

**SUPPLEMENT TO THE AGENDA FOR**

# **Council**

**Friday 20 July 2012**

**9.30 am**

**The Shirehall, St Peter's Square, Hereford.**

**SUPPLEMENT – ANSWERS TO QUESTIONS FROM  
MEMBERS OF THE PUBLIC AND FORMAL QUESTIONS  
FROM COUNCILLORS**



## PUBLIC QUESTIONS TO COUNCIL – 20 JULY 2012

**Question from Mr P McKay, Leominster, Herefordshire**

Question 1

**Un-adopted Roads**

A paper reference SN402 raised to inform MP's about un-adopted roads may be read at [www.parliament.uk/briefing-papers/SN00402.pdf](http://www.parliament.uk/briefing-papers/SN00402.pdf) and advises that there are 40,000 such roads in England, with councils being the highway authority though they are not maintained at public expense. In Herefordshire some are referred to as being the highway on which footpaths and bridleways terminate on the written statements, others of public interest include those that are through routes or lead to places of public resort. My supplementary question of 25 May asked *"Thank you for advising that highway records will be online by autumn, and asking if you will please check that this will include those un-adopted roads Council is aware of, especially those that connect with public rights of way or are through routes, as required by the 2007 Regulations ?"* and is being responded to by letter, but whether or not the reply is *'yes these un-adopted roads will be included'*, which is reply I predict, as otherwise the online highway records would be littered with gaps, cul-de-sac's, etc., and be a mockery not worthy of our Council, leading to many needless costly and time consuming representations, may I please ask:-

*Will Council raise a management policy for un-adopted roads, as being un-adopted they are outside scope of current Highway Maintenance Plan, with this policy covering identification, management, and adoption procedures, etc., recognising the contribution these routes make to countryside access, particularly for equestrians due to the identified lack of recorded bridleways in the county ?*

**Answer from Councillor GJ Powell, Cabinet Member Education and Infrastructure**

The Highway Maintenance Plan rightly focuses the council's attention on adopted highways that are maintainable at the public expense, as these are the roads for which we are entirely responsible. The plan in no way prevents the council from utilising its powers in regard to other highways. There are over 2000 miles of A, B, C and unclassified roads in Herefordshire and we know that they are not all in the condition that we would like to see them; however the council has limited resources and therefore must focus those resources to the areas of greatest priority.

This isn't a problem that is specific to Herefordshire; in 2009 the Government estimated that it would cost £3billion nationally to improve these unadopted roads to an adoptable standard – in Herefordshire this figure would equate to well over £350million.

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## PUBLIC QUESTIONS TO COUNCIL – 20 JULY 2012

### Question from Mr P Mitchell, Herefordshire

Question 2

#### Shortfall in proceeds of the sale of Council interest in WMS

*Can the Cabinet Member explain the circumstances which led to the sale of the Council's interest in West Mercian Supplies to Hedgeland Ltd a holding or shell company which apparently itself was then sold on only a week later to Smiths News Ltd at more than six times the value the Council was paid for it.*

*Specifically addressing -:*

- What if any proportion was the pre-existing value of Hedgeland of the sale value to Smiths News*
- Disclosure of likely under valuation to this Council funds of up to £7.4m on the £1.4m sale share*
- If the Council's adviser valuation was independently checked or validated before the WMS sale*
- Why this potential direct sale opportunity to Smiths News had not been identified by its adviser*
- Explain its validation of Hedgelands claims to independently operate WMS itself*
- Any sale conditions set for recovery of premature onwards sale proceeds*
- What steps can and are being taken to recover any shortfall in receipts rightly due to the Council*
- Demonstrate no impropriety by its agents or any other party involved in the sale*
- How such potential mistakes will be avoided / prevented in the future*

#### Answer from Councillor PD Price Cabinet Member Corporate Services

The decision to progress the sale of this business was taken by the partner councils in June 2011 following an external review which identified this was not an essential activity and in light of an expectation amongst the partners that future profits would reduce. The warehouse-based business part of West Mercia Supplies (WMS) was sold to the Trowbridge-based care and education supplies business, The Consortium for Purchasing and Distribution Limited, in April 2012.

A number of the specific queries raised in the question assume a like for like subsequent sale, and also assume that the partner councils should have been aware of the subsequent sale and taken this valuation into account. Neither premise is correct. The warehouse-based part of WMS was grouped with a larger range of business activity for onward sale and therefore comparisons of sale value are not appropriate; the sale of the consortium to Smiths News PLC was confidential under stock exchange rules regarding disclosure and therefore the partner councils could not have been made aware of, or taken such information, into consideration.

The utilities business, which supplies energy is being retained by the partners and will be known as West Mercia Energy.

We were advised by external consultants throughout the process to make sure we obtained good value for money from the sale.

## PUBLIC QUESTIONS TO COUNCIL – 20 JULY 2012

Herefordshire Council was one of four councils involved in the sale and all four councils separately made a decision to proceed. Herefordshire received £1.4m as its share and does not believe there to have been any impropriety, shortfall in receipts or mistakes made in the sale process.

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### **Question from Mr H Bryant, Herefordshire**

Question 3

#### **A49 to A465 Link Road**

*Can Herefordshire Council give an assurance that, before they spend a large amount of public money on the A49-A465 Link Road, that it has thoroughly investigated and shown evidence that all reasonable alternatives for solving Herefords traffic flow problems? Such as:*

- *A new river crossing at Rotherwas*
- *Banning parking on Belmont Road from the Tesco roundabout to the Greyfriars Bridge thus enabling two lanes in in the morning and two lanes out in the afternoon, as has been done successfully in Cardiff*
- *Reopening Pontrilas station as a request stop and a park and rail scheme at Tram Inn*
- *An efficient school bus scheme*
- *A tramway on the Great Western Way*

*Where is any such evidence available?*

### **Answer from Councillor GJ Powell, Cabinet Member Education and Infrastructure**

Yes I can give assurance that before progressing any major road building project a thorough investigation of alternative solutions is undertaken, including 'no road' alternatives.

The proposed A49/A465 link road is a common element in either a western or an eastern relief road. The council has published a comprehensive evidence base relating to transport infrastructure requirements to support the future growth of the city and the county overall. This clarifies the need for a relief road and a complementary package of sustainable transport measures. The evidence base can be viewed on the council's website.

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## PUBLIC QUESTIONS TO COUNCIL – 20 JULY 2012

### Question from Mrs Morawiecka, Brienton, Herefordshire

Question 4

#### Revised Preferred Option Consultation Results

*A consultation was carried out on the Revised Preferred Option of the Local Development Framework from September to November 2011. Whilst all the individual responses have been published on the Herefordshire Council website, an actual summary of the results of the consultation, analysed consistently with previous years, has not been made public. Instead, Here for Hereford have had to provide a total analysis in the absence of the work being done by Council officers. This summary shows that:-*

- a. 84% of respondents were against the revised, proposed housing plans for the county;*
- b. 88% against the Western relief road;*
- c. 93% requested plans in place for increased water and sewage treatment prior to the Core Strategy being approved;*
- d. 94% requested that plans be in place to cater for increased demand for hospital beds prior to the Core Strategy being approved.*

*Could you please explain how the revised preferred option has been amended to address the concerns raised through the consultation process?*

#### Answer from Councillor RB Hamilton, Cabinet Member Environment, Housing and Planning

All comments received during consultations on the LDF are considered and taken into account in preparing the Core Strategy. However, consultation responses need to be weighed with other factors, including evidence of requirements for additional housing and the need for new or improved infrastructure to serve the population of the County. Having taking all the information available into consideration, including any views expressed during consultations, we are still of the view that the proposed level of growth, the identified strategic sites and associated infrastructure remain the best option for meeting the needs and requirements of the county to 2031.

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## PUBLIC QUESTIONS TO COUNCIL – 20 JULY 2012

### Question from Mrs Corrigan, Holmer, Herefordshire

Question 5

#### Housing at Holmer

*Holmer has been proposed by officers for inclusion within the draft Core Strategy to accommodate 500 homes. However, existing residents in Holmer have not been able to connect to a mains sewerage system in the last 19 years and their soakaways have been compromised by surrounding developments permitted by Herefordshire Council. With sewerage facilities overloading, what is Herefordshire Council proposing to do to remedy this situation, especially before any further developments should be included in the Draft Core Strategy and when is the new main between Cleeve Orchard Pumping Station and Wentworth Park likely to be adopted?*

#### Answer from Councillor RB Hamilton, Cabinet Member Environment, Housing and Planning

The council is aware of historic foul drainage issues in the Holmer area and any new development would need to demonstrate that adequate drainage capacity is available to accommodate the development or can be created with the installation of new infrastructure. As with other recent developments, this would be a pre-requisite to securing planning permission and will be a criteria with the relevant Core Strategy policy; it is essential that infrastructure and growth are aligned appropriately.

In relation to the specific issue raised, the adoption of existing historic drainage infrastructure is subject to the provisions of the Water Industry (Schemes for Adoption of Private Sewer) Regulations 2011. The adoption of new drainage infrastructure is subject to an independent process between the developer and Welsh Water. The drain in question has been designed and installed to adoptable standards and adoption normally takes place when the development is largely complete. Welsh Water agreed to adopt the system in 2011 and issued a notice to adopt. That notice is the subject of an appeal by the developer and is being determined by OFWAT. The determination has been awaited since the beginning of 2012; we expect that a decision will be made shortly.

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## PUBLIC QUESTIONS TO COUNCIL – 20 JULY 2012

### Question from Mrs Wegg-Prosser, Breinton, Herefordshire

Question 6

#### Re Bed Shortages in County Hospital

*Further to my question raised on 25<sup>th</sup> May concerning a meeting regarding bed shortages in the County Hospital which meeting has yet to be arranged despite Councillor Jarvis saying then it would be progressed 'in the next few weeks', the Overview & Scrutiny committee heard this month that Herefordshire continues to have the lowest number of hospital beds per head of population in England. Could you please explain how the new housing developments proposed for Herefordshire will help increase hospital bed provision within the plan period 2012 to 2031?*

#### Answer from Councillor JG Jarvis, Leader of the Council

Discussions regarding the need for improved healthcare facilities in Herefordshire as part of developing the Core Strategy indicate that new housing development will **not** lead to a requirement for more hospital based care.

This is because the emerging health and social care model, both nationally and locally, aims to reduce the amount of time people spend in hospital, to treat more people in the community and in their own homes, and to increase personal responsibility for health leading to healthier lifestyles and the prevention of ill health.

The Health & Wellbeing Board, whose members include the Herefordshire Clinical Commissioning Group, Wye Valley Trust, local GPs, and third sector representatives, is responsible for overseeing the whole health & social care system. The Board will ensure that health & social care facilities will meet the needs of the population as presented in the 'Understanding Herefordshire' report, and will continue to work with partners and communities over the coming years to improve the health of the local population, improve access to high quality local health care and minimise the length of stays in hospital.

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## PUBLIC QUESTIONS TO COUNCIL – 20 JULY 2012

### Question from Mrs Churchward, Breinton, Herefordshire

Question 7

#### **Draft Core Strategy**

*The new National Planning Policy framework reiterates that Local Planning Authorities should take into account the economic and other benefits of “the best and most versatile agricultural land” (ie. Grades 1,2 & 3A agricultural land) . Where significant development is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land, in preference to that of higher quality.*

*Could you please explain how this approach has been applied to the Draft Core Strategy, especially when 3 Strategic Sites for Hereford (namely Holmer, Three Elms and Lower Bullingham) have been proposed, which are on land which falls within this classification?*

#### **Answer from Councillor RB Hamilton, Cabinet Member Environment, Housing and Planning**

Agricultural land quality is one of the factors which were taken into account in identifying the strategic housing proposals in the Core Strategy. Much of the land around Hereford and the market towns is of high agricultural value and where land of lower quality exists it is often impacted upon by other constraints to development such as being land liable to flood or is subject to environmental designations.

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### Question from Mrs Morris, Hereford

Question 8

#### **Omission from Draft Core Strategy (12 July 2012)**

*Neither the Edgar Street Retail Development nor the urban housing scheme for 800 homes, has been identified by officers for inclusion within the Draft Core Strategy, according to the report to Cabinet (12<sup>th</sup> July 2012).*

*As Herefordshire Council has spent millions on bringing forward these key city centre sites for development, why have they been omitted from the Draft Core Strategy?*

#### **Answer from Councillor RB Hamilton, Cabinet Member Environment, Housing and Planning**

There has been no omission. Both elements already are, and will remain, key components of the Core Strategy, including the city centre retail development (which already has the benefit of planning permission) and housing on the Urban Village.

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### Question from Mrs Ferris, Dinedor, Hereford

Question 9

#### Hereford Broad Street Improvements

*Who was responsible for formulating and agreeing the Hereford Broad Street improvements briefing and how was the remit of the briefing decided upon?*

### Answer from Councillor GJ Powell, Cabinet Member Education and Infrastructure

The Broad Street improvement scheme was included within the council's bid for 'Destination Hereford' funding from central government, and the initial brief was developed by the council on the basis of that bid.

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### Question from Mr Grice, Belmont, Hereford

Question 10

#### Hereford Relief Road Southern Section

*With reference to the proposed Hereford relief road southern section and the introduction of four more routes ie. SC3, SC4 , SC5 & SC6. I was particularly concerned by the limited consultation period previously adopted when the former bypass route was proposed as a preferred option. What is the full process which Herefordshire council are obliged to follow when choosing the route?*

### Answer from Councillor RB Hamilton, Cabinet Member Environment, Housing and Planning

The full process that the council is obliged to follow when choosing a route will be informed by work that has recently been commissioned to provide a technical assessment of the southern link (A49 to A465) route options which will include:

- \* Survey and Data Collection
- \* Engineering Design
- \* Traffic and Economic Assessment
- \* Environmental Surveys and Assessments

This assessment will be carried out in accordance with Stage 2 of the Department for Transport guidelines as established in the Design Manual for Roads and Bridges and WebTAG (Web Based Transport Analysis Guidance) guidelines, and will include the identification of a preferred route. The Stage 2 report is due by April 2013 following which the council will be able to determine a preferred route for the A49 to A465 link.

It is worth noting that further processes will need to follow including the pursuit of a planning permission and there is no timetable for these stages at present.

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The early findings will be shared with local people who may be directly affected by this route. The views of local people will be taken into consideration in formulating the revised Core Strategy, in deciding the preferred route for this particular road, and as part of the normal planning application process. In undertaking these consultations I will ensure that the suggestions made by the Overview & Scrutiny Committee about improvements to consultation processes are taken on board.

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### **Question from Mr Wallace, Breinton, Hereford**

Question 11

#### **Rotherwas Rail**

*I understand that much of the original rail infrastructure to the Rotherwas area exists and could be reopened for freight and passengers, for much less than any of the new road schemes proposed by Herefordshire Council. What assessments have Herefordshire Council undertaken to determine the role that railways could play in local transport policy?*

#### **Answer from Councillor GJ Powell, Cabinet Member Education and Infrastructure**

The council has commissioned a study to appraise the merits and costs of re-instating rail access into Rotherwas. This study will consider scheme costs, revenue costs and likely patronage levels. Currently, there are no reliable costings for this proposal and hence it is not possible to make comparisons against other transport schemes.

The council considers rail to be an important component of the transport network in the county and it will continue to lobby the Department for Transport, Network Rail and the train operating companies, which are collectively responsible for rail services, to improve both services and infrastructure. The council's long term lobbying of Network Rail was rewarded recently with the introduction of passenger lifts at Leominster Rail Station which will provide better access for people with mobility difficulties in the north of the county.



**MEMBERS' QUESTIONS TO COUNCIL – 20 JULY 2012****Question from Councillor C Attwood of Councillor PD Price, Cabinet Member Corporate Services****Council disposal of West Mercia Supplies**

- 1 *Why is it that the majority of Councillors first knew of the disposal of WMS through the pages of the Hereford Times?*

*As a Councillor it is not possible to defend the Council (it might have been a good decision) or otherwise when nothing is communicated to Members. It is a discourtesy to Members and reputationally highly damaging to the Council for the Cabinet to act in such a secretive manner. Can you please explain this behaviour?*

**Answer from Councillor PD Price, Cabinet Member Corporate Services**

The decision to progress disposal was taken by Cabinet in June 2011. Leading up to the sale the four councils approached the issue of communication jointly and given that negotiations were commercially confidential the process was handled appropriately. It was important that the affected staff were kept informed in a way that gave them assurance about their future.

However the sale was concluded on 19 April and, on reflection, we should have ensured that Councillors had better visibility of this important sale at that point.

**Question from Councillor P Watts of Councillor RJ Phillips, Cabinet Member Enterprise & Culture****Hereford Car Parks**

- 2 *How many car parks (including those on private land and charity land) within Herefordshire County has Herefordshire Council designated "streets" – if so, what are their locations?*

**Answer from Councillor RJ Phillips, Cabinet Member Enterprise & Culture**

In 1999 Herefordshire Council adopted a scheme under the 1982 Local Government (Miscellaneous Provisions) Act in relation to street trading. The definition of a 'street' for these purposes is 'any road, beach, footway or other area to which the public have access without payment'.

At the time the legislation was adopted, there was extensive consultation including Public Notices in local newspapers and correspondence with all Parish Councils. A list of streets deemed prohibited for street trading was published, with all other areas deemed to be a 'street', automatically receiving consent status and thereby potentially licensable.

## MEMBERS' QUESTIONS TO COUNCIL – 20 JULY 2012

Therefore the situation currently exists that any car park in Herefordshire which falls within the definition of a 'street' for street trading purposes may be a licensable area.

Traders are currently licensed at the B&Q car park Hereford, Merton Meadow car park Hereford and Lower Wyche car park, Colwall. We have historically done so at both Wickes and Homebase car parks in Hereford and, until recently, Blackhills car park on the Malvern Hills.

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### **Question from Councillor RI Matthews of Councillor RB Hamilton, Cabinet Member Environment, Housing and Planning**

#### **LDF Strategy - Costs**

- 3 *Work commenced on the LDF in 2007, and it is my understanding that the Council's Forward Planning Team have been more or less fully occupied with the project ever since. Could Members be told how much overall the LDF Strategy has cost the taxpayer to date? And could we also be informed of what is the total cost of Consultants, including AMEY's input, who have been employed on this project since 2007.*

### **Answer from Councillor RB Hamilton, Cabinet Member Environment, Housing and Planning**

The expenditure figure for the LDF 2006/7 to 2011/12 was £1,132,694 (with consultancy fees, including Amey and other specialist consultants' input, accounting for £784,000 of this).

In addition, the cost of Forward Planning staff (salaries and indirect costs) from 2007-2012 was £2,912,706 (not all of this is attributable to the LDF or related activity).

The total cost is £4,045,400.

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### **Question from Councillor J Knipe of Councillor RJ Phillips, Cabinet Member Enterprise and Culture**

#### **Locality Working**

- 4 *I would like clarification of how the locality concept was conceived. Despite attending Golden Valley locality meetings over the past year, very little appears to have been achieved and decisions that have been made, have had minimal impact.*

*I am concerned that little recognition has been made of the cost of these proceedings with regards to officers' time and the entailing bureaucracy. This is particularly pertinent in today's financial climate. For example: the officer chairing*

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*the Golden Valley locality meeting, would expect to be charged out at £400 per hour if he worked for Price-Waterhouse. This cost would be multiplied 8 or 9 times if extended throughout the county. In the private sector, these costs would have to be recognised and their impact evaluated.*

*Therefore, I would like the Cabinet Member to justify whether these costs will provide substantial benefit to the locality and whether he sees a future for localities working in partnership in Herefordshire.*

### **Answer from Councillor RJ Phillips, Cabinet Member Enterprise and Culture**

The Locality Strategy approved by Cabinet in March 2011 (available on the council's website at [Localities - Herefordshire Council](#)) provides both the local and national context for the development of our approach to the future delivery of public services in the county; in essence it is about working with our communities to develop local solutions.

I would absolutely agree with Cllr Knipe that, whilst we still have a long way to go to fully deliver the vision of locality working, what it is not about is developing a bureaucracy around meetings. Enhancing the role of ward members as community leaders was recognised as a key learning point from the 'Reaching the Hearts of Herefordshire' pilots which recognised the positive difference made by members working more closely with their parish councils and communities. The principles underpinning locality working build on this approach. That said, officers have been allocated to each locality area to support ward members and help coordinate the delivery of locality working (and I can confirm the private sector figures quoted bear no resemblance to the salaries of those council officers).

By working in this way we have already delivered positive outcomes in localities, for instance multi-agency working in Leominster to address a problem with anti-social behaviour, working with partners to see how we can maximise the use of our assets – there are positive examples of how that is working in practice in Ledbury and Ross. The work in the Golden Valley is strengthening community leadership. This approach is evident through the work with senior police officers to seek an explanation for the delivery of policing in the Golden Valley. Other events have seen fire staff, health employees and Amey staff meet with the locality representatives about service delivery issues and improvements.

We will shortly be publishing the Locality Engagement Toolkit which sets out a number of successful locality-based projects and I would urge members to review these to understand what can be achieved through working closely with our communities.

We will also continue to monitor the impact of locality working and I welcome the Overview & Scrutiny Committee's inclusion of this approach in its future work plan.

## MEMBERS' QUESTIONS TO COUNCIL – 20 JULY 2012

### Question from Councillor TM James of Councillor PD Price, Cabinet Member Corporate Services

#### West Mercia Supplies

- 5 *Can the Cabinet Member responsible for the sale of West Mercia Supplies inform Members of the Council:*
- A *The name of the independent advisors used for the transaction.*
- B *The cost of that advice*
- C *The fees and other costs involved*
- D *Were the Councillors on the West Mercia Board aware that it was to be sold to a third party within days of the sale of the business?*
- E *What enquiry will take place to ascertain why yet again it appears that the Council have failed to maximize the income of Herefordshire Council residents, only to benefit private and public companies outside the County?*

#### Answer from Councillor PD Price, Cabinet Member Corporate Services

- A Ernst and Young for financial advice and managing the sales process and Cobbetts for legal advice.
- B The advice cost £500,649 in total and Herefordshire's proportion was 25% (£125,162) that was deducted from the sale proceeds.
- C Other costs totalled £75,976 and Herefordshire's proportion was 25% (£18,994) that was deducted from the sale proceeds.
- D No. The sale of the consortium to Smiths News PLC was a sale that was confidential under stock exchange rules regarding disclosure.
- E The council (along with the other three councils that owned West Mercia Supplies) assessed this was the best price for the concern. There was a risk that any delay would be affected by declining sales. It should be noted that the Utilities Division has remained in the ownership of the councils and is expected to provide an annual dividend.
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## MEMBERS' QUESTIONS TO COUNCIL – 20 JULY 2012

### Question from Councillor MAF Hubbard of Councillor RB Hamilton, Cabinet Member Environment, Housing and Planning

#### Justification for and risks of including A49-A465 link in “interim” LTP, ahead of confirmation of deliverability of the road and consultation on the third revision of the Core Strategy

6 *The Cabinet has agreed that the 'A49 to A465 highway link' will be included in a 'revised' local transport plan (to 2014/15, in the report on the LDF and LTP discussed at the Cabinet meeting of 12th July). Elsewhere in the report this link is described as the 'southern route corridor of the Hereford Relief Road' (para 24).*

*When I asked at the Cabinet meeting when this decision to advance this link had been discussed and approved by Herefordshire Council, I was told by the Head of Transportation and Access that the A49-A465 link had been in the LTP2 since 2006.*

*The 2006 LTP2 clearly identifies the link as the 'Hereford Outer Distributor Road Stage 1' (p69) where it is proposed as a 'major scheme development' to be funded by the 'LTP, Advantage West Midlands and the Highways Agency'.*

A *Why is the A49-A465 link being progressed independently of the rest of the Western Relief Road and*

B *What are the implications for soundness if consultation on a key proposal for Core Strategy is prejudiced in this way?*

### Answer from Councillor RB Hamilton, Cabinet Member Environment, Housing and Planning

A The A49 to A465 link is being progressed independently of the western relief road in accordance with Council's adopted policy as set out in the local transport plan.

The adopted local transport plan clearly identifies the proposal to undertake a detailed assessment of the A49 to A465 link in order to secure planning approval and identify sources of funding for the link. The supporting text for the proposal clarifies that this work could progress without prejudice to the consideration of overall alignment for an outer distributor road either to the west or east of the city as the link would be required.

Whilst local residents understandably have concerns about the route of any road, they have also confirmed that continuing uncertainty represents the worst possible situation. Therefore we are taking steps to progress this element as soon as possible because we are able to do so and to remove that uncertainty.

B There are no implications for soundness. Indeed, where more detailed work has been undertaken on a specific proposal this will help demonstrate its deliverability.

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### Question from Councillor MAF Hubbard of Councillor RB Hamilton, Cabinet Member Environment, Housing and Planning

#### Offering the public a meaningful alternative to road building in the next consultation on the Core Strategy

7 *In the first consultation on the Core Strategy (January to March 2010), the only choice offered to the public was between road corridors — to the east or west — for an 'Outer Distributor Road'. No alternative to road building, supported by evidence, has ever been put to the public.*

*When the public did have evidence about the impacts of road building, at the Autumn 2010 consultation on the Hereford Preferred Option, they overwhelmingly rejected the Movement Policy. The consultation report shows that their top two comments were 'disagree with the need for relief road/no road' and 'provide further sustainable measures'.*

*The 2011 Revised Preferred Option consultation shows 'a level of public concern and opposition remains regarding ... in particular, strategic proposals at Hereford, including matters regarding the provision of a relief road ...' according to the report to Cabinet on 12 July.*

A *Will the Council undertake to present a properly tested, reasonable alternative to road building to the public in the forthcoming consultation on the Core Strategy?*

### Answer from Councillor RB Hamilton, Cabinet Member Environment, Housing and Planning

The Core Strategy Developing Options Consultation undertaken between June and August 2008 specifically included a no-road option. Almost 80% of the responses to this consultation supported the package of transport improvements which included a new road.

The forthcoming Core Strategy consultation will not include a set of proposals without a relief road for Hereford. The “no road” option has been tested but the evidence is that the relief road is needed to support proposed growth of the city for the period up to 2031. The Strategic Environmental Assessment which will accompany the Core Strategy will fully set out the reasonable alternatives considered in its preparation.

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### Question from Councillor WLS Bowen of Councillor H Bramer, Cabinet Member Major Projects

#### Floods and heavy rainfall

8 *Knowing that Amey has recently made 50 people redundant:*

A *What assurances can we be given that Amey has sufficient manpower and resources to cope with the aftermath of the repeated floods and heavy rain storms that we have recently encountered?*

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- B *Will they be able to restore our drainage systems and roads to a decent state that will be able to cope with any reasonable eventualities in the future?*

### **Answer from Councillor H Bramer, Cabinet Member Major Projects**

- A The existing contracts with Amey are structured in a way that maintains a core set of routine activities. In addition to this Herefordshire Council does pay a routine fee to retain an emergency response capability and similarly if that capability is not being maintained this payment would also be withheld.
- B The ability of our assets, be they drainage systems or roads, to cope with 'reasonable eventualities' now and in the future is a question that is being actively considered in the development of our Asset Management Plan and our Local Flood Risk Management Strategy. Clearly, as with all our assets, these needs must be prioritised in the context of limited and reducing financial resources.

Having regard to the recent impacts of the exceptional bad weather, we are compiling a claim to Government for additional funding for the repair of flood damage under the Belwin scheme; the government has committed to fund all claims above the 2012/13 threshold (which is £459,165 for Herefordshire) at 100%. This funding together with the core resources directly employed by Amey Herefordshire and the use of sub-contractors when needed should ensure that Herefordshire's capacity and capability to recover from repeated weather events is maintained.

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### **Question from Councillor SJ Robertson of Councillor GJ Powell, Cabinet Member Education and Infrastructure**

#### **Speedwatch**

- 9 *A number of Police Forces (Cambridgeshire, Thames Valley, Hampshire, Leicestershire, Devon and Cornwall to name a few) are running the initiative "Speedwatch" with volunteers from the general public. This initiative allows the public to get actively involved in monitoring the speed of vehicles travelling through their neighbourhood.*

*Speeding has been highlighted in the majority of parish plans as a major issue. Having tried for many years to resurrect "Speedwatch" in Herefordshire, would the cabinet member support me in investigating the possibility of trialling a pilot in Burghill?*

### **Answer from Councillor GJ Powell, Cabinet Member Education and Infrastructure**

Yes; community Speedwatch schemes are very much about empowering communities to address issues which are important to them and which are having a real impact on their quality of life. Whilst there are various such schemes around the country, they are led by the police and West Mercia Police do not currently support such schemes. This issue has been raised with the local Area Commander on a number of occasions, and I would be

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happy to support the local member in seeking West Mercia Constabulary's development of a trial in Burghill.

In the meantime we are working with the police to develop a scheme using their specials to carry out speed enforcement in those areas which are not currently targeted by the Safer Roads Partnership but which have a demonstrated problem with speeding traffic. This is being supported by the Community Safety Partnership with a target date for implementation in the autumn.

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### **Question from Councillor PJ Edwards of Councillor PD Price, Cabinet Member Corporate Services**

#### **Corporate Services letter (13 July) to Parish Councils**

- 10 *How can it be right that the content of a letter apparently sent to all Parish Councils quotes that “**Council is to agree to proposals for a new pattern of wards which can be seen by following this link on the Council’s web site**” in advance of any such agreement having been made by Council?*

Please note that following the provided 'link' no alternative options of warding are provided.

### **Answer from Councillor PD Price, Cabinet Member Corporate Services**

The purpose of advising local councils of the recommendation to today's Council meeting was to give them advance notice of what was being recommended to Council and to remind them that they could also make representations to the Local Government Boundary Commission on warding arrangements, if they so wished. Of course any changes to the recommendations agreed by Council today will be communicated to the local councils.

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## MEMBERS' QUESTIONS TO COUNCIL – 20 JULY 2012

### **Question from Councillor R Preece of Councillor GJ Powell, Cabinet Member Education and Infrastructure Highway Repairs**

11 *Over the last few months, certainly in South Wye and talking to other Members it seems countywide, there has been a drastic reduction in what I would call proper highway repairs. All that I have seen are quick repairs that may last a few weeks and I have reported the same ones two or three times recently.*

*What is the policy regarding repairing these works properly and also who is responsible when damage to vehicles and persons arises resulting from poor workmanship or just ignoring Members requests?*

### **Answer from Councillor GJ Powell, Cabinet Member Education and Infrastructure**

The policy in regard to the repair of roads is set in the Highway Maintenance Plan. This plan is available on the Councils website.

In times when the demand on this service is high, the need to address a vast number of safety repairs quickly does lead to the use of temporary repairs and as a consequence repeat repairs. This action has to be considered in the context of the high demand for these repairs following severe weather across the whole highway asset and our duty to maintain the highway in a condition that reflects its character and usage to which it is put.

I would also wish to put the overall repairs and maintenance issue into context. As a rural county Herefordshire has in excess of 2000 miles of publicly maintained highways. Whilst we have achieved a sustainable road condition for our A & B roads across the county, over 50% of our network is made up of C or Unclassified roads. It would take over £17m to achieve a sustainable condition for these. This is not a position unique to Herefordshire; we are investing over £10m annually in maintaining and improving these assets, but financial resources are reducing and we must continue to prioritise available funding to ensure that we get the best value out of every pound we spend.

As the Highway Authority, Herefordshire Council are responsible for the roads and whenever damage or injury occurs, any claim for compensation should be directed to us. Should there be proven liability against the contractor the matter would be pursued through the appropriate contract process.

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## MEMBERS' QUESTIONS TO COUNCIL – 20 JULY 2012

### Question from Councillor L Harvey of Councillor PD Price, Cabinet Member Corporate Services

#### Payments for Services

- 12 *What work has been undertaken by Bloor Homes for the council since April 2010? Please can you list the invoices (paid and outstanding), their dates, their amounts, the services procured in each instance and whether the contract was competed or single source.*

### Answer from Councillor PD Price, Cabinet Member Corporate Services

None

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### Question from Councillor L Harvey of Councillor PD Price, Cabinet Member Corporate Services

#### Interim Appointments

- 13 *I am concerned to understand the council's reliance and strategy relating to the use of interim appointees. So I would like to know:*
- A *How many interim appointments are currently in place across the council?*
- B *What is the longest period of time an appointment has been running*
- C *What is the most senior position currently operating as an interim appointment?*

### Answer from Councillor PD Price, Cabinet Member Corporate Services

- A Assuming the definition of 'interim' includes individuals who are in permanent posts where we've yet to appoint and excludes wider fixed term contract posts or agency/bank staff there are currently 57
- B 4 years and 10months (*NB the contract is due to end in 8 months*)
- C There are 2 positions graded at HC13 (salary band £50,206 - £54,412) within these figures.

*NB All figures as at 18/07/12*

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## MEMBERS' QUESTIONS TO COUNCIL – 20 JULY 2012

### Question from Councillor WLS Bowen of Councillor GJ Powell, Cabinet Member Education and Infrastructure

#### Broadband

- 14 *Can the Cabinet Member bring us up to date with the timescale for the implementation of high speed broadband throughout Herefordshire.*
- A *How much slippage has there been in the timescale?*
- B *What are the names of the firms involved in the roll out of broadband in Herefordshire?*
- C *Are sufficient resources being employed to produce the high speed broadband required throughout Herefordshire at this moment?*

### Answer from Councillor GJ Powell, Cabinet Member Education and Infrastructure

- A The Borders Broadband project is reaching the final stages of the procurement process to secure a telecommunications company to design, build and operate a wholesale broadband network in those areas of Herefordshire and Gloucestershire which will not receive commercial investment.

The "Call for Final Tender" has now been issued which is the final and shortest part of the process. The final submission will be received in early August which will then be evaluated based on coverage, cost and long term viability, with a view to a report coming forward for Cabinet consideration in September.

At the start of the procurement last year the original timescale for a decision on contract award was estimated as May 2012. This was extended because the contract can not be awarded without EU State Aid approval of the national programme (the timescale for the approval has not been confirmed but is estimated to be early autumn), and to enable negotiations with BDUK to take place resulting in additional funding being made available in recognition of the sparsity issues within the county.

- B The intention is that the Cabinet will consider contract award in mid September 2012 following which the name of the recommended supplier will be released.
- C Sufficient resources are being employed to support this vital work. As a cross county project with Gloucestershire we are able to share management and administration resources. At relevant stages of the procurement, specialist expertise has been commissioned to ensure bids have been fully tested.

With regard to capital resources, this will be addressed in the report to Cabinet in September.

## MEMBERS' QUESTIONS TO COUNCIL – 20 JULY 2012

### Question from Councillor FM Norman of Councillor GJ Powell, Cabinet Member Education and Infrastructure

#### School Meals

15 *Once again, concern has been expressed at the national level about the quality of school meals. This concern is also shared locally by parents, teachers and governors.*

*Bearing in mind:*

- (a) the importance of good nutrition both in reducing poor behaviour and increasing concentration and academic progress,*
- (b) the high number of children entitled to free school meals in some of our schools,*
- (c) the low uptake of school meals in some of our schools,*

A *How much support are we giving schools in sourcing high quality, nutritious school meals?*

B *How are we helping schools to improve the uptake of school meals?*

C *How much autonomy do schools and governors have in selecting the providers of school meals, and ensuring that the meals are of high nutritional value and sourced from fresh, local produce?*

#### Answer from Councillor GJ Powell, Cabinet Member Education and Infrastructure

A Ensuring that our children have the healthiest possible start in life is clearly a priority; the 'Yes We Can' plan (appearing elsewhere on the council agenda today) reflects this priority, and also demonstrates that like many of the issues we have to address, it is something that the council can't address on its own – all partners, including schools, must help move things in the right direction.

Currently 40 schools have a service level agreement with the council for the provision of school meals and all those schools have had access to the support and advice of a catering officer. The council's catering contracts incorporate the Soil Association's 'Food for Life' standards.

It is a matter for the remaining schools to work with their caterer in supplying healthy nutritious lunches that comply with the Food and Nutritional Standards.

The sustainable food & drink strategy for the county has been made available to all schools.

B An annual survey by the School Food Trust shows that uptake of school meals has increased both national and locally in Herefordshire between the academic years 2009/10 and 2011/12, although uptake remains below 50%.

Although there is no specific council activity currently underway to encourage uptake of school meals, the joint public health team are running initiatives to



## MEMBERS' QUESTIONS TO COUNCIL – 20 JULY 2012

promote the national Change4Life programme in schools, which includes top tips for eating a healthy diet as well as increasing physical activity to prevent obesity.

- C Schools have complete autonomy to source school meals from a supplier of their own choosing; school meals served in Local Authority maintained primary, secondary and special schools and pupil referral units are legally required to comply with the School Food Regulations which specify the minimum nutritional standards for school meals which include a maximum amount of unhealthy salt, fat, and sugar and a minimum amount of healthy fruit and vegetables.

The emerging issue is that new academies established in 2010 are not legally bound to serve meals that meet the School Food & Nutritional Regulations and national research by the School Food Trust shows that while some do others do not.

