

Supplement to the agenda for

Council

Friday 9 December 2022

10.00 am

**Herefordshire Council Offices, Plough Lane, Hereford, HR4
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6. QUESTIONS FROM MEMBERS OF THE COUNCIL	3 - 6

Agenda item no. 6 - Questions from members of the Council

Question Number	Questioner	Question	Question to
MQ 1	Cllr Roger Phillips, Arrow	Given the apparent changing circumstances with regard to the council’s wetland policy can the cabinet member inform the council what engagement is taking place with private solutions that could delivery phosphate reduction in the Lugg catchment area and provide credits which would allow the building of homes.	Cabinet member finance, corporate services and planning
<p>Response: The Council is very keen to see private developers design and bring forward their own mitigation schemes and wants to work with them in a structured and systematic way. We welcome recent announcements regarding the encouragement of Developer-led mitigation schemes by government and, in support of this objective, we are currently looking to mobilise a project to do three things:</p> <ol style="list-style-type: none"> 1) To provide a series of guidance notes on key aspects of private schemes 2) To introduce an enhanced Pre Application process for developers to use at the concept stage that will bring together leads from our own Ecology team with Natural England and the Environment Agency to work together to provide early advice and guidance. 3) To develop a mechanism for Conservation Covenants - as set out in the Environment Act last year - which will provide a mechanism to ensure certainty of schemes once built out. <p>The project is being developed following a recent meeting with local developers, and is presently at the outline business case stage with further work required to confirm resource requirements and an appropriate timeline. We will keep members and developers informed on progress and will advise when we are able to move forward with this initiative.</p>			
MQ 2	Cllr l’Anson, Ledbury South	<p>Herefordshire Children’s Services teeter on the edge of a precipice. Since the Ofsted report Children’s Scrutiny Meetings and Corporate Parenting Board meetings have been cancelled or postponed, time after time, Member’s Calendars altering daily.</p> <p>Eg. Co-opted member’s emails of 16th, 17th Nov. ask for meetings lists - no response. Co-opted member is struggling to plan work calendar around constant cancelling and rescheduling</p> <p>Email from Children’s Scrutiny Committee member reflects “The lack of available reports is a huge frustration as well as the constant moving diary of events”</p> <p>LGA Peer Review scheduled 17th November, now proposed 10th January ’23. Last meeting workshop was 1st Nov.</p> <p>Does not this lack of meetings represent a continuing failure of urgency, poor management and scrutiny, and why is the Administration not able to address the needs of Herefordshire’s children more effectively?</p>	Cabinet member children and families

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Response:			
<p>We all want the same thing - for our services to improve as fast as possible, and we are now on a clear path. Urgency always has to be balanced with the need for systems and structures to be solid and embedded, so we are working from foundations that are strong and lasting.</p> <p>No Corporate Parenting Board meeting has been cancelled or postponed since the Ofsted inspection. All meetings for 2023 have been timetabled and circulated.</p> <p>Progress in Corporate Parenting is long overdue, as long-standing members understand. Good focussed work is now moving us forward, as we will discuss in week's meeting.</p> <p>Members who are on the Board are encouraged to fulfil their role not simply in relation to Board meetings, for example engaging with LGA training and support and liaising with their political group.</p> <p>As far as Children's Scrutiny committee is concerned, one meeting was postponed, and a delay in producing reports was one factor that contributed to this. The work plans are a matter for committee members, led by the Chair and Vice-chair, supported by officers.</p>			
MQ 3	Cllr Shaw, Bromyard Bringsty	Following a successful ballot of businesses in December 2021, the Cabinet approved a loan of up to £210,000 to the Herefordshire County Business Improvement District in May 2022, whilst they raised the £580,000 recorded in the officer decision of October 2020. Repayments were to be made from the funds collected, which were presumed due to be billed for the new financial year in April 2022. An apocryphal nine months have now passed so can the cabinet member responsible confirm that these invoices were raised, what the residual sum now owed to the Council by the HCBID is and what outputs have been achieved?	Cabinet member finance, corporate services and planning
Response:			
<p>The cabinet approved an advance to the Herefordshire County Business Improvement District (BID) in May 2022, to enable the BID limited by guarantee company to become operational Decision - Herefordshire County Business Improvement District Advance Request - Herefordshire Council.</p> <p>The loan has been paid in instalments of £35,000 per month to the BID company, with the final instalment to be drawn down in December.</p> <p>The levy invoices have been prepared but not yet issued. We are working with the BID company to finalise the approach and timing of invoicing.</p> <p>The Herefordshire BID has a website which contains information about its business plan and its delivery monitoring on behalf of its members: www.herefordshirecountybid.co.uk</p>			
MQ 4	Cllr Durkin, Old Gore	There are areas and residences of this county that do not have a reliable and efficient mobile phone or broadband service. The telephone analogue service change over to digital will be occurring, we are notified, anytime between now and 2025. Following this change over	Cabinet member health

		<p>analogue emergency personal alarm buttons, worn on the body or as motion detection, will not operate over a digital line.</p> <p>I am informed that the Council are relying on the Telecare system to provide an effective safety response, post change over, for their customers. However, what is being done to identify, find and alert Herefordshire residents, as soon as possible before the changeover, who are dependent on their analogue personal alarm devices and who are not Telecare customers' but are dependent upon other providers?</p>	and adult wellbeing
<p>Response:</p> <p>The existing analogue telephone services in the country will be switching over to digital which is aimed to be completed by 2025. Nationally the telephone lines on which telecare services currently rely are being delivered by over 600 different telecommunications providers and over 300 different telecare alarm receiving centres. An estimated 1.8 million people in the UK currently use telecare services, of whom 1.3 million use alarms in their own homes, and 0.5 million in a range of care homes, supported housing and sheltered living arrangements. It is unknown how many people in Herefordshire have arrangements for the delivery of telecare services outside those sourced and supported by the council.</p> <p>All of the council's telecare service users have been advised of the switch from analogue to digital telephony, and battery backups are being provided where power cuts would place people at risk through the non-operation of their telecare alarm. We are also assessing all the equipment used by the council's telecare users for digital compatibility and upgrading or replacing it as necessary.</p> <p>The council has drafted a communication for people who use telecare outside the scheme offered by the council and will sharing it on the council's communications channels.</p> <p>The Department of Health and Social Care's Policy Paper on the digital switchover was published on 5 December: Telecare stakeholder action plan: preparations for the analogue to digital switchover - GOV.UK (www.gov.uk). It advises that telecommunications providers are working on the best ways of informing telecare users about their migration and prompting them to contact their telecare service provider about any changes to their telecommunications arrangements. The Department has commissioned a range of information sheets to help prevent telecare alarm disconnections as part of this process. These information sheets will go to telecare service users and their carers, relatives or support network. The information drafted by the council for general information to residents will be informed by these information sheets and by the policy paper more broadly.</p> <p>The Department for Digital, Culture, Media and Sport and the independent regulator for communications, Ofcom, are working with telecommunications providers to ensure consumers are prepared for the digital switchover, and protected against allied risks. In the telecare sector, the government's stated priority is to see action taken to mitigate any risks to users of telecare services before their switchover day.</p>			
MQ 5	Cllr Hewitt, Golden Valley North	<p>Last Friday we heard from Jesse Norman that he is pushing for a "one river" regulatory approach for the restoration of the River Wye - an approach which elicited clear agreement amongst members.</p> <p>What <u>written</u> evidence then can this LPA produce to validate recent assertion in planning committee that 'NE have told us that the Dore, Olchon and the Monnow' (the whole of the Lower Wye sub catchment) 'do not need assessment under Habitat Regulations?' These tributaries join the Wye at Monmouth and provide habitat for species designated under the</p>	Cabinet member finance, corporate services and planning

		SAC -eel, lamprey and salmon. Neglecting to assess whether a project in the lower wye sub catchment will affect these species also harms the main stem of the river for our neighbour Monmouthshire. As ward councillor for Golden Valley North may we see the advice on this matter from NE?	
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Response:

In August 2022 Natural England (NE) published updated guidance to local authorities on catchments in which a Nutrient Neutrality approach is in effect, and where NE advises that nutrients have the potential to result in likely significant effects or adverse effects on the integrity of Habitats Sites. At that time Natural England added a considerable number of new catchments nationally to the list. Natural England's advice to Herefordshire Council in that update is that Nutrient Neutrality applies only to the Lugg Catchment and to the part of the River Clun catchment which sits in the county.

This advice, which has been provided to local authorities to assist them in their role as Competent Authorities for the purposes of Habitats Regulations Assessment, falls under Natural England's statutory duties and is part of a coordinated cross departmental response by government, supported by Defra and DLUCH. Natural England have provided technical background information on designated sites that have been identified as being within catchments where nutrient neutrality schemes are in effect and have, as part of their strategic approach, made an assessment of which catchments need to be covered by the approach.

Natural Resources Wales (NRW) have not written to Herefordshire Council to give their view on any catchments on which might similarly need to be subject to a nutrient neutrality approach.

On this basis Herefordshire Council are following advice which we possess from the statutory undertakers in applying a nutrient neutrality approach in catchments where NE/NRW have recommended that it IS necessary.

We are aware from our links with the Welsh local authorities that Natural Resources Wales have applied similar criteria to tributaries within the Welsh part of the Wye catchment, to those established by Natural England on the Lugg catchment, where the tributaries in Wales are identified as exceeding conservation targets.

To date we have not received any guidance from NRW on Habitats Regulations Assessment of development draining to the Dore/Olchen tributaries.

We rely upon both Natural England and Natural Resources Wales as the advisory bodies who undertake both the monitoring and condition surveys to advise as to how this cross-border catchment issue should be addressed and we would welcome an updated joint position statement to provide full clarity.