

Supplement to the agenda for

Council

Friday 5 March 2021

10.00 am

Online meeting only

	Pages
3. MINUTES	3 - 36
 To correct the minutes of the extraordinary meeting of 2 February 2021 to include a declaration of interest by Councillor David Hitchiner.	
 To correct the minutes of the budget meeting of 12 February 2021 to include the resolution of the Council with respect to the 2021/22 Capital Investment Budget and Capital Strategy Update.	

Minutes of the meeting of Council held at Virtual Meeting on Tuesday 2 February 2021 at 2.00 pm

Present: Councillor Sebastian Bowen (chairperson)
Councillor Kema Guthrie (vice-chairperson)

Councillors: Graham Andrews, Paul Andrews, Polly Andrews, Jenny Bartlett, Chris Bartrum, Christy Bolderson, Dave Boulter, Tracy Bowes, Ellie Chowns, Pauline Crockett, Gemma Davies, Barry Durkin, Toni Fagan, Elizabeth Foxton, Carole Gandy, John Hardwick, John Harrington, Liz Harvey, Jennie Hewitt, Kath Hey, David Hitchiner, Phillip Howells, Helen I'Anson, Terry James, Peter Jinman, Tony Johnson, Graham Jones, Mike Jones, Jim Kenyon, Jonathan Lester, Trish Marsh, Bob Matthews, Mark Millmore, Jeremy Milln, Felicity Norman, Roger Phillips, Tim Price, Paul Rone, Alan Seldon, Nigel Shaw, Louis Stark, John Stone, David Summers, Elissa Swinglehurst, Paul Symonds, Kevin Tillett, Diana Toynbee, Ange Tyler, Yolande Watson and William Wilding

Officers: Director for children and families, Director for economy and place, Interim Head of Legal Services, Democratic services manager, Director for adults and communities and Solicitor to the council

33. APOLOGIES FOR ABSENCE

There were no apologies for absence.

34. DECLARATIONS OF INTEREST

Councillor Tracy Bowes declared a Schedule 1 interest in agenda item number 5, Hereford Transport Strategy, as the owner of property adjacent to the proposed route of the Western Bypass. She outlined the dispensation granted by the monitoring officer to remain in the meeting to participate in the debate and vote.

Councillor Graham Andrews declared a Schedule 1 interest in agenda item number 5, Hereford Transport Strategy, as the owner of property adjacent to the proposed route of the Western Bypass. He outlined the dispensation granted by the monitoring officer to remain in the meeting to participate in the debate and vote.

Councillor Christy Bolderson declared a Schedule 1 interest in agenda item number 5, Hereford Transport Strategy, as the owner of property adjacent to the proposed route of the Southern Link Road. She outlined the dispensation granted by the monitoring officer to remain in the meeting to participate in the debate and vote.

Councillor David Hitchiner declared a Schedule 1 interest in agenda item number 5, Hereford Transport Strategy, as the owner of property adjacent to the proposed route of the Southern Link Road. He outlined the dispensation granted by the monitoring officer to remain in the meeting to participate in the debate and vote.

Councillor Jeremy Milln declared a Schedule 2 interest connected to but not directly related to agenda item number 5, Hereford Transport Strategy, as a committee member

of Hereford and Worcester Gardens and Parks Trust and as a member of the Hereford Transport Alliance.

Councillor Bob Matthews declared an other interest in agenda item number 5, Hereford Transport Strategy; his electoral ward was impacted by the Western Bypass proposal.

Councillor David Summers declared an other interest in agenda item number 5, Hereford Transport Strategy; his electoral ward was impacted by the Western Bypass proposal.

35. QUESTIONS FROM MEMBERS OF THE PUBLIC

A copy of the public questions and written answers, together with supplementary questions asked at the meeting and their answers, is attached to the Minutes at Appendix 1.

36. HEREFORD TRANSPORT STRATEGY

Council considered a report by the cabinet member infrastructure and transport concerning the Hereford Transport Strategy.

The monitoring officer provided clarification relating to predetermination and bias.

The cabinet member environment, economy and skills apologised to the Council for comments she had made ahead of the meeting.

The cabinet member infrastructure and transport proposed the recommendations in the report and during his introduction he made the principal points below:

- The report asked Council to agree to: the discontinuation of the South Wye Transport Package (SWTP) including the Southern Link Road and the Hereford Transport Package which together comprised the western bypass; removal of the projects from the capital programme; and utilisation of reserves to cover the de-capitalisation of the schemes.
- The proposal would enable a transport strategy to focus on projects to encourage modal shift, improve methods of school travel and the introductions of better forms of public transport.
- There would be consideration of an eastern crossing of the river Wye near Rotherwas.
- The proposal was consistent with the climate emergency declaration and national targets to reduce carbon.

The cabinet member finance and corporate resources seconded the recommendations in the report and made the principal points below:

- Over the previous 15 years an excess of officer time and money had been spent on road building projects that would not provide the congestion relief necessary in Hereford.
- The schemes were undeliverable and unaffordable. Solid investment in buses bikes and bridges was necessary to deliver local solutions and improvements.
- Ear marked reserves would be utilised to meet the need to decapitalise the projects.

During the course of the debate members of the Council raised the principal points below:

- The implementation of local travel measures on the A49 and the relationship with Highways Agency.
- Planning considerations for an Eastern bypass of Hereford.
- The need to balance the requirement for economic development with ecological impact.
- The lack of evidence to support the building of a western bypass.
- Improvements to bus services and walking and cycling infrastructure would help to address congestion in Hereford.
- Concern that the construction of a western bypass would result in a significant increase in housing that would be developed before the completion of the bypass.
- The importance of undertaking measures to address air quality in Hereford.
- Active travel measures would help reduce congestion in Hereford and required effective implementation.
- Improvements to cycling safety were raised and the importance of continuing cycling infrastructure projects contained in the SWTP.
- The proposals for increased car parking charges could penalise residents from rural areas where there was not extensive public transport provision.

There was a brief adjournment at 3.32 p.m., the meeting reconvened at 3.50. The debate continued with the principal points raised below:

- The infrastructure contained in the western bypass and southern link road projects would facilitate and manage growth. It would assist in the delivery of major projects and attract business.
- The impact of cancellation of the schemes on house building targets in the county.
- The western bypass would reduce traffic in Hereford and allow for the implementation of active travel measures.
- A bypass could ensure that short journeys in Hereford were taken out of the city centre and avoid the single river crossing.
- The high cost of the schemes was raised and the relatively low value for money rating they achieved.

Amendment - That recommendation (a) and (b) be split into amendments (a), (b) and (c) as follows:-

(a) Proceed with the progress of the South Wye Transport Package projects, including :-

- 1. A southern link road route between A49 and A465.*
- 2. Pedestrian crossing improvements to Belmont road and A49 in Hereford urban area.*
- 3. Cycle and walking provision on and off road at A49 and A465*
- 4. Residential cycling schemes in Belmont and Bullingham and consider how the approved route will facilitate a second river crossing.*

(b) Stop the progress of the western bypass scheme which is included in the adopted policy.

(c) Make an amendment to the capital programme such that the Hereford Transport Plan is removed from the programme.

Councillor Jim Kenyon proposed and introduced the amendment above. He explained that the amendment was an attempt to achieve a compromise. He supported an eastern

river crossing and eastern bypass route to extend as far as the Ledbury Road. A southern link road route was proposed which could deviate from the line of the road in the SWTP. The population of Hereford was expanding which required additional infrastructure including a southern link road.

Councillor Bob Matthews seconded the amendment and explained that he opposed a western bypass and favoured an eastern route and river crossing. The cancellation of the western bypass and the southern link road in its present form was supported however a more cost effective and sustainable route should be developed which took account of elements of the existing plans. A link between the A465 and A49 was essential: for vehicles to access the enterprise zone; to facilitate a proposed eastern crossing; and to reduce vehicle emissions on the Belmont Road.

Members of the Council debated the amendment and raised the principal points below:

- Doubt was expressed regarding the proposed amendment and the route of a southern link road and how this impacted on the de-capitalisation of the current scheme.
- Traffic accessing Rotherwas was currently using residential roads through the southern side of Hereford, a southern link road would remove this traffic from such roads and support the introduction of active travel measures.
- A southern link road would assist growth and jobs and support the enterprise zone by linking to the Rotherwas access road.
- Decapitalisation costs of £11.833m would be met from the financial resilience reserve.
- The southern link road scheme was an advanced project which had secured planning permission and for which compulsory purchase orders had been issued.
- To avoid decapitalisation of the route it was understood that the existing southern link road route would need to be used.
- The procurement process for the southern link road was considered flawed and the business case had not been produced in time to access funding.
- There was concern regarding the environmental impact of the route of the southern link road which passed through ancient woodland. Further planning permission would be required for the route and network rail had raised an issue concerning the height of the proposed road.
- Increased investment, the upgrading of existing infrastructure and improved connectivity should be considered to improve travel in the South Wye area in preference to the building of a southern link road.
- There was insufficient infrastructure south of Hereford to support house building strategies which the SWTP would provide.
- The resilience reserve was being used to avoid spending additional money on the projects. £5m in revenue spending had been allocated to the projects which should have been spent on existing roads, active travel measures and improved buses. The amendment would divert money from these measures and would not relieve traffic problems in the city.
- The amendment was inconsistent with the climate and ecological emergency declared by Council.
- Confusion was expressed over the route of a southern link road proposed in the amendment.

Councillor Harrington, as the mover of the original motion, in his right of reply explained his confusion over claims that parts of the southern link road would not be decapitalised. He stated that it was a flawed scheme that would not work in isolation and agreeing to the amendment would likely delay progress to a proposed eastern river crossing. It was important that projects to achieve modal shift were taken forward swiftly to provide congestion relief that was consistent with the climate emergency.

Council voted on the amendment. The amendment was lost by a simple majority of Council.

Council voted on the original recommendations in the report. The original recommendations in the report were carried by a simple majority of Council.

RESOLVED: That council determines to:

- (a) Stop the progress of the southern link road and western bypass schemes which are included in the adopted policy; and**
- (b) Make amendments to the capital programme such that the Hereford Transport Package and South Wye Transport Package projects are removed from the programme.**

Appendix 1 - Questions from members of the public

Question Number	Questioner	Question	Question to
PQ 1	Mrs Protherough, Birch Hill	I very much appreciate all the hard work and consideration which has contributed to the Transport Review and note the commitment to providing an affordable, safe and secure transport system for all sectors of society, and to follow the principles set out in the governments 'Inclusive Transport Strategy' 2018. Taking into account that older and disabled people probably make up a quarter of our population how is this going to be achieved for this sector of society in an inclusive and well informed manner?	Cabinet member Infrastructure and Transport
<p>Response:</p> <p>As is referenced in the question, the review process has taken into account inclusivity and this formed an important component of the assessment framework which assisted cabinet in determining its preferred strategy and the importance of increasing investment in public transport.</p> <p>Ongoing development of the preferred strategy will be informed by government guidance including its Inclusive Transport Strategy, public and stakeholder consultation and reference to local demographic information which includes information on age and disability. We will of course seek to ensure that we capture information in our consultation and engagement which enables us to understand the specific views of people with protected characteristics and particularly those with limited transport choice at present.</p>			
PQ 2	Ms Stace, Leominster	Herefordshire Wildlife Trust (HWT) supports cessation of all work on southern link road and western bypasses but remains opposed to the concept of an eastern bypass. This would have severe detrimental consequences on the environment, including the Lugg Meadows Site of Special Scientific Interest (SSSI), the River Lugg SSSI and Special Area of Conservation and breeding curlews, a Red Data Book bird. We are also concerned about future pressure that such development might have on land north of the A428, including Lammas meadows owned and managed as Nature Reserves by HWT and Plantlife. Given the recent declaration of Climate and Ecological Emergency, and previous rejections of this eastern route on environmental grounds, how could the Council justify investing further funding to develop such a proposal. Will the Council therefore also reject Package E on the grounds on unacceptable environmental damage?	Cabinet member Infrastructure and Transport
<p>Response:</p>			

I understand the concerns raised by the questioner in respect of the important environmental assets to the east of Hereford. I can confirm that the development of an eastern link between Rotherwas and the A438 Ledbury Road will include the appropriate assessment of all potential impacts and this will inform the process of identifying, initially, a corridor and then route options followed by identification of a preferred route. This process will include consultation and engagement with all relevant stakeholders and statutory bodies. It is important to note the entire Cabinet remains opposed to an 'Eastern Bypass' but recognises the resilience driven need to fully consider an Eastern crossing, going no further than the Ledbury road.

Supplementary Question:

Can reassurance be provided that environmental impact and damage will be rigorously considered in the question of an eastern bypass?

Response to supplementary question - Cabinet Member:

If an eastern link road was shown to be a solution to improve resilience, the current administration did not intend to take an eastern link road, beyond the Ledbury road and all necessary impact assessments would be considered fully.

PQ 3	Mr Morfett, Breinton	The South Wye Transport Package is now clearly a zombie project with no prospect of funding in the remaining term of this Coalition Council. If it was never-the-less retained in the capital budget would it hamper the Council's emergency response to Climate Change introducing modern sustainable transport solutions, by adding further delays on improvements to existing roads, road/rail bridges, cycle networks and new electric bus services?	Cabinet member Infrastructure and Transport
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Response:

Removing the SWTP from capital programme does not free up any capital funds for alternative projects as the funding for this scheme has already been withdrawn following the termination of the funding agreement by the Marches LEP.

In general terms however, not progressing the southern link road and the western bypass will allow all available resources to focus on the alternative transport measures included in our preferred strategy. These were set out at the cabinet meeting of 3 December 2020 and have been summarised in the report to council at paragraphs 22 to 24.

Supplementary Question:

With all due respect you have not answered my question. I asked if retaining the SWTP as an unfunded 'zombie' project would hamper the Council's emergency response to Climate Change introducing modern sustainable transport solutions?

Would it not seriously hamper new designs?

For example:

Mass transit options along the Abergavenny corridor include reopening the Pontrilas rail station to reduce commuter and school traffic into Hereford on the Belmont road, supported by our MP and Welsh government.

Surely this would be far less of a priority if you retained the unfunded SWTP?

In the previous administration all sustainable transport infrastructure was planned to be implemented after road construction.

Since the SWTP project was 'dead on arrival' having its funding withdrawn by the Marches LEP even before a strategic review was completed, is there not a clear case for a clean sweep on designs to enable an urgent response to the Climate Emergency ?

Response to supplementary question - Cabinet Member:

The SWTP does not work and southern link road does not serve a purpose. In a sense it is a zombie project, it has no funding, requires additional planning permission and

<p>business cases to be completed. Until a river crossing is achieved or other measures achieved it will not produce congestion and pollution reduction in the south wye area. Other measures could be implemented much quicker and the active travel measures can be retained. The resource implications are large and only limited project resource exists in county therefore there is a need to focus on sound projects in the capital programme.</p>			
PQ 4	Mr Palgrave, Hereford	<p>The Hereford Transport Review's assessment framework was based on four key themes - Economy, Society, Environment and Climate Emergency - which underpinned the appraisal of an initial long-list of 18 possible interventions. Two interventions included the Southern Link Road as a component part of bigger schemes (Option 14, full Eastern bypass, and Option 18, full Western Bypass). The long-list did not include a standalone Southern Link Road nor a combination of the SLR with the proposed short Eastern Link between Rotherwas and the A438 in Tupsley. Can the Cabinet Member confirm that if Council decide to reject Cabinet's decision and vote to keep the SLR - either standalone or combined with Eastern Link - that the same comprehensive assessment using the Transport Review methodology would be required to inform a decision whether to proceed or not with the SLR?</p>	Cabinet member Infrastructure and Transport
<p>Response:</p> <p>Cabinet was not bound by the 6 package combinations looked at in the final stages of the review and determined to select a blended package which identified a combination of interventions not specifically assessed as a single package in the review. As such I do not believe that we would need to undertake a re-run of the review if council determined not to support the stopping of the southern link road and/or the western bypass but as identified by Mott MacDonald in the peer assessment of the prior SLR assessment and consultation process, national policy has changed and we would, particularly in relation to ecological, environmental and climate emergency factors, as far as I understand, need to rerun those elements of the work previously done. If council does not support the stopping of the two schemes cabinet would need to consider how to proceed and take advice from the statutory officers.</p>			
<p>Supplementary Question:</p> <p>Thank you for your answer, which confirms that the preparatory work done so far on the Southern Link Road is likely to need updating to reflect movement in national and local policy on climate change. Variations have been made to the design of the SLR since planning permission was granted in 2016, and I understand officers have said that further permissions will be needed for these variations before the SLR design and procurement can be taken forward.</p> <p>Together with the absence of funding, would you agree with me that these points illustrate the SLR is far from a shovel-ready project?</p>			
<p>Response to supplementary question - Cabinet Member:</p> <p>Yes – I agree entirely.</p>			
PQ 5	Mrs Palgrave,	Would the Cabinet member for Infrastructure please confirm the position regarding the provisional allocation of money from the	Cabinet member Infrastructure

	Hereford	Marches LEP Local Growth Fund for the South Wye Transport Package (SWTP). The arrangement as I understand it was that release of the £27m from Marches LEP was conditional on Department for Transport review and approval of a final business case, which I believe was not completed. Has the Marches LEP Local Growth Fund allocation for the SWTP now been irrevocably withdrawn?	and Transport
Response: Yes. The local growth funding agreement for the South Wye Transport Package was terminated and funding withdrawn by the Marches LEP following a majority vote of its Board at its meeting of 27 January 2020. The administration does not agree with the approach taken by the LEP and is strongly resisting the LEP's attempt to clawback the monies already provided and spent by the council on the package. A business case for this project was not completed and the procurement process for the tendering of the road building element to a contractor was not completed and was formally terminated.			
PQ 6	Mr Franklin, Bromyard	The Critical Friend Review (Appendix D) highlights uncertainty introduced by Covid-19 and suggests that travel patterns may change considerably. It seems certain that local businesses have suffered with consequent losses of employment and erosion of the revenue base. We may also see erosion of public transport and greater car use with people finding employment further afield plus additional vehicles if the proposed housing developments go ahead. The Critical Friend Review suggests development of multiple scenarios in response to the uncertainties. Have alternative scenarios been developed which would enable Councillors to consider whether continuation with the SLR and Western Bypass, with consequent stimulus to development and employment, which will surely be badly needed, and avoiding the write-off of £11.8 million of reserves which may also be badly needed, should be re-examined in the light of the impact of the Covid emergency?	Cabinet member Infrastructure and Transport
Response: Firstly, as I understand it, the reduction in the usage of public transport is widely believed to be a temporary issue and directly related to concerns around safe distancing and COVID-19 infection potential. As the country is vaccinated this risk will decrease and the belief is that a return to greater use of public transport will follow, most likely within the next 12 months. Therefore it is entirely sensible and appropriate to consider what measures locally could drive an increase in bus service provision and usage' – ideally along a Herefordshire 'Hopper' model of collaboration. The focus of provision of an improved and larger local bus network is entirely in line with the direction from Central Government and the DfT, with the minister, Grant Shapps ascertaining that, "We will use our cars less and be able to rely on a convenient, cost-effective and coherent public transport network." The Hereford Transport Strategy Review (included at appendix 3 of the council papers)			

identified the potential future trends and scenarios which might impact transport strategy requirements over the longer term (pages 33 and 34) advising for the need for an agile and flexible approach. Alongside current DfT forecasts for transport the review also included an assessment of a scenario in which long term effects of covid might see a sustained reduction in commuting traffic (page 96).

With this in mind the cabinet selected a blended package which combines a range of different types of transport intervention including better walking and cycling infrastructure, behavioural change, shared mobility, mobility hubs, investment in public and school transport, demand management and some additional road building. This will provide flexibility as we move forward. Cabinet wished to consider if any new road building was required and the review allowed us to look at alternatives with and without new roads and ultimately enabled us to make a selection which we feel represents the best value for money, will improve choice and resilience and also support local growth. Whilst it will be important to maintain a focus for this strategy, which will provide a strong basis to develop clear and specific bids for external funding, we note the advice provided by the review to remain agile and flexible due to the acknowledged uncertainty of the future. We do not feel that this agility and flexibility should include ongoing uncertainty for people living in the vicinity of the western bypass and southern link road and do not see any value in maintaining these schemes as we pursue the preferred strategy.

Supplementary Question:

It seems to me that the short answer to my question is "NO". In my original question here and that to Cabinet on January 21, and I thank the Cabinet member for his response, I have attempted to discover whether adequate cost benefit analyses were carried out and whether these would support the change in transport policy. It would seem that these analyses do not exist and I am left with the impression that thus far the proposed policy change rests almost entirely on qualitative judgements, which are necessarily subjective. What steps have been taken to ensure that throughout the process of policy change from the initial announcement of pause and review, through the selection of consultants and the scoping of the review, the selection of options for consideration, and future implementation, that obtaining best value for money and the best outcome for the citizens of Herefordshire, as a whole, can and will be demonstrated?

Response to supplementary question - Cabinet Member:

In any consultation or analysis there was not perfection and the high level review undertaken by our consultant was based on quantitative and qualitative assessments. The majority were qualitative assessments by experts taking modelling into account. I am satisfied that the review was done to good enough standard; a judgement Mott Macdonald also reached.

PQ 7	Dr Geeson, Hereford	We read that the purpose of the review was to "ensure any major scheme has a positive impact on the county to address travel issues, such as congestion and air quality". Building the Southern Link Road would mean a Traffic Regulation Order on the A465 Belmont Road to stop lorries using that, therefore adding to traffic on the A49. Even if an eastern bridge were built, there would be likely to be restrictions affecting HGVs on that route. So please can you confirm that building the Southern Link Road on its own would be likely to increase congestion and air pollution on the A49 Ross Road?	Cabinet member Infrastructure and Transport
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Response:

As per the evidence presented at the SWTP Compulsory Purchase Order Public Inquiry, autumn 2018, if the Southern Link Road was built on its own, traffic on some sections of the A49 Ross Road would increase and on other sections traffic would decrease. Most of the increases are adjacent to the SLR roundabout as traffic re-routes to use the new road. However, most of the links on the A49 corridor south of the River Wye are forecast to experience a reduction in traffic flow upon construction of the SLR. These are 'net' effects with some traffic diverting to the new route, thereby creating spare capacity on the A49, some of which has been partially filled by other traffic.

Supplementary Question:

Most heavy traffic approaching Hereford city from the south uses the A465 Abergavenny Road or A49 Ross Road, converging at ASDA roundabout and Greyfriars Bridge. A Southern Link Road would link these roads, completing a triangle. As I understand it, if the SLR were built, a Traffic Regulation Order would put restrictions on the types and therefore numbers of vehicles using the Belmont Road. This was to facilitate measures such as a bus lane. Imagine a lorry coming north towards Hereford from Pontrilas on the Abergavenny Road. At the junction with a new SLR, due to new restrictions it would turn right onto the SLR. If it needed to access Hereford city it would then turn left onto the A49 Ross Road at Grafton roundabout. Surely such lorries would add to traffic already using the A49 Ross Road increasing congestion and air pollution in e.g. Redhill?

I have looked at the modelling figures you mention in the reply to my first question. As you say, they show some decreases in traffic flow on parts of the A49, which seems strange in the light of the proposed Belmont Road restrictions. Please can you explain how such decreases in traffic flow could happen? Perhaps the model assumes a large volume of traffic from the SLR travelling E to Rotherwas rather than N to Hereford city, but is that likely?

Response to supplementary question - Cabinet Member:

The original modelling shows an increase and a reduction in the Ross Road, it shows an increase around junctions and decrease on some other parts but the assessment was undertaken without factoring in induced demand. The work on the Hereford transport strategic review most recently undertaken did factor in induced demand. Before the question was answered definitely a further understanding was required through engagement with the consultants but without another river crossing traffic would only be able to transfer between the A465 and A49.

PQ 8	Ms Sharp, Hereford	The school run increases congestion at peak times by over 50% on some key routes into Hereford. In particular the largest area of Hereford that generated the most traffic in the city, much more than any employer, is the North East quadrant of the City. By delivering on Safer Routes to School and improving school transport, how much could congestion be reduced at peak times?	Cabinet member Infrastructure and Transport
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Response:

I believe that Safer Routes to School and improving school transport can make a significant contribution to reducing congestion. Whilst the review did undertake assessment of safer routes to school and school transport as individual options (options 3 and 4 respectively with assessment summaries at 103 and 104 of the report at appendix 3 of the council papers) they were not options which could be specifically modelled in detail. As components of package A and B we do have an assessment of impact on various aspects of congestion and these include:

- 15% forecast reduced delay at junctions across the city
- 7% forecast reduced delay at junctions in the city centre

- 2% reduction in journey terms along key corridors

These figures relate to a comparison with do minimum (no new transport improvements) for the forecast year of 2026.

Supplementary Question:

Historically there has been little to no capital funding to help schools deliver ambitions for active school travel plans and school playing fields have been sacrificed to provide increased car parking.

With some areas of Hereford suffering much higher levels of childhood obesity levels than the national average, is the prioritisation of safe, active travel measures to school in Hereford supported by the Children and Young People Scrutiny Committee & Directorate as well as the Health & Wellbeing Board and the Public Health officer?

Responses to supplementary question:

Chairperson of children and young people scrutiny committee

The committee had undertaken some work on childhood obesity and diabetes. Government had put certain measures in place to reduce childhood obesity which was key to addressing childhood obesity which the pandemic would have impacted upon.

Cabinet member children and families

The Children and Families directorate was keen to encourage children to walk to school and recognised obesity problems. The cabinet member infrastructure and transport was being consulted on what further steps could be taken to encourage active travel to schools and was something that would be taken forward together with green school travel plans.

Chairperson of the health and wellbeing board

The concern regarding childhood obesity was felt by the health and wellbeing board and the item was on the board's agenda. It was being looked at with the assistance of the public health team.

Cabinet member infrastructure and transport

The problem relates to an underlying problem that there used to be proper funding for school travel plans and there used to be more effort to work with schools to provide provision and training for cycling and pedestrians but the little revenue that was dedicated to such initiatives had been directed towards the two large road schemes more recently. There has been a disadvantage created by the desire to pursue road schemes against a more balanced approach.

PQ 9	Mrs Richards, Hereford	The Transport report makes mention that without new road infrastructure, strategic housing sites in Hereford may not be built out to the inflated housing levels planned in the Core Strategy. According to the Core Strategy, the City Link Road would help unlock land for 800 new homes in the Urban Village. How many new homes for local people, particularly affordable homes, have been delivered in the Urban Village since the road was completed and opened 3 years ago?	Cabinet member Infrastructure and Transport
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Response:

The Core Strategy in policy HD2 proposes that around 800 new homes will be accommodated in Hereford City Centre over the plan period 2011-31, which includes development within the urban village.

Between April 2011 and April 2020 (which is the last monitoring period) there had been 372 housing completions in the central area 181 of which had been completed in the three years since 2017-18. In addition, there were 188 outstanding planning permissions as of April 2020.

In respect of affordable housing, 76 have been provided in the past three years in central Hereford with a further 74 anticipated to be delivered in the next few months.

Consideration is also being given to the opportunity to bring forward housing on Council owned sites in the vicinity of the city link road.

Supplementary Question:

Please confirm that the real reasons why housing at 3 Elms, in the Urban Village and Lower Bullingham has not been developed as proposed by the adopted Core strategy, is not to do with the lack of a new 60mph road through the new housing estates in the West of the City, but: -

- a) the inflated housing growth figures;
- b) the flood risk associated with the proposed development sites in Hereford;
- c) the risk of contamination of underground fresh water supplies to 2 of the largest employers in Hereford, posing a risk to over 5,000 jobs in the city and more within the supply chain?

Response to supplementary question – Cabinet Member:

In essence it is correct, permission already exists for development to begin if other conditions are met. The planning inspector of the core strategy did not base their acceptance of the allocations of development in the west of Hereford on the provision of a bypass. The issues that are holding up the developments are outlined in the supplementary question.

PQ 10	Mrs Morawiecka, Breinton	Core Strategy Policy HD5 Western Urban Expansion allowed for a minimum 1,000 new homes, “a mix of market and affordable house sizes and types that meet the requirements of policy H3 and the needs identified in the latest version of the Herefordshire Local Housing Market Assessment”. The developer informed Herefordshire Council that contributing to a Western Relief Road would make it unviable to deliver 35% affordable housing out of the 1,200 units in their planning application, 20% more homes than in the Core Strategy. This site is well linked to schools, employment and the city centre by flat cycling infrastructure and regular bus services, which could be enhanced further with developer contributions. Surely cancelling the Western Bypass is an opportunity to promote truly sustainable development, whilst delivering much needed affordable housing, designed around people rather than the car?	Cabinet member Infrastructure and Transport
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Response:

The question refers to an historic position taken by the developer of the site (HD5) which has been updated to confirm their intention to comply with the requirement for affordable housing.

As is set out in the report to council, we will need to continue working with developers to ensure that any planning applications comply with Policy HD3 of the core strategy on Hereford Movement and include robust assessment of their transport impacts and identify and contribute to any mitigation required for the development to proceed. In addition, policy H1 states that evidence of housing need and an assessment of viability of developments will be necessary where viability is questionable.

I agree that cancelling the Western Bypass is the right thing to do and the preferred transport strategy does indeed represent an opportunity to support sustainable development and for developers to bring forward such development, with significant investment in active travel measures and passenger transport.

Supplementary Question:

The Herefordshire Council Land Drainage report Nov 2020 on the 3 Elms development says:

“The bypass is also likely to require provision of floodplain compensation to the west of the bypass (in the area of the proposed employment land), the partial realignment of the Yazor Brook to move the watercourse south and facilitate an improved crossing beneath the bypass, and the provision of surface water attenuation basins that will drain to the Yazor Brook”

If the Council don't cancel the Western Relief Road, where are Herefordshire Council anticipating the 1,200 new householders work when the construction of the road requires the 3 Elms Employment site to become a vast flood plain, upstream of the City and what risk does this new flood plain pose to the city of Hereford situated downstream of this location, considering weather events in recent years?

Response to supplementary question – Cabinet Member:

There are issues associated with bringing forward this site in relation to flood plains, the water table and to ensure the two large businesses nearby were not impacted adversely. It was a question that the council would need to consider further.

PQ 11	Ms Smith, Hereford	<p>We would like to know why Huntington Hamlet Association was not invited to attend a meeting with Herefordshire Council, Developers, Church Commissioners with reference to the proposed Western Bypass. The Consultants reports stated that 3rd party consent would be required from the Landowners with Riperian Ownership in Huntington Hamlet as the Yazor Brook, SINC, flowed through their land forming a pond at Huntington House Grade II and Huntington Court Grade II with a lake flowing through 4 acres.</p> <p>All activities undertaken to build the Western Bypass and bridge over the Yazor Brook which cause water pollution, increase the water levels causing flooding further downstream to Huntington Hamlet without the consent of the Riperian Owners will result in legal action being taken against all persons responsible. The developers have already stated that they cannot guarantee 100% protection.</p>	Cabinet member Infrastructure and Transport
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Response:

Technical meetings were held between the consultants progressing the HTP and consultants supporting the development of the Three Elms planning application to

consider the delivery/impacts of delivering both projects. These were initial technical fact findings meetings not stakeholder events and these ceased at the point at which the HTP was paused.

Supplementary Question:

In 2015 we advised Herefordshire Council to conduct a full land survey, including FRA on the southern and northern boundaries of the Roman Road but no action taken. There are many overground and underground streams in the area which have not been identified or mapped. Those on the northern boundary flow under the Roman Road to Yazor Brook Sire of Importance for Nature Conservation (SINC). Huntington Hamlet and surrounding areas increasing the flood risks south. We are asking Herefordshire Council to conduct a survey as a matter of urgency.

Due to Climate Change storms have become more frequent, winters wetter and the land waterlogged. Flood events increasing and water levels rising rapidly over wider areas not known to previously flood. Due to planning applications (PAs) being passed on flood plains Sustainable Urban Drainage Systems (SuDS) drainage being used, surface waters cannot always be contained on site.

Response to supplementary question – Cabinet Member:

This concerns a period prior to my role as cabinet member and a written response can be provided. I appreciate the ecological value of the area around Huntington and Yazor Brook and if there is good evidence to take forward a study it would be supported.

PQ 12	Mr Price, Preston-on-Wye	<p>In response to public questions at Cabinet 21 Jan, Cllr Harrington said “. The Western Bypass package, is forecast to cost £261 million.”</p> <p>The technical review costs for HTP bypass including the SLR are estimated as £190m.</p> <p>The table at Agenda item 34 shows the total costs to date, of the HTP and SWTP as £17.764m with no revenue costs on the SWTP.</p> <p>Please explain how in one week the cost of the western bypass can change by £71m and the total cost of these projects to date aren't showing non-capitalised revenue spend for SWTP; what are the full costs that should be included in the table, and an explanation given as to what “earmarked” projects won't be delivered because of decapitalising these costs?</p>	Cabinet member Infrastructure and Transport
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Response:

I can clarify that the cost of £261m refers to the full estimated cost of package A+C+D as assessed in the review. Package D is the western bypass and southern link road with a combined estimated capital cost of £190m. The difference in the two figures of £71m is the estimated capital costs associated with package A (active travel measures) and package C (demand management including bus priority).

The table at paragraph 34 of the report shows the full costs of the Hereford and South Wye Transport Packages with final costs estimated to give an overall cost of £17.764m, including all revenue and capital spend. The tables are accurate and SWTP feasibility

was treated as capital throughout as feasibility can be capital spend as there would potentially have been an asset created at the end of the project and therefore all costs included as capital. HTP was treated as revenue as per CIPFA guidance until a route was chosen as costs on option appraisal and options not being progressed is not eligible capital spend and at that point costs are then treated as capital included feasibility etc.

The use of earmarked reserves to cover the decapitalisation costs of the HTP and SWTP does not impact any planned projects.

Minutes of the meeting of Council held at Online meeting only on Friday 12 February 2021 at 10.00 am

Present: Councillor Sebastian Bowen (chairperson)
Councillor Kema Guthrie (vice-chairperson)

Councillors: Graham Andrews, Paul Andrews, Polly Andrews, Jenny Bartlett, Chris Bartrum, Christy Bolderson, Dave Boulter, Tracy Bowes, Ellie Chowns, Pauline Crockett, Gemma Davies, Barry Durkin, Toni Fagan, Elizabeth Foxton, Carole Gandy, John Hardwick, John Harrington, Liz Harvey, Jennie Hewitt, Kath Hey, David Hitchiner, Phillip Howells, Helen I'Anson, Terry James, Peter Jinman, Tony Johnson, Graham Jones, Mike Jones, Jim Kenyon, Jonathan Lester, Trish Marsh, Bob Matthews, Mark Millmore, Jeremy Milln, Felicity Norman, Roger Phillips, Tim Price, Paul Rone, Alan Seldon, Nigel Shaw, Louis Stark, John Stone, David Summers, Elissa Swinglehurst, Paul Symonds, Kevin Tillett, Diana Toynbee, Ange Tyler, Yolande Watson and William Wilding

Officers: Director for children and families, Director for economy and place, Interim Head of Legal Services, Democratic services manager, Acting Director of Public Health, Director for adults and communities and Solicitor to the council

37. APOLOGIES FOR ABSENCE

There were no apologies for absence.

38. DECLARATIONS OF INTEREST

Councillor Felicity Norman declared a schedule 2 interest in agenda item no. 8, 2021/22 Capital Investment Budget and Capital Strategy Update, as a member of the LARC (Grange Court) management committee.

Councillor John Stone declared a schedule 2 interest in agenda item no. 8, 2021/22 Capital Investment Budget and Capital Strategy Update, as a member of the LARC (Grange Court) management committee.

Councillor Roger Phillips declared an other interest in agenda item no. 10, Pay Policy Statement, as the vice chairman of the national joint council (NJC) for local government services.

39. MINUTES

RESOLVED: That the minutes of the ordinary meeting of Council on 11 December 2020 and the extraordinary meeting of Council on 22 January 2021 be confirmed as a correct record and signed by the Chairman.

40. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS

Council noted the Chairman and Chief Executive's announcements as printed in the agenda papers and in the supplement published on 10 February.

41. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 11 - 12)

A copy of the public question and written answer is attached to the Minutes at Appendix 1.

42. QUESTIONS FROM MEMBERS OF THE COUNCIL (Pages 13 - 18)

A copy of the Member questions and written answers, together with supplementary questions asked at the meeting and their answers, is attached to the Minutes at Appendix 2.

43. 2021/22 COUNCIL TAX REDUCTION SCHEME

Council considered a report by the Leader to agree the council tax reduction scheme for 2021/22.

The Cabinet Member Finance and Corporate Services proposed the council tax reduction scheme for 2021/22, with increased discounts compared to the existing scheme, for approval. In introducing the report it was explained that changes to the scheme responded to current economic pressures and provided broader support to people who were out of work. The changes to the scheme had been supported during the consultation exercise.

The Leader seconded the council tax reduction scheme for 2021/22 for approval and explained that there was a need for the changes proposed in the scheme for 2021/22 to respond to difficult times.

The principal points below were raised during the debate:

- The scheme would offer direct support to people who needed it most.
- There was concern for those local residents who were just above the eligibility criteria.

A named vote was held to agree the council tax reduction scheme set out in the report. The scheme was approved unanimously.

FOR (52): Councillors Graham Andrews, Paul Andrews, Polly Andrews, Bartlett, Bartrum, Bolderson, Boulter, Bowen, Bowes, Chowns, Crockett, Davies, Durkin, Fagan, Foxton, Gandy, Guthrie, Hardwick, Harrington, Harvey, Hewitt, Hey, Hitchiner, Howells, I'Anson, James, Jinman, Johnson, Graham Jones, Mike Jones, Kenyon, Lester, Marsh, Matthews, Millmore, Milln, Norman, Phillips, Price, Rone, Seldon, Shaw, Stark, Stone, Summers, Swinglehurst, Symonds, Tillett, Toynbee, Tyler, Watson and Wilding.

Against (0)

Abstentions (0)

RESOLVED: That

- (a) The council tax reduction scheme for 2021/22, with increased discounts compared to the existing scheme, is approved.**

44. 2021/22 CAPITAL INVESTMENT BUDGET AND CAPITAL STRATEGY UPDATE

Council considered a report by the Leader to approve the 2021/22 capital investment budget and capital strategy update.

The cabinet member finance and corporate services moved the report and proposed the recommendations. She explained that the report contained detail of the investment necessary to provide community facilities and infrastructure. All borrowing was subject to review and a number of projects in the capital programme had been clarified. The building of affordable housing in the county was proposed to help address a shortfall and greater investment in the market towns. Delivering projects within the capital investment budget on time and within budget was key and a new programme management scheme would oversee delivery.

The Leader seconded the report and the recommendations. He explained that the capital investment budget reflected the county plan. It proposed investment across the market towns and took advantage of government grants where possible.

In discussion the following principal points were raised:

- A sustainable transport system and the suitability of electric buses in rural areas and the future of hydrogen fuelled transport;
- The continuation of the warm homes fund;
- The support provided to the market towns was welcomed and a suggestion that similar support is provided to large parish councils;
- The investment in the enterprise zone and recent job creation;
- The absence of a large infrastructure project in the capital investment budget, such as the south wye transport package;
- Capital receipts resulting from the disposal of council assets;
- The work with Western Power Distribution to ensure the resilience of the power network to cope with an increase in electric vehicles;
- The construction of quality affordable housing to meet a shortage and the revenue cost neutrality of the scheme;
- The scheduling of active travel measures projects which could be progressed more quickly following the cancellation of the western bypass; and
- The support for the principles of the County Plan through the capital investment budget.

The 2021/22 capital investment budget and capital strategy update was put to the recorded vote and carried by a simple majority.

FOR (46): Councillors Graham Andrews, Paul Andrews, Polly Andrews, Bartlett, Bartrum, Bolderson, Boulter, Bowen, Bowes, Chowns, Crockett, Davies, Durkin, Fagan, Foxton, Gandy, Guthrie, Hardwick, Harrington, Harvey, Hewitt, Hey, Hitchiner, Howells, I'Anson, James, Jinman, Graham Jones, Mike Jones, Kenyon, Lester, Marsh, Matthews, Millmore, Milln, Phillips, Price, Seldon, Stark, Summers, Swinglehurst, Tillett, Toynbee, Tyler, Watson and Wilding.

Against (2): Councillors Johnson and Rone

Abstentions (2): Councillors Shaw and Symonds

RESOLVED: That Council:

- (a) **approve the proposed capital programme from 2021/22 attached at appendix C; and**
- (b) **approve the capital strategy document at appendix D.**

Councillors Norman and Stone re-joined the meeting.

There was an adjournment at 11.44 a.m. the meeting reconvened at 12.04 p.m.

45. 2021/22 BUDGET SETTING

Council considered a report from the Leader to set the 2021/22 budget.

The cabinet member finance and corporate services introduced and moved the budget and explained that the budget reflected the challenges presented by the COVID pandemic. The budget needed to plan for an uplift in service delivery and a reduction in income; it proposed the largest savings programme to be undertaken at the council. Pressures involved in the delivery of adults social care services had informed the decision to propose a precept of 4.99% including 3% in respect of adult social care. A wide-ranging consultation had been undertaken and support had been expressed to increase council tax to support the provision of local services.

The Leader seconded the budget and explained the significant increases to the base budgets for adults' and children's services. The council tax increase was proposed reluctantly at what was a difficult time but the increase would allow for: the expansion of the tax base; an increase in support for people unable to pay council tax; and the council to take advantage of government grants. The budget that was proposed was a balance between savings, the preservation of services and a council tax increase.

Councillor Jonathan Lester expressed concern regarding the deliverability of the savings proposals and acknowledged the strain on resources due to the COVID pandemic. The precept increase was not supported and an amendment would be considered to reduce the level of the adult social care precept by using the New Homes Bonus.

Councillor John Hardwick explained that the budget supported the County Plan and if the precept of 4.99% was not agreed it would be difficult to access additional funding from government. The consultation had engaged with stakeholders, parish councils and the scrutiny committees.

Councillor Alan Seldon explained that the savings proposed were part of a high level of savings across the public sector and the additional pressures posed by adults' and children's services were significant and could impact upon the delivery of other core services.

Councillor Terry James explained that the proposed increase in the rate of council tax was too high and would have an adverse impact upon local residents who were just outside the thresholds for the council tax reduction scheme. Reserves should be used in place of the proposed increase to the precept.

Councillor Ellie Chowns explained that the council was facing significant increase in the level of demand for services. Savings and the precept increase would meet the cost of this demand whilst support for people who were struggling and unable to afford the council tax was in place.

Councillor Bob Matthews explained that the precept increase would affect rural communities with greater levels of poverty. Parish councils were expected to provide more services and there was concern about reduced street lighting levels.

In the discussion that followed the principal points below were raised:

- The precept would impact on local residents who were financially insecure;
- The increasing cost of adult social care;
- The work of the Adults' and Communities directorate and the Talk Community programme;
- Income from the rural sparsity grant and the pressures of providing services in a rural area;
- The loss of income for local residents and redundancies;
- A typographical error under paragraph 5 of the medium term financial strategy which stated the current financial year: 2020/21;
- The requirement for efficiency savings in the budget;
- Community support for priorities including the construction of affordable housing and the provision of care for vulnerable residents;
- The increase in costs to deliver children's services and the improvement programmes currently in progress;
- The reductions in grants from central government to local government;
- Alternative methods to fund services which could be considered in preference to an increase in the precept.

Amendment 1 – Proposed by Councillor Nigel Shaw and seconded by Councillor Jonathan Lester

Replace word(s) in paragraph c of the Recommendations (the Motion) with the following:-

- c) an additional precept in respect of adult social care costs of 2% applied to council tax in 2021/22 resulting in a total council tax increase of 3.99%, increasing the band D charge from £1,573.77 to £1,636.57 for Herefordshire Council in 2021/22; deferring a 1% increase until 2022/23 in line with government policy.**

Councillor Shaw proposed the budget amendment and explained that despite the council tax reduction scheme a number of local residents would have to economise to pay the proposed precept of 4.99%. The decrease of 1% would help local residents who were struggling to meet their council tax obligations. By reducing the precept to 3.99% and deferring 1% until 2022/23 the council would send a signal to local residents that it was listening and responding to difficulties encountered by local communities due to the COVID pandemic.

In discussion the following principal points were raised on amendment 1:

- Extra investment had been dedicated to help local residents who were struggling to pay council tax;
- During the consultation there had been support for the proposed precept of 4.99%;
- The proposals to reduce the adult social care precept should have been considered at scrutiny;
- Central government should be funding the council to meet the cost of the response to COVID;
- The impact of the proposal on sustainable transport plans;

- The potential hardship caused to local residents and the reduction in their spending power of a precept of 4.99%.

Councillor Lester seconded the amendment and explained that the amendment proposed a balanced approach that used existing funds to cushion local residents against the greatest precept increase whilst ensuring a balanced budget.

Councillor Harvey, as the mover of the original motion, responded to the amendment and explained that the New Homes Bonus funds identified in the amendments was to be allocated in part to sustainable transport measures to address traffic problems and also to the council tax reduction scheme to help people struggling to pay council tax. There was disappointment regarding the late amendments to the budget as opportunities for engagement with the budget process had existed at an earlier stage.

The amendment was put to the recorded vote and was lost by a simple majority.

For (17): Councillors Bolderson, Durkin, Gandy, Guthrie, l'Anson, Johnson, Mike Jones, Lester, Matthews, Millmore, Phillips, Price, Rone, Shaw, Stone, Swinglehurst and Tillet.

Against (28): Councillors Graham Andrews, Paul Andrews, Bartlett, Bartrum, Boulter, Bowes, Chowns, Crockett, Davies, Fagan, Foxton, Hardwick, Harrington, Harvey, Hewitt, Hey, Hitchiner, Jinman, Kenyon, Marsh, Milln, Norman, Seldon, Summers, Toynbee, Tyler, Watson and Wilding.

Abstain (7): Councillors Polly Andrews, Bowen, Howells, James, Graham Jones, Stark and Symonds.

Amendment 2 – Proposed by Councillor Nigel Shaw and seconded by Councillor Jonathan Lester

‘Add an additional recommendation with the following at paragraph i’:-

- i) Defer delivery of proposed £200k savings for waste recycling, Saving S13 (appendix B, page 252). Funding the recommendation through £200k from the New Homes Bonus Funding.**

Councillor Shaw proposed the budget amendment and explained that the proposal to reduce the opening hours of the household waste recycling centres (HWRCs) was inconsistent with a priority to encourage waste minimisation. A reduction in the opening hours was likely to increase the level of fly tipping therefore the amendment proposed the use of the New Homes Bonus to defer the proposed savings.

In discussion the following principal points were raised on amendment 2:

- The amendment proposed reallocating money from sustainable travel measures which had been supported strongly by the general scrutiny committee;
- The reduction in opening hours would only be considered after other savings options, including the continuation of the booking system, had been explored;
- Concern that a reduction in opening hours would encourage fly tipping;
- The triaging of waste taken to the HWRCs should be considered to increase recycling rates and support potential income generation;
- A lack of evidence that any increase in fly tipping was linked to the introduction of the booking system over the period of the COVID pandemic.

Councillor Lester seconded the amendment and explained that the amendment was an attempt to ensure that savings did not need to be made and that the service at the HWRCs was protected.

Councillor Harvey, as the mover of the original motion, responded to the amendment and explained that the changing of the opening hours to achieve savings would only be considered after other preferable options, such as income generation and the booking system, were explored. The proposed saving was a small but important element of the savings programme; potential savings needed to be identified wherever they were possible.

The amendment was put to the recorded vote and was lost by a simple majority.

For (22): Councillors Bartrum, Bolderson, Durkin, Gandy, Guthrie, l'Anson, James, Johnson, Graham Jones, Mike Jones, Kenyon, Lester, Matthews, Millmore, Phillips, Price, Rone, Shaw, Stone, Swinglehurst, Symonds and Tillett.

Against (29): Councillors Graham Andrews, Paul Andrews, Polly Andrews, Bartlett, Boulter, Bowes, Chowns, Crockett, Davies, Fagan, Foxton, Hardwick, Harrington, Harvey, Hewitt, Hey, Hitchiner, Howells, Jinman, Marsh, Milln, Norman, Seldon, Stark, Summers, Toynbee, Tyler, Watson and Wilding.

Abstain (1): Councillor Bowen.

Amendment 3 – Proposed by Councillor Nigel Shaw and seconded by Councillor Jonathan Lester

'Add an additional recommendation with the following at paragraph j':-

j) introduction of grant scheme to fund an offer to parish councils to bid for schemes to alleviate and prevent flooding to be funded from 341k of New Homes Bonus funding.

Councillor Shaw proposed the budget amendment and explained that parish councils and lengthsman were often frustrated that they were unable to resolve local flooding issues. The amendment sought to provide funds to local parish and town councils to address perennial flooding problems.

In discussion the following principal points were raised on amendment 3:

- Parish councils had been very active and creative in seeking to address flooding problems but they required assistance;
- The fund was only a small sum of money and could help local residents affected by persistent flooding problems;
- The amendment would reallocate money dedicated to sustainable transport projects;
- The proposed fund represented only a small sum per parish council and flood alleviation schemes required significant funding;
- A system-wide approach to flooding issues needed to be undertaken and funding from central government was not sufficient to meet the need of local communities;
- Works to address local flooding problems should be undertaken through the public realm contract with Balfour Beatty Living Places (BBLP).

Councillor Lester seconded the amendment and explained flooding was a significant problems and much could be achieved with only a small sum of money.

Councillor Harvey, as the mover of the original motion, responded to the amendment and explained that flooding alleviation works were being undertaken in consultation with community groups and through the BBLP contract which ensured a multiagency approach.

The amendment was put to the recorded vote and was lost by a simple majority.

For (20): Councillors Polly Andrews, Bartrum, Bolderson, Durkin, Gandy, Guthrie, I'Anson, James, Johnson, Graham Jones, Mike Jones, Lester, Matthews, Millmore, Price, Rone, Shaw, Stone, Symonds and Tillett.

Against (28): Councillors Graham Andrews, Paul Andrews, Bartlett, Boulter, Bowes, Chowns, Crockett, Davies, Fagan, Foxton, Hardwick, Harrington, Harvey, Hewitt, Hey, Hitchiner, Howells, Jinman, Kenyon, Marsh, Milln, Norman, Seldon, Summers, Toynbee, Tyler, Watson and Wilding.

Abstain (2): Councillors Bowen and Stark.

Amendment 4 – Proposed by Councillor Terry James and seconded by Councillor Kevin Tillett

This council is aware of the exceptional economic circumstances that households find themselves in, nationally and locally, and the financial hardships that are to be placed on council tax payers this year and next year. It is therefore proposed that the 2021/22 Council Tax increase is set at 3% instead of the proposed 4.99%.

Therefore, we amend item B as follows –

b. (Remove an and replace with Zero) increase in core council tax in 2021/22 (delete “of 1.99%”);

to read –

b. Zero increase in core council tax in 2021/22

The £1.4 million shortfall can be recovered from the following sources:-

- 1 - £700,000 from the New Home Bonus**
- 2 - £700,000 from the financial resilience reserves**

The effect on section (f)

f. the medium term financial strategy (MTFS) 2021-24 at appendix A; and

from changes to (b) will be solved by–

For the life of the medium term financial strategy (MTFS) the future impact of the zero increase of core council tax in 2021/22 is borne by the financial resilience reserve.

Councillor James proposed the budget amendment and explained that taxpayers in the middle band of income in the county and those just above the thresholds for the council tax reduction scheme would struggle to pay the proposed precept of 4.99%. The proposed amendment sought to assist local residents in financial difficulties by reducing the council tax increase.

In discussion the following principal points were raised on amendment 4:

- Local residents who were just about managing required support;
- Concern was expressed regarding the use of reserves in the amendment;
- The expansion of the council tax reduction scheme and the proposed precept increase to the maximum permissible amount without a referendum was questioned as illogical;
- The amendment would reallocate money dedicated to sustainable transport measures;
- The proposal outlined in the amendment should have been considered at scrutiny;
- Local authorities in neighbouring areas had proposed lower precept increases than Herefordshire Council;
- The budget consultation had produced support for the 4.99% precept increase.

Councillor Tillett seconded the amendment and explained the current financial difficulties experienced by a number of local residents. The amendment sought to support the budget and protect services whilst easing the burden on local residents.

Councillor Harvey, as the mover of the original motion, responded to the amendment and explained that it was not responsible to take money from reserves.

The amendment was put to the recorded vote and was lost by a simple majority.

For (20): Councillors Polly Andrews, Bartrum, Durkin, Gandy, Guthrie, Howells, l'Anson, James, Johnson, Graham Jones, Mike Jones, Lester, Matthews, Millmore, Price, Shaw, Stark, Stone, Symonds and Tillett.

Against (27): Councillors Graham Andrews, Paul Andrews, Bartlett, Boulter, Bowes, Chowns, Crockett, Davies, Fagan, Foxton, Hardwick, Harrington, Harvey, Hewitt, Hey, Hitchiner, Jinman, Kenyon, Marsh, Milln, Norman, Seldon, Summers, Toynbee, Tyler, Watson and Wilding.

Abstain (1): Councillor Bowen.

Councillor Harvey, as the mover of the original motion, responded to the budget debate and thanked all involved in the setting of the budget. It was now important to deliver on the promises in the budget and meet the expectations of local residents.

The 2021/22 budget and associated medium term financial strategy and treasury management strategy as contained in the report was put to the recorded vote and was approved by a simple majority.

For (29): Councillors Graham Andrews, Paul Andrews, Bartlett, Boulter, Bowen, Bowes, Chowns, Crockett, Davies, Fagan, Foxton, Hardwick, Harrington, Harvey, Hewitt, Hey, Hitchiner, Jinman, Graham Jones, Kenyon, Marsh, Milln, Norman, Seldon, Summers, Toynbee, Tyler, Watson and Wilding.

Against (18): Councillors Polly Andrews, Bartrum, Durkin, Gandy, Guthrie, Howells, l'Anson, James, Johnson, Mike Jones, Lester, Millmore, Price, Shaw, Stark, Stone, Symonds and Tillett.

Abstain (1): Councillor Matthews.

RESOLVED - That:

Council approves;

- a. the council tax base of 68,355.22 Band D equivalents in 2021/22;
- b. an increase in core council tax in 2021/22 of 1.99%;
- c. an additional precept in respect of adult social care costs of 3% applied to council tax in 2021/22 resulting in a total council tax increase of 4.99%, increasing the band D charge from £1,573.77 to £1,652.30 for Herefordshire Council in 2021/22;
- d. the balanced 2021/22 revenue budget proposal totalling £161.0m, subject to any amendments approved at the meeting, specifically the net spending limits for each directorate as at appendix C;
- e. delegates to the section 151 officer the power to make necessary changes to the budget arising from any variations in central government funding allocations via general reserves;
- f. the medium term financial strategy (MTFS) 2021-24 at appendix A; and
- g. the treasury management strategy at appendix D be approved.
- h. a growth bid to fund a Armed Forces Covenant Support Officer, attached at appendix J.

46. PAY POLICY STATEMENT

Council considered a report by the chairperson of the employment panel to approve the pay policy statement for 2021.

The report and recommendation was moved by the Leader (as chairperson of the employment panel) and seconded by the cabinet member for finance and corporate services.

During the discussion it was requested that in future versions of the report the hourly rate reflects productive officer time and deducts elements such as annual leave, training and team sickness. *The Leader explained that he would discuss the request with the Assistant Director People.*

The pay policy statement was put to the vote and approved unanimously.

RESOLVED – That:

- (a) the pay policy statement at appendix A is approved for publication.**

The meeting ended at 3.46 pm

Chairperson

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

Question Number	Questioner	Question	Question to
PQ 1	Mr Snow, Hereford	Does increased concern that Herefordshire's poor performance in the tourism sector (relative to the rest of the UK) is directly related to the fact that it has more intensively farmed poultry units than any other county in the UK (please see recent thesis by Cardiff University - https://www.youtube.com/watch?v=E2Qk48qxQ3U) mean that it is disingenuous (at best) or fraudulent (at worst) to accept over £440,000 from the Marches Investment Fund to promote tourism whilst still giving planning permission for yet more poultry units to be built in the County?	Cabinet member environment, economy and skills

Response:

Thank you for your question. I am aware of the research of Dr Alison Caffyn that you highlight in the question, and indeed I and other Council colleagues will be meeting with her shortly.

I recognise and share the widespread concern about the impact of intensive poultry units on the quality of our precious local rivers, and am working very closely with colleagues to try to address this problem, including through development of supplementary planning guidance.

The evidence presented by Dr Caffyn is indeed interesting and concerning. However, I do not think it is a reason not to invest in development of the local tourism sector.

Over the last circa 10 years there has unfortunately been limited council support for, or promotion of, the fantastic tourism opportunities in the county. This is a real shame as tourism is a sector of great importance to our local economy, with lots of potential. That's why our County Plan 2020-24 states that supporting the development of tourism is a priority for the council.

The Marches Investment Fund grant from the Marches Local Enterprise Partnership (LEP) has been awarded to support the recovery of the large number of existing visitor economy businesses across the county from the severe impacts of Covid 19. The project has already had a very positive impact, for example the PR element of the work has led to significant national press coverage including Herefordshire being named by the Telegraph Media Group in their top ten best tucked-away spots in Britain (<https://www.telegraph.co.uk/travel/lists/hidden-corners-britain-escape-crowds-summer/>), Conde Nast Traveller tipped the county as one of the ten best places to visit in 2021 in the UK (<https://www.cntraveller.com/gallery/places-to-visit-uk>), and recognition by Forbes with Herefordshire included in their 'Essential Travel Forecast Report' as one of the regions of the UK worth considering for a staycation.

We have been working closely with visitor economy businesses in implementing this very welcome LEP-funded project. As part of this project a great deal of consultation has been done with the local tourism sector, and as far as I am aware none of them have mentioned concern about intensive poultry units affecting their business.

I personally agree with you that planning permission should not be given for additional intensive poultry units currently, while there are limit-breaking levels of pollution in our rivers. The council and the local construction sector have unfortunately and unfairly had to bear the brunt of the cost of this pollution, in the form of the moratorium on housebuilding, despite the fact that the best available data shows that most of the pollution is from agricultural sources. We do indeed need a joined-up policy for protection and development of our beautiful county – one that recognises the costs of externalities such as agricultural pollution and acknowledges the impact of these costs on other sectors. However, as a council our powers to address this are unfortunately limited – by planning law, and by the actions or otherwise of regulatory agencies such as Natural England and the Environment Agency, who have direct responsibility in this arena.

Appendix 2 - Questions from members of the Council

Question Number	Questioner	Question	Question to
MQ 1	Councillor Paul Symonds, Ross East	The proposed capital programme growth includes an item of £192k for air quality monitoring stations in Hereford and Leominster. What alternatives were considered to this proposal, for example diffusion tubes, and how do the capital and revenue impacts of alternative options compare to the proposed option?	Cabinet member housing, regulatory services and community safety
<p>Response:</p> <p>The £192k proposed for air quality monitoring sites aims to upgrade the existing air quality monitoring station on Victoria Street in Hereford and also construct a completely new monitoring station at the Bargates junction in Leominster. Both will be for continuous monitoring of nitrogen dioxide and particulate matter to gauge compliance with the air quality objectives set by the government and for which nitrogen dioxide is potentially exceeded at both locations. Although diffusion tubes offer a much cheaper and basic alternative from a revenue point of view, only nitrogen dioxide can be measured in this way and the diffusion tube data can only provide monthly averages which are then used to provide annual means. The accuracy is also challengeable.</p> <p>However, the proposed monitoring stations will provide real time measurements for both nitrogen dioxide and particulate matter that will offer a much greater insight into the pollution levels at both locations and will assist officers in their understanding of traffic impacts and help us gauge the effectiveness of any measures put in place on an hour by hour basis. There is also scope and opportunity for expanding this suite of parameters, including those that will help inform the Council's climate emergency agenda</p>			
<p>Supplementary question:</p> <p>Could we be informed of the capital and revenue cost difference between the proposed electronic monitoring stations and the diffusion tube, nitrogen dioxide system?</p>			
<p>Cabinet Member response to supplementary question:</p> <p>An officer response would be provided.</p>			
MQ 2	Councillor Bob Matthews, Credenhill	At the full council meeting held on the 2nd of February 2021 when the Hereford transport strategy was debated I supported the administrations recommendations to stop the Western bypass and Southern Link Road in its present form and when speaking to the amendment proposed that officers be instructed to deliver a more cost effective environmentally	Leader

		<p>sustainable route between the A465 and A49 utilising a small section of the existing plan.</p> <p>Does the leader agree if this modest compromise had been agreed it would have saved this Council and the taxpayer £7.8 million?</p>	
<p>Response:</p> <p>Thank you Councillor Matthews. You refer to saving the Council £7.8m by agreeing to include part of the proposed SLR. I question the use of the word “saving”. The money has already been spent. There would have been no saving for the Council or the taxpayer.</p> <p>The £7.8m has been taken out of reserves and I acknowledge that therefore the total amount of the resilience reserve has been reduced, meaning that portion of the reserve cannot be used for something else. However there remains a balance of £4.2m (agenda item 9, paragraph 22, page 212) in the resilience reserve which can continue to be used for the purposes for which it is intended, and the repayment of the capital does not impact on the council’s ongoing revenue budget.</p> <p>The decision of council on the 2nd of February makes it clear that the council will be focusing on sustainable and resilient transport activities for the city and the county from now on.</p> <p>Cllr Harrington has already confirmed that future work will include consideration of improvements to the traffic connections between the A465 and the A49 beyond Belmont. He looks forward to working with you and other Councillors to identify the most practical and cost effective solutions to achieve that.</p>			
<p>Supplementary question:</p> <p>Can the Leader consider the impact of traffic and congestion on the health and wellbeing of local people in Newton Farm and address this issue as a matter of urgency?</p>			
<p>Leader response to supplementary question:</p> <p>We are concerned about the health of local residents and the pollution caused by traffic queuing on the Belmont Road and many of us were not satisfied that the construction of a southern relief road would have an impact on congestion in this area. We are looking at other measures and trust that following the budget discussion there will be sufficient money to progress our proposals.</p>			
MQ 3	Councillor Nigel Shaw, Bromyard Bringsty	<p>In 2019/20 Herefordshire collected 98% of the council tax due and was 11th out of 57 unitary councils in terms of its collection rate.</p> <p>Key to the rationale in amending Council tax reduction scheme, Para 8 states, “It is, however, likely that the charges raised would not be settled quickly and could in fact become outstanding debt against those that are charged.”</p> <p>What evidence is there that that is the case?</p>	Cabinet member finance and corporate services

Response:

Collection rates have fallen since the pandemic and are currently behind the same point in time in 2019/20 even though many more accounts are being reduced by council tax reduction and a hardship award. Historically the collection rate of accounts in receipt of council tax reduction has always been around 83% reflecting that a number are on low level repayment plans, having this collection rate on a higher number of accounts, coupled with an increase in the council tax charge, would indicate that if the discount was not increased to 100% an additional amount of outstanding debt would accrue. At this difficult time, this administration considers it preferable to increase the 2021 discount to 100% rather than risk pushing more families into long-term debt.

Supplementary question:

The loss in revenue for this Council for the change to the council tax reduction scheme is £2million every year going forwards which will be cushioned by the use of one-off grant funding this year. Would the 151 officer not expect to see a more comprehensive business case were it one of the front line departments asked for this level of £2million of spending?

Response to supplementary question:

Section 151 officer response - There was a very detailed business case to support the assumptions of the CT base and collection rates. Happy to discuss with Chairman of the general scrutiny committee as a potential item for the committee's work programme.

MQ 4	Councillor Jonathan Lester, Three Crosses	In the February 2020 budget meeting Council approved £2m of new homes bonus be spent and capitalised on the Integrated Wetlands project. Subsequent to that meeting £2m of LEP capital funding was won. What has happened to the £2m of the new homes bonus funding, where does the Capital Programme reflect the LEP decision in November 2020 to reduce it's grant to £1m and is the current spend on forecast to defray required sums by March 31 st 2021?	Cabinet member finance and corporate services
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Response:

The £2m from the New Homes Bonus agreed at the Council meeting in February 2020 was allocated to the Integrated Wetlands project in the capital programme to deliver up to 9 integrated constructed wetlands and purchase land for rewilding to improve the water quality of the River Lugg and in so doing, unblock development in the Lugg catchment. Following this project approval, the LEP then awarded £1m towards this same project.

The project has remained in the capital programme at £2m, however, funded equally by £1m from the LEP and £1m from the New Homes Bonus. The residual £1m from the NHB has been placed in a provision as land negotiations are making it increasingly apparent that £2m will not be sufficient to deliver the schemes. The team are continuing to work to meet the tight programme of delivering these wetland schemes and to also meet the LEP's funding requirements.

£500k of LEP funding is required to spend by the 31st March, but due to delayed land negotiations a significant proportion of this sum may not be defrayed until April/May time. Currently the Council is in discussion with the LEP to use freedoms and flexibilities to utilise this grant

funding for other Council projects in year, with a legal requirement to spend on the integrated wetlands project using Council funding to the same value in the following year.

Supplementary question:

- i) Can the cabinet member infrastructure and transport confirm if there is a resource issue in progressing work on the phosphate issue?
- ii) The New Homes Bonus money that has been set aside has been allocated to the capital programme but can the section 151 officer clarify if the money can be used for revenue purposes?

Response to supplementary question:

- i) The cabinet member for infrastructure and transport – It is the responsibility of the Environment Agency and Natural England to look after major water course however we have been working to find a solution to the moratorium that has been imposed. We have identified nine farms/pieces of land that we can purchase and we are at the stage of discussing with the landowners. Two private planning applications have recently been submitted one of which is in the planning system.
- ii) Section 151 officer – The New Homes Bonus can be used for revenue or capital purposes which will be determined later in the meeting.

MQ 5	Councillor Barry Durkin, Old Gore	Is the ongoing road works at Fiddlers Green, Fownhope, fully reflected in the budget presented before Council today?	Cabinet member finance and corporate services
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Response:

The budget for the works to Fiddlers Green, Fownhope is fully reflected in the capital budget of £4.027m for Priority Flood Repair Works added to the capital programme as agreed by Council on 4 August 2020. This sum is included in the budget presented today, the 12 February 2021, at Appendix C to item 8, the 2021/22 capital investment budget and capital strategy update.

Supplementary question:

Why was the funding for the reinstatement of the B4224 not made available as soon as possible considering the statement in the County Plan to target the repair of roads that were in greatest need of repair and what work would be undertaken to repair the verges in Woolhope?

Response to supplementary question:

Cabinet member for finance and corporate services – Money had been made available at an early stage to fund the first stage of works and the second stage required further engineering design. Money had not been forthcoming from central government to fund the repair therefore the council had made provision in the budget which was agreed earlier in the 20/21 financial year.

Cabinet member for infrastructure and transport – Plans had been made to ensure the roads around Woolhope that had been damaged would be repaired after the works on the B4224 were completed. There have been many challenges with the repair of the road and a review would be completed to evaluate the performance of the contractors.

