

**Supplement to the agenda for**

# **General scrutiny committee**

**Friday 29 March 2019**

**10.15 am**

**Council Chamber, The Shire Hall, St Peter's Square, Hereford,  
HR1 2HX**

**Supplement 4 - Written responses to questions as provided after the meeting**

	<b>Pages</b>
<b>4. QUESTIONS FROM MEMBERS OF THE PUBLIC</b>	<b>3 - 6</b>



**PUBLIC QUESTIONS TO GENERAL SCRUTINY COMMITTEE – 29 MARCH 2019**

*(Written answers provided after the meeting)*

Question 1

**Mrs V Wegg-Prosser– Hereford**

With regard to category (e) of General Scrutiny's powers covering reports to Cabinet or Council on matters which affect the authority's area or the inhabitants of that area, and to ensure best value for money, particularly with regard to continuing progress being made by the Council to achieve modal shift away from private car dependency, would the GS Committee today please recommend that a joined-up evaluation of all the authority's planned and implemented sustainable transport measures dating from 2014 onwards is prepared and reported on to Council before any funding by borrowing is allocated to the Hereford Transport Package in the coming financial year, 2019-20?

**Response**

Thank you for your question. This meeting has been convened to consider a call-in made of a specific decision. The committee will consider at its next meeting whether to include in its future work plan a review of all the planned and implemented sustainable transport measures.

**Response after the meeting**

Herefordshire Council produced a Local Transport Plan Progress Report in 2018 which sets out the progress the council has made in delivering a wide range of projects and programmes since 2016. This report sets out the work undertaken to deliver our Local Transport Plan policies and includes an evaluation of progress towards our performance targets. This includes measuring our performance regarding walking and cycling and public transport targets and this is set out in the report which is published on the council's website. In addition the council has a monitoring and evaluation plan for the Hereford City Centre Transport Package project. Survey work is now progressing to inform the first review of this project following completion of the City Link road and this first review report will be published in due course on the council's website. The DfT business case for the Hereford Transport Package will include a monitoring and evaluation plan so I cannot accept the need to delay the progress of the Hereford Transport Package as suggested.

Question 2

**Mr R Palgrave How Caple**

The Capital Programme 2019/20 Onwards and Capital Strategy presented to full council on 15 February contains this provision – *“10. Approval of provision in the capital programme is not an approval to proceed. Each project will be subject to its own governance and business case before any spend may be incurred.”* The Capital Funding Request Business Case for the HTP requesting £3.5m presented to the same Council meeting stated. *“This Feasibility Business Case is to be submitted to the Capital Strategy Board and if accepted, a more detailed outline Business Case will be developed.”* Has the Feasibility Business Case been submitted to the Capital Strategy Board, has it been accepted, and where is the record of their decision?

## **Response**

Thank you for your question. The issue raised is included within the grounds for call in as set out in the report published with the agenda and will be explored by the committee.

## **Supplementary question**

The capital programme 2019/20 onwards and the capital strategy presented to full council on 15 February 2019 contains the provision number 34: before approval of any individual scheme and associated spend it will be necessary to ensure that the need for the scheme arises out of a legal obligation on the council for its provision. Will the committee seek clarification on whether there is a real legal need for this Hereford Transport Package and if not enquire why expenditure of £3.5m has been authorised?

## **Response after the meeting**

The council delivers a range of capital projects and not all are a direct result of its statutory duties. The legal need for the Hereford Transport Package scheme has been considered in the scoring of the business. Where a scheme is being delivered because it is a statutory duty of the council it receives a high score, if not it receives a lower score. The Hereford Transport Package scored 1 out of 4 in terms of legal need for the scheme. There are a number of other projects that progressed for approval at Council where the legal score was also a one. The decision report presented to council in February stated that all projects included in the report scored sufficient (across all criteria scored) to be proposed for inclusion in the capital programme.

## Question 3

### **Mrs L Lewis Breinton**

The feasibility case for the £3.65million spend needed to go to the Capital Strategy Board before a more detailed outline business case could be developed to unlock funding for 2019/20. Where are the minutes of the meeting of the Capital Strategy Board as these were not published with the decision?

## **Response**

Thank you for your question. The issue raised is included within the grounds for call in as set out in the report published with the agenda and will be explored by the committee.

## **Response after the meeting**

This is an operational meeting and minutes of this meeting are not routinely published. Capital Strategy Board met on 13 November 2018, reviewed all funding requests, and recommended all went forward to Council and reported to Leaders Briefing on 15 November 2018.

The development of an outline business case referred to in the feasibility business case is a DfT outline business case and not a council business case. The development of the DfT outline business case will be funded from the budget in the approved capital programme for Hereford Transport Package.

## Question 4

### **Mrs Morawiecka Breinton**

The Strategic Outline Business Case for the Hereford Transport Package which was written a few years ago, says that "the breakdown of capital costs is not available and has been

commissioned by the Project Control Group". The recommendations of the Internal Audit report on the Blueschool House capital overspend recommended detailed budgets to be developed and regularly updated and tracked. How is the detailed budget of the Hereford Transport Package being monitored by the new capital project system, in particular tracking the cost of professional fees which are already a significant component?

### **Response**

Thank you for your question. The issue raised is included within the grounds for call in as set out in the report published with the agenda and will be explored by the committee.

### **Response after the meeting**

The July 2018 scrutiny and cabinet report provide an update on the scheme costs presented in the 2014 Strategic Outline Business Case. The Strategic Outline Business Case costs were undertaken prior to any route assessment work and were consistent with the level of project detail at that time. They were estimated at the time of production of the Strategic Outline Business Case in 2014 prices. The estimated costs for the bypass presented in the 2018 scrutiny and cabinet reports have been estimated at 2018 prices. Costs will continue to be regularly reviewed as the project is further developed and this will include the use of the Council's VERTO system.

### **Supplementary question**

I'd like clarification and in particular how will the committee explore the issue raised by my question when the information requested in my original question has not been provided. Will it deliver a formal written response to my original question. It is important it needs to be made clear that at audit and governance the first stage of the bypass has no approved detailed budget despite over £6m being spent to date. It is important that you have this information before you debate it.

### **Response after the meeting**

It is not correct to say that there is no approved budget for the Hereford Transport Package project. There was an approved capital budget for the Hereford Transport Package in 2018/2019 and Appendix 2 of the Capital Programme and Capital Strategy report presented to Council in February set out the capital budget and forecast position for the project as of December 2018. Appendix 3 set out the proposed budget for the project for 2019/2020.

### Question 5

#### **Mrs J Morris Hereford**

The Capital Programme 2019/20 Onwards and Capital Strategy presented to full council on 15 February, contains this provision – "25. The Hereford Transport Package proposed budget of £3.5m in 19/20 will enable support of landowners who are impacted by the scheme to be provided subject to appropriate governance decisions." Appendix 2 of the papers provided to this Scrutiny meeting state that the expenditure of £3.65m is required to fund "detailed design and consultation of the preferred route" etc. How is the budget for the £3.65million split between "support of landowners" and the "design and consultation" fees?

### **Response**

Thank you for your question. The issue raised is included within the grounds for call in as set out in the report published with the agenda and will be explored by the committee.

### **Response after the meeting**

The £3.65m budget for 2019/20 includes estimated costs for consultation with landowners of £238,885 and a contingency allocation of £820,295. This contingency funding will be held to support the costs of any support for landowners identified in the consultation. Requests for support will be considered on a case by case basis and use of the contingency funding would be subject to further governance.

### Question 6

#### **Mrs C Palgrave How Caple**

The decision that has been called-in is undoubtedly politically sensitive, and I would like the committee to require the Cabinet member to explain why it was made during the election purdah period.

#### **Response**

Thank you for your question. The issue raised is included within the grounds for call in as set out in the report published with the agenda and will be explored by the committee.

### **Response after the meeting**

The project is an approved scheme within the Capital Programme and Cabinet last July approved further work to develop the project. This is a major project which will span several years and an overall programme to deliver the project is in place. Any part of the capital programme can be altered in a new administration and this can be managed within the public realm contract. Purdah guidance is clear that business should continue as normal in relation to projects that have policy approval.