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

Question Number	Questioner	Question	Question to
PQ 1	Mr Marsden, Kington	Which if any Councillors authorised junior officers in the highways department to engage in an Expensive, SECRET, Statutory Consultation on a mass closure of byways, ignored the DUTY to Consult the Herefordshire LAF, is contrary to Government Advice, without the knowledge or approval of the Head of Highways, following 'the *constructive neglect*', AND failing to comply with the Council's own policy in HAMP (for annual inspection of unsurfaced routes), or the mandatory current HC ROWIP?	Cabinet member transport and infrastructure

Response:

Thank you for your question.

The Council's Traffic Management Team have started a consultation process to seek views on whether access by motor vehicles should be prohibited at seven locations on the network. The Council does not intend to close or stop up these routes, which would remain accessible for walkers, cyclists, and equestrians and with the Council remaining responsible for the ongoing management of the route and ensuring it is kept open for lawful use.

These measures are primarily proposed for the following reasons:

- The sections of highway are too narrow for motorised vehicles to use safely and are only suitable for pedestrians and horse riders. The restrictions aim to increase safety for pedestrians, cyclists and horse riders using these sections of highway.

The measures are also proposed for the following reasons:

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- For preserving or improving the amenity of the area through which the highway runs.
- For preserving the character of the highway where it is especially suitable for use by persons on horseback or on foot.
- To prevent accelerated damage to vegetation, surrounding biodiversity, and the highway.

We are currently at the very first step of the process, which involves statutory consultation with emergency services, highway authorities, and other relevant bodies.

If the proposals are deemed suitable to proceed then they will enter the formal public consultation stage. At this stage public notices will be placed in the local press and on-site at affected locations. Over a 21 day period, the public will then be asked to submit representations, all of which will be duly

considered before any final decision is made. Any other interested parties, including the Local Access Forum (LAF), will have a full opportunity to raise their views during this stage of the process.

Supplementary question:
Maintaining all public highways is a duty, the highways in question have not been maintained. To remove any obstruction is a duty, they have not been. Obstructions and surface defects on all of these proposed TRO were very well known to the highways department. They are a very low cost to deal with. Users have and want to assist with practical work. Therefore it appears the council is putting a power ahead of a duty. The courts have ruled authorities must place duties before powers so isn't that ultra vires and malfeasance? The head of highways was unaware of the consultation, were the junior operatives incurring this very substantial cost on a frolic of their own?

Response to supplementary question:
Officers had started a process to determine is 4x4s should be allowed to use these byways. When a decision was due to be made it would be part of an ongoing consultation and full details would be made available to the public. The byways were not being closed.

PQ 2	Mr Hutton, Hereford	Why are the Council closing obstructed byways rather than their DUTY to serve Highways Act Obstructionists Notices, as none have been properly served in Herefordshire?	Cabinet member transport and infrastructure

Response:

Thank you for your question.

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PQ3	Mrs Morawiecka, Hereford	The Council Leaders report Appendix 3 says “Given the significant changes to National Planning Policy Framework, the Local Transport Plan has been paused until the impact the location of housing and employment growth is known.” Yet less than 2 months ago this Council announced that the Western Bypass would deliver the Western Growth corridor, ignoring the fact that such proposals risk the loss of 3,000 jobs directly in Hereford and many more in the supply chain to 2 of the county’s largest employers & increased flooding of Hereford City. As the cabinet member was unable to provide information within 4 weeks of being asked how much has been spent to date on the Western Bypass, why has work on this £400million road project likewise not been paused until the location of housing and employment growth is known?	Cabinet member transport and infrastructure

Response:

The council is not aware that the building of a road will risk job losses. The council will undertake comprehensive environmental and economic assessments as part of the development of a full business case and will seek to implement mitigation measures from any risks identified through that process to provide assurance to those concerned about the impacts.

The unprecedented level of new housing targets that the council has been set requires new infrastructure to enable it to be delivered sustainably. The proposed western bypass will inevitably form part of this new infrastructure and is co-dependent with the new housing. Both the bypass and the Local Transport Plan had previously been considered and informed by the previous housing proposals to deliver 16,100 new homes, therefore, as part of the council's development of its new Local Plan setting out the proposed allocation of additional housing sites it is sensible that the final route of the bypass be considered at the same time to ensure that all proposals best enable the optimum outcomes to be delivered and therefore it is important that work continue to progress on the bypass to both inform and be informed by the wider Local Plan.

Supplementary question:

I am surprised Herefordshire Council are unaware of the risk of the loss of significant jobs from two of the County's largest employers in Hereford. I

highlighted the risk in a public question to the January 2025 cabinet meeting. Councillor Swinglehurst kindly responded saying the council has not yet agreed to this scale of the development to the west of the city. In addition evidence on this matter was given to the core strategy examination in public and in 2016 solicitors for Sun Valley and Heineken objected to the three elms planning application warning of the risk to 3,000 jobs in Hereford should development proceed. These written objections are on the council's planning portal. If the bypass is codependent on new housing which as yet is unallocated would Councillor Price explain why the Western Bypass makes new housing sustainable, protects employment and what evidence supports his explanation?

Response to supplementary question:
It was unknown whether there was a risk that two major employers would leave the County. The ongoing review of the bypass and the new local plan would provide every opportunity to participate and allow businesses and local residents to provide their views.

PQ 4	Mr McKay, Leominster	Will you please consider arranging for the flags (location markers) on the public right of way and road defect progress webpage maps to automatically go red if not resolved within say 2 years of being logged to highlight any that have been overlooked or are long-term defect problems, and to provide our Local Access Forum with regular report on progress resolving long-term defect problems, as raised at last weeks Local Access Forum but only partly answered as out of time?	Cabinet member transport and infrastructure

Response:

Thank you for your question.

As part of a wider review by Officers and following feedback from the Local Access Forum, we have been making improvements to both our online public rights of way and road defect progress maps to provide better information to the public and we will take on board your suggestion regarding long term defects.

As you may be aware, we provide updates to the Local Access Forum on a quarterly basis on the work that is undertaken on the network, including numbers of enquiries, defects and jobs. As reported at the last Local Access Forum, a particular focus of recent times has been to reopen routes that have been closed due to the need to replace bridges, using funding made available by the Council. I'm sure my colleagues will be pleased to know that progress is being made on the ground as we speak, with works being completed and paths being reopened. We value the input and consultation with the Local Access Forum.

Supplementary question:
Could a long-term defect progress report take the form of a spreadsheet listing long-term defects and proposed remedies, viewable online, that is updated prior to each Local Access Forum meeting?

Response to supplementary question:

The Public Rights of Way team provide information for each Local Access Forum regarding the reasons for long term defects or closures of paths, e.g. due to bridges.

We will take on board your suggestion and explore how the data can be easily and efficiently displayed in other formats.

PQ 5	Mr Morfett, Hereford	Please can the Councillor for Infrastructure, explain the need to design and build safe cycling and walking networks for schools, separate from cars in Hereford, (using the guidance of Active Travel England), explaining the logic of reducing car dependence to reduce city congestion by increasing alternative transport options for City residents.	Cabinet member transport and infrastructure

Response:

Having consulted with officers I am unclear on what is being asked?

Active Travel England is part funding schemes across Hereford including a number of School Street schemes. We are delivering solutions within the terms of that funding.

Regarding schools, Active Travel England publish guidance on setting up a school streets scheme:

School Streets: how to set up and manage a scheme

On the wider active travel measure the Council is currently developing works on Holme Lacy Road, Aylestone Hill and the Transport Hub funded by Active Travel England, Levelling Up Fund and Council capital funding. These measures are designed to aid modal shift and improve safety for cyclists and pedestrians as a requirement of Active Travel England.

Supplementary question:
I asked the Cllr for infrastructure to explain the need to design and build safe cycling and walking networks for schools, separate from cars, (using the guidance of ATE), explaining the logic of reducing car dependence to reduce city congestion by increasing alternative transport options for City residents**.**
He replied that he did not understand the question, so I asked ChatGPT and it gave a concise answer with a detailed summary of ATE's guidance for National Policy.
Who can explain to him and the public in this meeting why designing and building safe cycling and walking networks for schools, separate from car traffic, is a critical aspect of creating more sustainable, liveable cities?
How does road building first, align with the principles set out by ATE, guiding a significant shift towards walking and cycling as primary modes of transportation?

Response to supplementary question:

The importance of delivering sustainable infrastructure is well understood by this Council which is why we are delivering active travel schemes including the Transport Hub, Holme Lacy Road and Aylestone Hill improvements. These schemes are all focused on improving active travel and encouraging modal shift. Modal shift on its own will not deliver the improvements required to reduce traffic in the City centre which is why this Council has a strategy to both deliver on its promises to deliver a bypass as well as improved facilities for pedestrians and cyclists. The guidance for the delivery of active travel schemes is clearly available to all on the internet and I won't repeat it here in my response. As previously stated, the Council is delivering active travel measure works that are fully compliant with the active travel guidance.			
PQ 6	Ms Laan, Hereford	Could the councillors explain if the Western Bypass is a bypass or a road that allows more housing developments?	Cabinet member transport and infrastructure
Response: It is both. The Government has set mandatory housing targets for councils, these targets are no longer advisory, and this level of growth must be accommodated. This figure remains high for Herefordshire at 27,260 homes, an increase of 11,160 homes compared to the 16,100 homes that the Regulation 18 Local Plan makes provision for over a twenty-year plan period. The National Planning Policy Framework makes clear that all growth should be accommodated in sustainable locations. Given that Hereford is a sustainable location, it is reasonable to expect that a large proportion of this growth will be accommodated in this location. Subject to the future public consultation on the new Local Plan, it is possible that up to 14,000 new homes and 300 acres of new employment land, could be developed within the Western Growth Corridor. Where growth across the county takes place there will be a need to ensure that this is accompanied by necessary infrastructure which will also relieve congestion in the city centre. The bypass will also facilitate the diversion of through traffic on the current A49 away from the city centre. National Highways have identified this section of the A49 as being a key pinch point on the Strategic Road Network, and as such the council is working closely with them to ensure a solution that delivers both outcomes. The Worcester Bypass is a good example of a road that both serves to bypass traffic out of the city centre but also has key junctions that distribute traffic to housing and employment sites.			
PQ 7	Ms Martin, Hereford	In their 2014 review, consultants JMP reported that, assuming completion of the western bypass by 2027, annual average daily flows on the Greyfriars bridge would return to 2012 levels by 2032 and that, taking account of future development, ".. a nil detriment scenario is unlikely to be possible." WSP subsequently reported that only 7% of trips within Hereford comprise through traffic with 40% having origin and destination within the city and 40,000 trips per day beginning and ending within the same quadrant. Given the DfT requirement that all non road congestion solutions should be explored before resorting to road building, why were these reports ignored and why has the administration	Cabinet member transport and infrastructure

		progressed these roads in the face of evidence from its own consultants that peri-urban road building is not a solution to congestion within networks operating at or near capacity?	

Response:

The dynamics of traffic and the requirements for a new road have evolved significantly since the study undertaken in 2014 and the outcomes of that report are no longer considered relevant in forming a business case for the current proposals. The requirement for the council to deliver an additional 27,260 new houses means that many of these will need to be sited around the county's current urban areas to be delivered sustainably, with a significant proportion of these around Hereford. The new road, alongside other active travel measures, is therefore considered essential to the council's future local transport plans to ensure that additional traffic generated from these developments does not significantly impact upon movement within the City Centre.

The council has invested in an updated and more comprehensive transport model in recent years which will provide more accurate modelling of new developments and infrastructure and this will be used to model the new growth corridor prior to any final decisions being taken.

National Highways have also identified the section of the A49 running through Hereford as a key pinch point within their Strategic Road Network in the region and as a result the council are working closely with National Highways to ensure that new infrastructure best addresses all requirements.

Supplementary question:

JMP's report of 2014 significantly pre-dates the housing requirements referred to in the answer to the principal question. The Cabinet member for Transport and Infrastructure has not answered the question of why the report was not acted upon at the time but if JMP's advice in 2014 was that the bypass would not reduce congestion in the city, without the additional housing and other development now envisaged, how could it reduce congestion in 2025 with this additional development?

Response to supplementary question: A new study based on the contemporary transport model built last year, will be undertaken to identify the benefits and impacts of the whole by-pass in the context of the proposed housing and employment growth, which will be used to inform future decisions. I am not aware or can comment on the reasons for decisions taken more than 10 years go.

PQ 8	Ms Hunt, Hereford	We are from Herefordshire Mencap, working with learning disabled people. We use buses to get around Herefordshire. Between Mondays and Fridays we cannot use them before 9.30am unless we pay the bus fare. Bus fares are expensive when you are living on benefits and we don't have the same choices to get to places as many people. We want to work, get a job, become an active citizen, go to college, go to day opportunities and we need to attend doctors and hospital appointments.	Cabinet member transport and infrastructure

		We have written to Cllr Price who told us that it is 'almost impossible' to change the timing because the limits are directed by national policy. The government minister for transport has informed us that local authorities can offer concessions. Can Cllr Price reconsider his previous response and review allowing discretionary concessions please?	

Response:

Given the importance to Herefordshire Council of supporting all residents of Herefordshire, including those with learning disabilities, we will take this request forward to the Enhanced Partnership who decide the funding allocations for the Bus Service Improvement Plan (BSIP)+ money. We will ensure this is discussed at the next EP meeting to gather the appetite for this across the board; we would need to consider the scale of the costings to date.

The BSIP spend is agreed by the Enhanced Partnership; which is a statutory agreement between the Local Transport Authority and all the Bus operating companies. It is designed to improve frequency and reliability of routes, along with some infrastructure measures, and the spend needs to be agreed by all members of the partnership. The Enhanced Partnership must prioritise the limited BSIP spending available in Herefordshire to meet agreed priorities.

Supplementary question:
When will the Enhanced Partnership next meet and who will inform us of any decision made relating to our question?

Response to supplementary question:
The next meeting was on 20 March and the cabinet member explained that he would ensure that the request formed part of the agenda for that meeting and a response provided immediately.

PQ 9	Mr Martin, Hereford	I would like to know why no proposals for any roads other than the SLR and the Western Bypass have not been looked at or even discussed to help alleviate traffic? It seems the SLR and Western Bypass are the only options this council want and I would like to know why that is? If it is solely to allow permission to build 10,000 new homes then the taxpayer should be told this unequivocally.	Cabinet member transport and infrastructure

Response:

The requirements for new infrastructure are considered within the council's core strategies, such as the Local Plan and Local Transport Plan, in order to meet the future needs of Herefordshire. The western bypass has been seen as essential in enabling both the economic and housing growth required

within the county. The council has recently had increased housing targets confirmed by government, and as such the council is reviewing where these housing sites and employment land may be located and any additional infrastructure which may be required as part of an updated Local Plan process.

The Western bypass will also enable through and cross city traffic to be removed from the city centre to enable a more attractive environment to allow the city centre to thrive and improve journey times on the strategic road network and therefore serves a broader purpose than just the delivery of new homes.

The council is undertaking a review of all previous work and business cases associated with the previous iteration of the bypass to ensure that proposals meet the future needs of the county and deliver value for money as part of a new strategic business case.

Supplementary question:

The SLR and Western Bypass will change the face of Herefordshire forever, will you allow the taxpayer and residents of this beautiful county decide on this via a county referendum as surely it is for them to decide on what is the most important decision for a lifetime?

Response to supplementary question: The Council will not be calling an expensive referendum on the bypass. The Western Bypass is not a decision that can be taken in isolation but an essential element of the council's strategy to improve the City by reducing traffic and provide resilience to the Hereford road network, as well as the potential to deliver some of the housing and employment growth targets the county have been set by government. The council will be consulting on its Local Plan and Local Transport Plan and residents will have an opportunity to feed into these documents before they are finalised.

PQ 10	Mr Milln, Hereford	With updates on just three of the NoM resolutions in today's agenda including, controversially, turning the bus station in my ward into a multi-storey car park, it is regrettable that many have been omitted. For example the Conservation Area motion of 8th October 2021 has not been updated in over two years, yet the Cabinet member had approved funding to progress this and it is a legislative requirement that our Conservation Areas have appraisals. Also not updated in two years is the Built Environment Award scheme motion of 4th March 2022. In answer to a question about this at Council exactly a year ago, we were told this would be progressed through a meeting last April. It wasn't. Can we please have a comprehensive update on actions to discharge these and other unfulfilled resolutions arising from members' Notices of Motion?	The Chairman of the Council

Response:

Thank you for your question.

I can confirm that work has been undertaken on the Belmont Conservation Area and Award scheme for the built environment motions since they were carried by Council in October 2021 and March 2022 respectively. Please find below updates which summarise the work undertaken on the motions:

Belmont

- The council has undertaken a review of resource required to complete an appraisal of Belmont. A formal process is required by the Planning (Listed Buildings and Conservation Areas) Regulations 1990 which includes an appraisal followed by a public consultation. This needs to be undertaken in conjunction with a review of all 64 existing designations and requests to appraise further historic settlements for consideration.
- Consideration of the timescales and funding required has also been undertaken, led by the building conservation team.
- The first phase of the project has been initiated with works commenced on the evaluation of the Belmont area to prepare a conservation area appraisal, with site visits, archive research and assessing the Historic Environment Record.

Awards scheme

- The council conservation team has undertaken the drafting of the detail of the scheme; categories for awards, resource required, assessment of awards and key stakeholders in the scheme.
- An assessment of the financial implications has been undertaken.
- Draft categories for the awards have been circulated to Civic Societies.
- There has been liaison with the Hereford Civic Society to discuss a potential launch of the Award Scheme.

The notices of motions report does not serve to provide updates to motions indefinitely, where significant work has been undertaken or motions fulfilled they will be removed from the list of outstanding resolutions.

I understand that whilst you were a member of this Council you acted as proposer or seconder for each of the motions you reference. I have therefore asked officers to contact you to provide more detail on the latest position.

Supplementary question:

I'd asked for a update on the status of undischarged resolutions arising from past motions, just three being updated in today's agenda. Of the 27 resolutions of the 2019-23 administration period 16 are discharged or substantially so, while 11 are not or only partly. All will be at least 2 years old. Five years have elapsed since Council approved Felicity Norman's motion to address urban speeding and road safety and on which, like the Belmont and Award scheme motions, what little was done was long ago.

On a brighter note, we may soon see a County Tree Strategy, albeit also some five years after members endorsed Christy Bolderson's resolution for it, so an update for that would be useful.

While it is accepted that one or two, such as Cllr Fagan's phosphates, have an open-ended quality, can I please ask that a audit is provided for all undischarged resolutions of the past five years or so, with a clear timeline for delivery?

Response to supplementary question:

A written response would be provided.			
PQ 11	Mr Williams, Hereford	How important to Herefordshire's economy, and the Council's budget, do the Council feel agricultures contribution is?	Cabinet member economy and growth
Response: Agriculture has always been and continues to be a key sector to the Herefordshire economy, in terms of the direct employment, the economic contribution farming makes to the county, as well as a critical part of the supply chain into other sectors such food and drink manufacturing businesses and tourism. Agriculture does not make a direct contribution to Herefordshire council's budget; however, it is critical to a thriving rural economy which benefits and supports the whole of Herefordshire and the wider council tax base.			
Supplementary question: With the impending motion on the agenda is the Council fully availed of the facts of the principles of the proposals in the budget of October 24 in regard to agricultural property relief. It is very important that you are before you come to that motion. £520 million is supposed to be gained from that proposal. The NFU have put forward proposals that will endeavour to reach more money than that, it will gain more money than that for the government and put paid to this ridiculous tax proposal. Are the council aware of the numbers involved?			
Response to supplementary question: This is a significant issue for the people of Hereford and Councillors within their wards; therefore I trust that that they will have made themselves aware of the details.			
PQ 12	Mr Craddock, Leominster	Please ask the following question regarding the proposed TRO of 7 Roads / Green Lanes There has never previously been this amount of new TROs in the County before, many of these routes have had defects and obstruction reports sent to the council (over considerable time) which have been ignored. Many are severely overgrown through lack of use and repair work, so why do 7 suddenly need closing in one go? Please explain.....	Cabinet member transport and infrastructure
Response: Thank you for your question. The Council's Traffic Management Team have started a consultation process to seek views on whether access by motor vehicles should be prohibited at seven locations on the network. The Council does not intend to close or stop up these routes, which would remain accessible for walkers, cyclists, and equestrians and with the Council remaining responsible for the ongoing management of the route and ensuring it is kept open for lawful use.			

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If the proposals are deemed suitable to proceed then they will enter the formal public consultation stage. At this stage public notices will be placed in the local press and on-site at affected locations. Over a 21 day period, the public will then be asked to submit representations, all of which will be duly considered before any final decision is made. Any other interested parties, including the LAF, will have a full opportunity to raise their views during this stage of the process.

PQ 13	Mr Bertenshaw, Ross-on-Wye	I am disappointed to find that there is a Statutory Consultation about imposing a number of TRO's in Herefordshire on various byways and UCR's. The lack of enforcement of obstructions all over our county has been poor, but I know the council employ somebody to manage our rights of way, are the full council aware of the cost of trying to impose TRO's and LIMIT PUBLIC ACCESS to these rights of way, when a TRO really should be a last resort. TRO's may be costly and in these cases do not benefit the public. My Question: Have the PROW team considered that in the case of all of the proposed TRO's it would be cheaper to deal with the obstructions as per their legal mandate?	Cabinet member transport and infrastructure

Response:

Thank you for your question.

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