children" over four quarters is what's known as "key performance indicator" and helps determine what is satisfactory performance level.

So S.47 enquires:

2022 = 1,393,

2023 = 1,105,

2024 to date 18Aug = 561 ($\div 8 \times 12 = 841?$)

(https://www.whatdotheyknow.com/request/childrens_services_section_47_en?nocache=incoming-2730798).

and

30,100 children in Herefordshire (<https://understanding.herefordshire.gov.uk/population/>).

Therefore divide by three and roughly:

2022 = 450+ per 10,000 children.

2023 = 350+ per 10,000 children.

2024 = 250+ per 10,000 children.

During the same period, neighbouring Worcestershire and your best practice partner, Leeds city council didn't have these KPI numbers, Nothing Like It, Nowhere Near.

So does the Cabinet Member C&YP find these numbers satisfactory?

Response from Cabinet Member Children and Young People:

We do not accept these numbers as "satisfactory". We have acknowledged they are high and the reasons that have affected that during the timeframes referenced. Other authorities each have their own journey and we have highlighted issues that have impacted here in Herefordshire. We are working, with partners, to understand why they remain high and this will enable us to address issues as we work to have a rate of S47 we would expect which are more in line with statistical neighbours.

PQ 6	Mrs McGeown, Weobley	At 30 July 2024, C&YPSC meeting The Corporate Director Children and Young People explained the 'Think Family' approach: "Think Family was a term applied to an existing practice, which involved widening focus from, for example, just a parent and their child, to bringing in the wider extended relatives and considering the impact they had on an individual's life. It involved using knowledge of an individual's wider family/network..."	Cabinet member children and young people
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		Now many loving Herefordshire families of good standing resent interference in their right to family life (Article 8,...there shall be no interference by a public authority with the exercise of this right...) and are horrified at this widening to extended relatives and the potential blighting of their lives. What checks and balances will be in place to prevent Herefordshire Council overreach and unwanted imposition of this on wider family networks?	
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Response:
Thank you for your question.

The “Think Family” approach is two way. It is one intended to ensure we support parent’s and carers through their own networks to meet the needs they may have and/or to provide care for and meet the needs their child/children may have. It also seeks to understand the needs of individuals in those networks that might be impacting on the parents or carers ability to parent, and as such identifying what support might be offered directly to that individual and/or the parent. Only where we are involved in a statutory child protection or care proceedings process and acting on our duty to identify who and how best to meet a child’s/children’s needs would we engage wider family without the consent of a parent.

Specifically, but not exclusively, this will relate to where a child may be at risk of being received into care and where we need to ensure we have identified and considered alternative family members. Even then we would seek the views of the parent as to whether they feel this wider family engagement is appropriate or not and whether they feel it is in their child’s best interest or not, and these views would be taken into account’.

You can also find further information on the Herefordshire Children Safeguarding Partnership website via the following link:

[Think Family - Herefordshire Safeguarding Boards and Partnerships](#)

PQ 7	Ms Price, Hereford	Following months of unresolved complaints to Hereford Council about the effect of LED lighting outside my home I need to re-attend the issue Environmental light pollution contributes to a range of adverse health outcomes including heart disease and premature death. Yet light remains a neglected pollutant, poorly understood and regulated. It can impact negatively on human health through disrupting sleep and circadian rhythms, which also leads to negative social and economic impacts DEFRA has the lead for regulating light pollution, but many of the levers to act on these pollutants lie in other departments eg the Department for Transport and the Department for Levelling Up, Housing and Communities (DLUHC). Responsibility for acting on light pollution lies with local authorities, which come under DLUHC. When will Herefordshire Council step up and at least acknowledge complaints?	Cabinet member environment
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Response:
Thank you for your question, however, the Council’s complaints team have reviewed our records and we do not appear to have received any formal complaints on this matter in the last 5 years from you. Please can you clarify if there is a specific question you would like Council to respond to?

PQ 8	Mr Morawiecka, Hereford	In the Leader's report Appendix 2 One of the Milestones for the year is "Complete "heads of terms" on land acquisition for phase 1 (Southern section of the western bypass)". Herefordshire Council went significantly over budget on land purchases for the City Link Road scheme. How much land and how many agreements with landowners will the Council need to secure to make the target and how much budget for the Southern Link Rd has been allocated for achieving it?	Cabinet member transport and infrastructure
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Response:
 In order to construct the southern bypass the council would need to acquire 22.09Ha of land in agreements with 6 landowners.

Earlier in the year Cabinet approved an estimated budget for land purchase. The council has subsequently procured a land agent who has been able to confirm that the budget is more than sufficient and enabled the council to revise the budget to a more realistic contemporary figure. It would be inappropriate to reveal the current available budget ahead of commercially sensitive negotiations.

Supplementary question:
 The active travel measures that were part of the South Wye Transport (SWTP) project generated many benefits for the original transport package, such as improving physical activity and helping offset the increased air and noise pollution from the road. Now that the Southern Link Road is a standalone road scheme, with no business case and no funding in place to cover the estimated £35million cost, how will Herefordshire Council purchase the land necessary if landowners are not interested in selling and fund these land acquisitions, estimated at £4 million at 2010 land prices in the original outline business case for the SWTP?

Response from Cabinet Member Transport and Infrastructure:
 The Southern Link Road has always been considered as part of a package alongside active travel measures. The Council was successful in its bid for Levelling Up Funds that has allowed the council to progress many elements of the former South Wye Transport Package that was associated with the proposed new road.

Earlier in the year the council committed a budget to enable progress to be made on the southern link road which included a budget for acquiring land. The Council has also procured a land agent who has confirmed that the budget is sufficient to meet current land valuations and has made initial contact with property holders or their land agents.

PQ 9	Ms Reid, Hereford	<p>The Chief Executive's report to the full Council meeting on 11 October 2024 includes:</p> <p>"The new plan [Children's Services Improvement Plan Phase 2] ... is supported by audit, performance indicators and more opportunities for children and families to tell us about their experiences, so we can clearly see where our actions are making a difference."</p> <p>The terms of reference for Parents for Change includes:</p> <p>"To gather the views and experiences of parents in specific areas of focus"</p> <p>"They [attendees] must not have an open complaint or ongoing issues relating to Childrens Services."</p> <p>By excluding parents with an open complaint or ongoing issues, is Herefordshire Children's Services really receiving comprehensive feedback which is necessary to improve?</p>	Cabinet member Children and young people
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Response:
The Parents for Change Group members were originally gained from people who had made a complaint to the Local Authority in the last two years and they co-produced the Terms Of Reference. The core aims and objectives were defined by the parents to foster an active partnership between parents and Children's Services. There was an expectation and commitment from all that no individual children or circumstances will be discussed and they must not have an open or ongoing complaint with the Service.

The exclusions of parents with an open complaint has the intention to stop such meetings being consumed by individual cases rather than the wider aims of the group. There were also concerns that it could impact or duplicate the complaint process in this open forum. Once the issues are resolved parents who have made a complaint can join.

Supplementary question:
The response stated:

"The exclusions of parents with an open complaint [or ongoing issues] has the intention to stop such meetings being consumed by individual cases [and] impact or duplicate the complaint process."

However, as the terms of reference includes:

"there must be a clear commitment at each session that no individual children or circumstances will be discussed"

this would not be the case.

“Mission Statement: The Families’ Alliance for Change [FAC] brings together parents and stakeholders to engage in honest, open and transparent dialogue which seeks to support improvements within Children’s Services both locally and nationally.”

Will Children’s Services engage with FAC either by regular meetings (eg monthly) with its members and/or having a FAC representative(s) attending Parents for Change group meetings?

Incidentally, I suggest the CYP Scrutiny Committee recruits a Families co-optee and a Families (SEND) co-optee.

Response from Cabinet Member Children and Young People

The value of the Parent and Carer voice was understood and families had been engaged in the establishment of the Parents for Change group. Other groups would not be engaged.

Appendix – [NPPF Reform – Herefordshire Council consultation response](#).