

Supplement to the agenda for

Cabinet

Thursday 28 September 2023

2.30 pm

**Herefordshire Council Offices, Plough Lane, Hereford, HR4
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	Pages
4. QUESTIONS FROM MEMBERS OF THE PUBLIC	3 - 8
5. QUESTIONS FROM COUNCILLORS	9 - 10
9. MARCHES FORWARD PARTNERSHIP MEMORANDUM OF UNDERSTANDING	11 - 12

PUBLIC QUESTIONS TO CABINET – September 2023

Question 1

Carla Boyle, Deputy Town Clerk, Ross on Wye

To: Cabinet Member, Environment

The Broadmeadows/Tanyard site in Ross-on-Wye is an extremely significant and complex site. As you will see on the map below, this area is a significant proportion of the whole built area of Ross. It is an undeveloped and mostly poor quality environment (other than the area around the ponds) across a considerable 'wedge' of the town and, as such, is a clear priority for development. Development of this site would also help to create a strong link to any developments east of the A40. Demonstrating the deliverability of a project of this scale and complexity is a key factor in determining whether it might proceed to successful completion. Ross-on-Wye Town Council requests that Herefordshire Council produce a single, overall masterplan for this site, based on the principle of financial equalization between all parts of the site.

Response

We recognise that this area of land has been identified in your Neighbourhood Development plan as a strategically important site. This will also be considered through the current countywide Local Plan Review, including the REG 18 consultation. The site is also in multiple private ownerships. Therefore at this stage there are no plans to commission a masterplan, until the longer term Local Plan is finalised, and subsequent engagement with the land owners as to how the land can be brought forward.

Question 2

Steve Kerry, Hereford

To: Cabinet Member, Finance and Corporate Services

Does the cabinet member agree that when any changes are made to governance processes that affect the workload or operations of parish councils there should be full discussion with the parishes before the changes are implemented?

Response

The council has an overarching responsibility to serve the public interest in adhering to the requirements of legislation and government policies. Operational changes to governance practices sit with the Monitoring officer. This is an operational/administrative matter. It is not a political/policy decision.

Recent operational changes were introduced in May 2023, following local elections. Discussions with Parish clerks have been established to move away from Herefordshire Council publishing all Dols on our web-site, to Parish Councils publishing them to their web-sites.

Herefordshire Council's Democratic Services have been working closely with Parish Clerks to introduce this change. A strong public interest underpins this. It:

- Gives practical support to national calls to bring alignment on practices and behaviour standards at all tiers of local government;
- Strengthens public engagement, openness, transparency and accountability; and
- Aligns more closely with what the law intended. Whereby '*A parish council must, if it has a website, secure that its register is published on its website*'.

Work is continuing. Approximately half of all parish councils have implemented this change in practice. The council cannot, and is not, imposing this change. This has to be shared endeavour toward strengthening compliance and public access to information on parish council business. Ongoing advice and support is being offered with remaining parishes providing an excellent response to this change in practice.

Question 3

John Harrington, Leominster

To: Cabinet Member, Transport and Infrastructure

It has been reported that Cllr. Price met with members of the DfT and Network Rail a few weeks ago and in that meeting Cllr. Price said that "Herefordshire Council has no interest in a railway station at Pontrilas". Can he confirm that statement was made by him and if so, can he confirm, when he says 'Herefordshire Council', whether he means himself as Cab Member, his Cabinet or the Conservative minority administration? It is important, particularly with a by election in an adjoining ward coming up, to know this administration's position on a community project that was being supported and driven forward by the previous administration.

Response

During my time as Cabinet Member I have received briefings from officers and have reviewed the report that was created supporting the additional station at Pontrilas as well as the response from DfT on that report.

As it stands the project offers poor value for money as, should it be built, it is likely that the scheme will not create additional capacity but will simply transfer journeys from other stations or the bus network. In addition it will also slow journeys as trains will be required to stop more frequently.

Experience for other parts of the country has shown that where a local authority wishes to promote the creation of a new station facility then it is the local authority that is expected to provide the financial security should the scheme fail to deliver the additional patronage expected. In light of the evidence presented thus far I would be unwilling to saddle the council with the additional financial risk that building a new station would present at this time. I will however ask the Marches Forward Partnership to add this piece of work to their work programme so that we can further explore the options for the future and to consider what other schemes will be required to allow for a successful project to be delivered.

Question 4

Herefordshire Construction Industry Lobby Group, Herefordshire

To: Cabinet Member, Environment

This is the 6th year of housing moratoriums over the past decade. During which The Lugg declined.

Moratoriums don't address causes of pollution, and mitigation options have been very hard to access.

A Lichfields report (2022) identified that Herefordshire was suffering heavy financial, employment, housing and community impacts as a result of the planning ban, including lost s106, council tax and New Homes Bonus, plus lost Affordable Housing and Education contributions. This is in addition to the local sector losses.

The economic and social effects of long moratoriums are crippling, but sadly have not produced ecological improvements or protection.

Would Cabinet consider revising its position to reflect scientific evidence and utilise the willingness of local developers to purchase/deliver more mitigation (council and private)? Is there a more ambitious approach where together we can deliver sustainable homes AND accelerated ecological mitigation?

Response

Ms Albright thank you for your question and your work in continuing to highlight the needs of house builders in the County. The Council contributed to the development of the Lichfield's report which sets out the wider economic and social impact and is pleased to see its position reflected in the report you quote.

At present, we estimate that circa 800kg of Phosphate Credits will be needed to mitigate the entire 4400 homes targeted for the Lugg sub catchment within the County. That's comprised of 340kg for the existing waiting list and a further 460kg to meet likely future housing need.

Our site at Luston has secured 180kg of Phosphate Credits and our Schools Septic Tank Programme we believe will secure a further c250kg. Last week, the site we purchased at Tarrington achieved planning approval which will provide a further c90kg and I am minded to take a formal decision to build a Wetland there which will see the immediate release of a significant tranche of further credits this autumn.

Overall we have good prospects of c520 kg of credits and have a further strategic reserve of c40kg of credits available from our Titley Site (which would be more expensive to build).

At this stage, there is ample mitigation available for immediate, near and medium term use, a stark contrast to where we were six years ago. The main constraint now is resourcing the complex processes involved in determining all the homes held on the waiting list which is an intensive piece of work for the Council and developers on their side too.

As an administration we have recently undertaken a careful review of our approach to available mitigation opportunities. We have looked at whether there are any alternative sources of mitigation. We have reached the conclusion that Wetlands and Riparian buffers remain the most economic and effective approach to mitigation at scale. A conclusion consultants working for on 37000 blocked homes for five Council's in Norfolk have also reached.

I am therefore looking at one further Wetland site and riparian buffers to get us to the 800kg we will need over the next ten years. I hope to be able to say more on a further large Wetland site soon but cannot for commercial reasons at this stage.

We have submitted a funding bid of £2.1m to DLUHC and remain in discussion with them about the need for mitigation which if successful will keep the cost of credits down.

Finally, we recognise that private schemes have a part to play and have proposed a joint pre application advisory portal with Natural England and the Environment Agency which I hope they will become more positive about participating in.

Herefordshire has blazed the way nationally in solving the challenges involved in delivering Wetlands and trading credits and when it comes to housing we are now very much open for business again. I would suggest that the situation regarding available credits for immediate and medium term use is very healthy and we now need to place more attention to working with developers to clear the backlog.

Our Wetlands reserve a proportion of the phosphate captured for river betterment and bring other nature benefits too which I know is important to all at HCLG.

Question 5

Ms Reid, Hereford.

To: Cabinet Member, Children and Young People

From the Q1 Budget and Performance Report and its appendices:

The forecast overspend of the Children and Young People Directorate is £10,669,000 - £7,772,000 on Looked After Children. Also, all of the directorate's "Approved Savings" of £4,500,000 are at risk.

The Children's Commissioner's report (March 2023) stated:
"Most of the additional funding has met the cost of increased number of placements for looked after children and the cost of many more agency workers ..."

From the above-mentioned meeting's report:
"Continued focus on reunification to support the step down of care ..."

However, according to the latest version of Herefordshire Children's Services Improvement Plan (7/6/2023), the Draft Reunification Guidance is not due to be completed until December 2023 (6.6).

To reduce the overspending on Looked After Children, should reunification be rolled out at a much quicker pace with greater focus?

Response

Thank you for your question.

The current projected overspend in children's services is significant but it should not be concluded that this is all associated with the costs of Looked After children. The Cabinet report provides more detail on the breakdown of the projected overspend (para 24).

We have a 'Reunification Practice Guidance' which is part of a refreshed overarching Permanence Policy. The Reunification Practice Guidance was developed in accordance with the NSPCC (2015) 'Evidence-Informed Framework for Return Home Practice' which is a well-established framework used in many other local authorities. The most recent update of the Improvement Plan was presented to the Improvement Board in September and reflects the completion of this activity (6.6).

Children in care have an Independent Reviewing Officer who chairs Children Looked After Reviews where the care plan, including the plan for permanency, is considered. There is an established Permanence Panel which ensures that there is an appropriate permanence plan in place and this includes children who are 'potentially suited' to a plan of reunification. There is a Permanency Champion in post who has a dedicated team of Social Workers specifically focussing on the discharging of care orders and supporting children to go home to the care of their parents and/or family members where this is in their best interest and in line with their care plan.

As a culmination of work that began earlier in the year, eight Care Orders were discharged in August and a number of others are expected to be taken to court before the end of December. We do not however embark on this activity with families as a cost-cutting exercise. It is very much about doing what is in the best interests of the particular child(ren) where circumstances may have changed.

Our focus on this in recent months has included extending our capacity to support Family Group Conferences, and creating additional posts and resources to support reunification activity, alongside close liaison with CAFCASS and the local Courts to minimise delay.

COUNCILLOR QUESTIONS TO CABINET – 28 September

Question 1

Councillor Hitchiner, Stoney Street

To: Cabinet Members, Economy and Growth and Transport and Infrastructure

The paper to Cabinet on the Marches Partnership refers (para 21) to the new administration's priority to address congestion on the A49 "through developing a western bypass to Herefordshire". Can the Cabinet member confirm that for the time being at least the new administration is continuing the work instigated by the previous administration to look at the viability of building a new bridge to the East of Hereford, and when the results of this work will be provided to Councillors and the public. This project, and the associated active travel measures will deliver the same benefits to relieve congestion on the A49 as a western bypass at much lower cost and much more quickly.

Response

The Council is continuing to work with Aecom to deliver the Strategic Outline Business Case for the Eastern River Crossing. This work is expected to be completed in the next few weeks. The projected cost of the project has now grown significantly since the original scheme was mooted by the previous administration. It is therefore no longer the cheap scheme that was envisaged. To ensure that the residents of Herefordshire are presented with a scheme that delivers the best value and rate of return this administration is seeking to explore the development potential that the creation of a western bypass will present.

At the same time we are looking to reinvigorate the construction of the Southern Link Road, a project that will provide some relief to the business traffic that is accessing the Rotherwas Enterprise Zone and will also create an essential link should the western bypass be adopted as a part of the Council's plans.



Marches Forward Partnership Memorandum of Understanding

Meeting: Cabinet

Meeting date: Thursday 28 September 2023

Cabinet member: Jonathan Lester, Corporate Strategy and Budget

Report by: Corporate Director, Economy and Environment

**Report author: Roger Allonby, Service Director Economy and Growth,
Economy and Environment**

Supplementary information

Please note that a Political Group Consultation took place on 21 September 2023 and summary is:

- A range of comments were received both via the Group Leaders meeting on the 20th September and the Political Group Consultation on the 21st September. It was commented that the core of the Memorandum of Understanding (MoU) focusses on shared skills, learning and collaboration, yet most of the media coverage has been on securing funding.
- The focus should be on collaboration with our neighbours. The MOU only mentions working together on climate adaptation, and should be much stronger on our shared cross council and national commitment to zero carbon across all of the identified themes.
- There is an opportunity for shared learning on 20mph traffic zones which Wales who are now implementing. The MoU is very focussed on the councils and we need to ensure businesses are engaged across the identified geography.
- We need to ensure the Parish Councils, particularly across the border areas, are fully engaged. Tourism and the development of Local Visitor Economy Partnerships is a joint opportunity and we should be working together.
- The MoU could be more ambitious in considering the sharing of cross council resources with each Local Authority encountering financial challenges. This is an opportunity to better co-ordinate cross border road works/ road improvements to achieve economies of scale and minimise disruption. We need to ensure that this structure doesn't just create a 'talking shop' but it adds value resulting in improved delivery for local residents.

The recommendations in the report are unchanged.

