

Agenda

Cabinet

Date: **Friday 27 July 2018**

Time: **10.00 am**

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

Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

Sarah Buffrey

Tel: (01432) 260176

Email: sarah.buffrey@herefordshire.gov.uk

If you would like help to understand this document, or would like it in another format, please call Sarah Buffrey on (01432) 260176 or e-mail sarah.buffrey@herefordshire.gov.uk in advance of the meeting.

Agenda for the meeting of Cabinet

Membership

Chairperson	Councillor JG Lester, Leader of the Council
Vice-Chairperson	Councillor NE Shaw, Deputy Leader of the Council
	Councillor H Bramer
	Councillor BA Durkin
	Councillor DG Harlow
	Councillor PD Price
	Councillor P Rone
	Councillor EJ Swinglehurst

Agenda

	Pages
1. APOLOGIES FOR ABSENCE To receive any apologies for absence.	
2. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
3. MINUTES To approve and sign the minutes of the meeting held on 28 June 2018.	11 - 32
4. QUESTIONS FROM MEMBERS OF THE PUBLIC To receive questions from members of the public. <i>Deadline for receipt of questions is 5:00pm on Monday 23 July 2018. Accepted questions and the responses to them will be published as a supplement prior to the meeting. Please see https://www.herefordshire.gov.uk/getinvolved for information on how to submit a question.</i>	
5. QUESTIONS FROM COUNCILLORS To receive questions from councillors. <i>Deadline for receipt of questions is 5:00pm on Monday 23 July 2018. Accepted questions and the responses to them will be published as a supplement prior to the meeting.</i>	
6. HEREFORD TRANSPORT PACKAGE (HTP) To consider: feedback to the HTP Phase 2 consultation, assessment of the shortlist of possible bypass route corridor options, the recommended preferred bypass route corridor, the development of associated walking, cycling, bus and public realm (active travel) improvements and to confirm the scope of the Phase 3 consultation.	33 - 56

The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

Public Transport Links

- The Shire Hall is a few minutes walking distance from both bus stations located in the town centre of Hereford.

RECORDING OF THIS MEETING

Please note that filming, photography and recording of this meeting is permitted provided that it does not disrupt the business of the meeting.

Members of the public are advised that if you do not wish to be filmed or photographed you should let the governance services team know before the meeting starts so that anyone who intends filming or photographing the meeting can be made aware.

The reporting of meetings is subject to the law and it is the responsibility of those doing the reporting to ensure that they comply.

The council is making an official audio recording of this public meeting. These recordings form part of the public record of the meeting and are made available for members of the public via the council's web-site. To listen live or to hear the entire recording once the meeting has finished navigate to the page for the meeting and click the larger blue arrow at the top of the agenda. To listen to an individual agenda item click the small blue arrow against that agenda item.

FIRE AND EMERGENCY EVACUATION PROCEDURE

In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit and make your way to the Fire Assembly Point in the Shire Hall car park.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

The Chairperson or an attendee at the meeting must take the signing in sheet so it can be checked when everyone is at the assembly point.

Guide to Cabinet

The Executive or Cabinet of the Herefordshire Council consists of a Leader and Deputy Leader and six other Cabinet Members each with their own individual programme area responsibilities. The current Cabinet membership is:

Councillor JG Lester (Leader) (Conservative)	Corporate Strategy and Budget
Councillor NE Shaw (Deputy Leader) (Conservative)	Finance and Corporate Services
Councillor H Bramer (Conservative)	Contracts and Assets
Councillor BA Durkin (Conservative)	Transport and Regulatory Services
Councillor DG Harlow (Conservative)	Economy and Communications
Councillor PD Price (Conservative)	Infrastructure
Councillor P Rone (Conservative)	Health and Wellbeing
Councillor E Swinglehurst (Conservative)	Young People and Children's Wellbeing

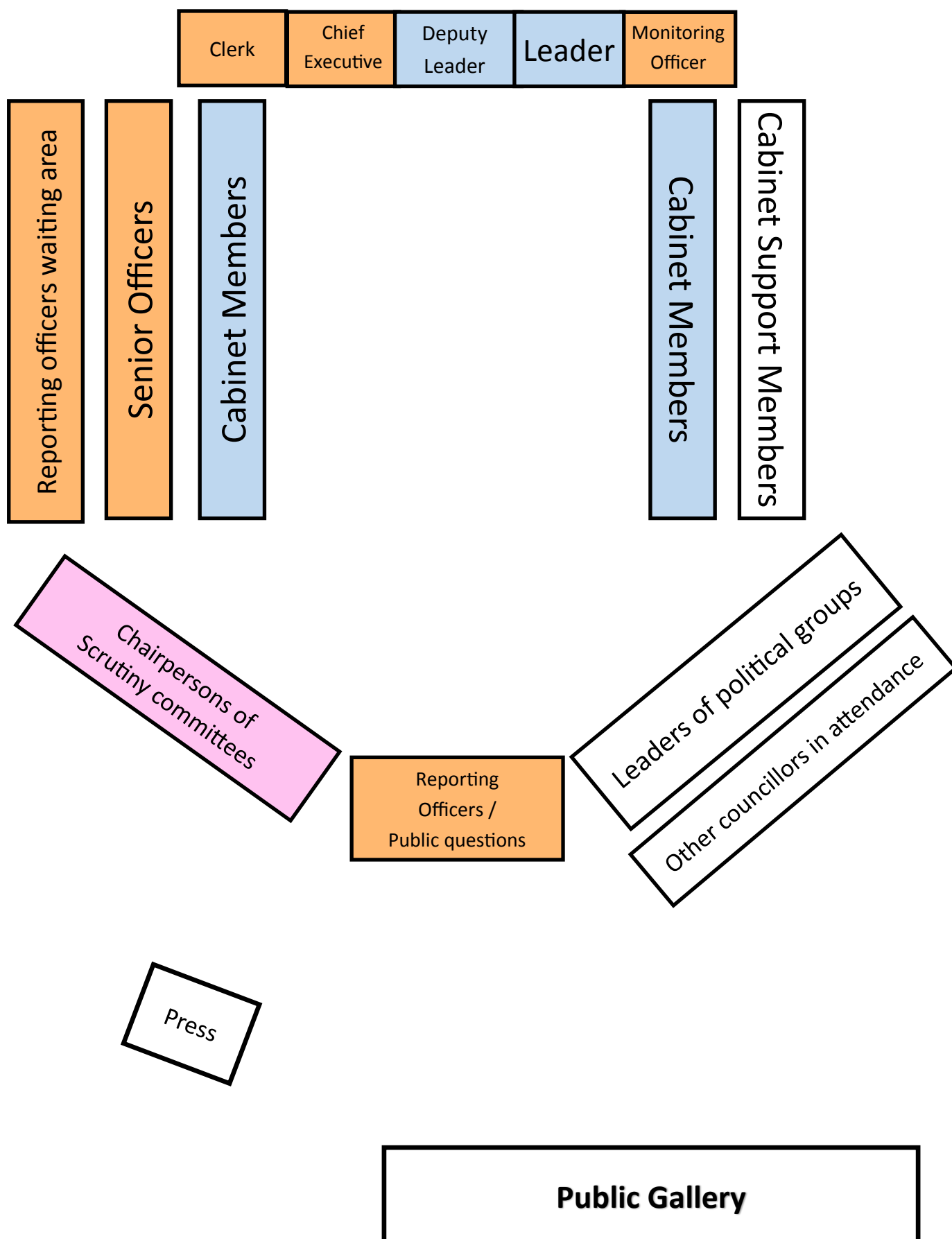
The Cabinet's roles are:

- To consider the overall management and direction of the Council. Directed by the Leader of the Council, it will work with senior managers to ensure the policies of Herefordshire are clear and carried through effectively;
- To propose to Council a strategic policy framework and individual strategic policies;
- To identify priorities and recommend them to Council;
- To propose to Council the Council's budget and levels of Council Tax;
- To give guidance in relation to: policy co-ordination; implementation of policy; management of the Council; senior employees in relation to day to day implementation issues;
- To receive reports from Cabinet Members on significant matters requiring consideration and proposals for new or amended policies and initiatives;
- To consider and determine policy issues within the policy framework covering more than one programme area and issues relating to the implementation of the outcomes of monitoring reviews.

Who attends cabinet meetings?

On the next page you will find a layout plan of the room showing who is sitting where. Coloured nameplates are used which correspond to the colours on the plan as follows:

Pale blue	Members of the cabinet, including the leader of the council and deputy leader – these are the decision makers, only members of the cabinet can vote on recommendations put to the meeting.
Orange	Officers of the council – attend to present reports and give technical advice to cabinet members
Pink	Chairpersons of scrutiny committees – attend to present the views of their committee if it has considered the item under discussion
White	Political group leaders – attend to present the views of their political group on the item under discussion
	Other councillors may also attend as observers but are not entitled to take part in the discussion.



Herefordshire Council

Minutes of the meeting of Cabinet held at The Council Chamber - The Shire Hall, St. Peter's Square, Hereford, HR1 2HX on Thursday 28 June 2018 at 10.00 am

Present: Councillor JG Lester, Leader of the Council (Chairperson)
Councillor NE Shaw, Deputy Leader of the Council (Vice-Chairperson)

Councillors H Bramer, BA Durkin, DG Harlow, PD Price, P Rone and EJ Swinglehurst

Cabinet support members in attendance

Councillors JF Johnson

Group leaders in attendance

Councillors TM James, PP Marsh, RI Matthews and AJW Powers

Scrutiny chairpersons in attendance

Councillors PA Andrews and WLS Bowen

Other councillors in attendance:

Councillors JM Bartlett, ACR Chappell, PE Crockett, J Hardwick, D Summers and EPJ Harvey

Officers in attendance:

Alistair Neill, Geoff Hughes, Chris Baird, Claire Ward, Andrew Lovegrove, Stephen Vickers, Annie Brookes, Steve Hodges, Karen Morris, Natalia Silver and Karen Wright

7. APOLOGIES FOR ABSENCE

There were no apologies from members of the cabinet.

8. DECLARATIONS OF INTEREST

None.

9. MINUTES

Resolved: That the minutes of the meeting held on 7 June 2018 be approved as a correct record and signed by the Chairman.

10. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 11 - 20)

Questions received and responses given are attached as appendix 1 to the minutes.

11. QUESTIONS FROM COUNCILLORS (Pages 21 - 22)

Questions received and responses given are attached as appendix 2 to the minutes.

12. FUTURE DELIVERY OF MUSEUM, LIBRARY AND ARCHIVE SERVICES

The cabinet member for contracts and assets introduced the report and highlighted:

- The proposals recognised that the services were important to users.

- The proposals do not represent a reduction in service.
- There has been no reduction in the opening hours of libraries since 2014.
- There is a commitment to maintain the current service levels and develop where possible.
- There is support from the communities for the services.
- Unlike many other councils, Herefordshire had invested in the library service and not made any closures.

The assistant director communities went through each recommendation:

Recommendation a - members may wish to consider investing in the development of a mezzanine floor utilise the space within Hereford Library and Museum for public benefit. Appendix 2 goes into detail of the options.

Recommendation b - the Black and White House has been generating an income as outlined in the profile of service, though with greater awareness addition attendance could raise ticket sale that can support the museum service to be sustainable.

Recommendation c – this was to ensure that as much of the archives were open to the public as possible as some permissions are not given even though the archive is held by the council. If families / estates were unwilling to agree to their records being available, then alternative arrangements would be put in place which could include returning to the family, charging for storage, etc.

Recommendation d – at the moment it is theoretical that there are organisations who would be willing to provide the services. A procurement exercise would confirm if there was an opportunity to work with a delivery partner based on current standard of service as benchmark

Recommendations e and f - these were opportunities to raise income at HARC.

Recommendation g – this was an opportunity to review the schools library service to ascertain the take up of the service and find out what schools require.

Recommendation h – this was the executive's response to the recommendations from the general scrutiny committee. It was noted that the paragraph reference should be to 62 and not 60.

The cabinet member for finance and corporate services commented that there was sympathy to those who oppose any change to the services but there were challenges for all public and third sector organisations. It was unlikely that central government would be providing additional funding for these services. The recommendations would mean that the council would comply with statutory requirements. The council is continuing to invest in the libraries with the £230k set out in recommendation (a) but proposed an amendment that the responsible director undertake soft marketing testing to determine demand before going ahead with the investment in order that space is not created that does not benefit to the community.

During the discussion of the item, the following points were raised:

- Herefordshire has a population of 186k and delivers services over 2,180 sq m. This compared with the London Borough of Brent which has twice the population and delivers services over 43 sq m. in 2011 Brent closed 6 libraries and Herefordshire has closed none. This is due to the council and dedicated community involvement which was something to be proud of.
- The Council has shown that the services are valued but the council has to set a balanced budget and this includes looking at alternative methods of delivery.

The examples of the Courtyard and Halo were used as those organisations are successful and it is their specialist knowledge which makes them successful.

- The Black and White House Museum had a certificate of excellence trip advisor rating which was due to the work of the assistant director communities and the hard work of the team.
- The current service is protected and if there was a provider who could deliver the services, they may be able to see income generation opportunities
- The proposals were not about cutting the services but getting the number of visitors to increase.
- The soft marketing testing had identified four not for profitable organisations who may express an interest. All four were charities and two were locally based and two from outside the county.
- Review for the schools library service would be welcomed as it was very much in a state of change.
- The schools library service was a valued service and reaches many young people. The different types and sizes of the schools would need to be considered in any change of service
- The needs of the university would also need to be considered and it was noted that study space may be required. The students would also have friends and family visiting which in turn could generate more visitors to the services.
- The work of the volunteers and parish councils was important in the operation of the community libraries, within museums and archives

The chair of general scrutiny commented that he was pleased to see that the general scrutiny committee's recommendations had been accepted.

The group leader for the Green party commented that they were not in favour of outsourcing and also requested that given the market testing that there was also ongoing scrutiny of the procurement process.

The group leader for It's OUR County commented that it was sensible to explore the options, provided that the process and assessment was properly neutral and not pre-determined or ideology driven. It was noted that whilst there were some overlaps in the 3 services, they all had different requirements and any future model needed to recognise that. The party would have further comments once the review had taken place.

The group leader for Herefordshire Independents commented the services should remain in council control and it was the only way to comply with the council's statutory responsibilities. The group leader commented that it went without saying that the services were valued by the community. The Herefordshire Independents would support the alternative option set out in paragraph 4 of the report.

The group leader for the Liberal Democrats commented that there was a need to look at the alternatives and there may be a way forward which could provide an enhanced service.

The cabinet member finance and corporate services proposed amendment to recommendation (a) so that it started with "subject to soft market testing showing demand for the use of this space, ..."

RESOLVED

That:

- (a) Subject to soft market testing showing demand for the use of this space, up to £230k is invested in the development of the mezzanine floor at the Hereford Library and Museum creating a flexible community use space and multi-agency office, with external funding sought to highlight the historic features;**
- (b) A marketing plan for the Black and White House museum is instigated to increase visitor numbers at a cost of £20k and complete a review of opening hours of the Black and White House by December 2019 with any changes agreed by the cabinet member for contracts and assets;**
- (c) A policy is instigated that archives held at HARC be open to the public or alternative arrangements in place e.g. return, charging, lower cost storage, with delegated authority to the assistant director communities to implement;**
- (d) A procurement process is commenced for the future commissioning of museums, libraries and archives based on current standard of services with a further decision to be made by the cabinet member for contracts and assets on options for implementation;**
- (e) A car parking charging scheme is instigated at HARC in consultation with users;**
- (f) The principle of increased charging for digital archives is approved with delegated authority to the assistant director communities to agree fees;**
- (g) A review is conducted as to the delivery of the school library service including consultation with schools; and**
- (h) The response at paragraph 62 to the recommendations of general scrutiny committee is agreed.**

The meeting adjourned at 11:10 am and recommenced at 11:25 am

13. CORPORATE PEER CHALLENGE

The leader of the council introduced the report and commented that the council invited the Local Government Association (LGA) to conduct a peer challenge. The key message was that there were many positive activities which the council should be proud of.

The chief executive stated that since the end of the comprehensive performance assessment, the LGA peer challenge was the most robust form of review and challenge for councils. It is not a requirement but it was believed that it was essential that there was a check and challenge on the council. The challenge had been productive and helpful. It was noted that there would be a follow up visit in approximately 1 year.

The group leader for the Herefordshire Independents comments the financial situation is now more closely monitored. It was further commented that the recommendations were ones which the council should have been doing already and very basic.

The group leader for the Green party commented that it was welcomed that parish councils are included in One Herefordshire. There was disappointment that there had

been no facility to feed formally into the report and would like to formally review the recommendations in six months.

The group leader for the Liberal Democrats commented that the report was so general that the public would not know what the council was doing well or not well.

The group leader for It's OUR County commented that the relationship with communities needed to improve as there was considerable suspicion and distrust about the council. There was an opportunity for the ward councillors who were also parish councillors to use the parish council as the first point of call.

RESOLVED

That:

- (a) the approach (at appendix 1) to responding to the recommendations from the corporate peer challenge be approved.**

14. END OF 2017/18 CORPORATE BUDGET AND PERFORMANCE REPORT

The cabinet member finance and corporate services introduced the report and highlighted:

- the report showed the latest position at March 2018.
- The majority of projects are being delivered on schedule.
- The revenue outturn showed an overspend of £10k.
- The annual report from the director of public health, together with Understanding Herefordshire were appendices to the report.

Each directorate was discussed in turn and the following highlighted:

Adults and wellbeing directorate

- The outturn position was an £80k overspend. This is in the context of a £55m budget for a demand led service.
- The focus would be on prevention rather than support.
- There had been a month on month increase in the number of hits to the WISH website.
- There had been partnership work in connection with the development of a new learning disability strategy.
- The healthy living training was going well.
- In the context of savings, there had been an overspend of £80k against a budget of £55m.

Children's wellbeing directorate

- The outturn position was an overspend of £1.994m.
- The education outcomes were improving
- The council were one of 14 councils successful in a bid to build a new SEN school.
- The national target for converting SEN plans to education, health and care plans had been met
- The number of looked after children (LAC) were increasing and there was an overspend in LAC placements

- The timeliness of court proceedings was good
- Children's social workers caseloads were too high which is why money was being invested in this area

Economy, communities and corporate

- The outturn position was an underspend of £175k.
- There had been a 5 fold increase in potholes due to the 3 severe weather events in the last financial year.
- At the national Connected Britain awards in London, Fastershire was given the Superfast award, recognising the progress made in Herefordshire towards fibre provision which is set to continue.
- Herefordshire was performing well in the Leader project. It was noted that if the funding was not spent then it would need to be returned.
- Herefordshire had 2,000 miles of mainly rural network and the majority of people travel by car. The council had been awarded £5m from the challenge fund to improve the road network and the next phase of work would commence in August. Over the next 2 years the remainder of the challenge fund would be used on strategic routes.
- Fewer people had been killed on the county roads in 2017 than in 2016.
- The route of Hereford Transport Package would be chosen shortly.

The director of public health presented the annual report and highlighted the following:

- That focusing on prevention would help to balance the budget and improve the health and wellbeing of the population of Herefordshire.
- The development of a healthy weight plan in conjunction with the health and wellbeing board
- A healthy living network was being developed which would include a range of services and would provide effective ways for people to support healthy outcomes.
- Following a query, the director of public health confirmed that public health budget was ringfenced but that there may be opportunities to strengthen public health outcomes across directorates.
- The group leader for Herefordshire Independents welcomed the performance and budget outturn for adults and wellbeing directorate and the decrease in children subject to a child protection plan. However the children's wellbeing directorate financial situation needed more work. With regard to the economy, communities and corporate directorate, the impact of the severe weather was noted. The debts write off was welcomed as modest and in line with previous years. However, there was concern about the debts and the dispose of the small holdings estate.
- The group leader for the Herefordshire Green party commented that the underspend in the economy, communities and corporate directorate could potentially be used in connection with the voluntary grant team restructure.
- The group leader for the Liberal Democrats commented that the biggest concern was the children's wellbeing safeguarding division. There had been a request for thorough scrutiny in this area 10 years ago and then it subsequently was graded as Ofsted inadequate. There was still a need for a thorough scrutiny of this area.
- The group leader for it's OUR county commented that it was unfortunately that the Understanding Herefordshire and annual director of public health reports were not separate items. The cabinet member finance and corporate services confirmed that a written response to the points it's OUR county had raised via

email would be sent and that a conversation with the chairperson of general scrutiny committee and the S151 officer had already taken place with regard to spotlight reviews on a couple of the areas highlighted.

RESOLVED

That:

- (a) performance and financial outturn, including debt write off for 2017/18 as set out in appendices A, B, D and H are reviewed and the cabinet identifies any additional actions to be considered to achieve improvement;**
- (b) the priorities identified in the local account (appendix E), the annual report of the director for public health (appendix F) and the joint strategic needs assessment (appendix G) and be used to inform decision-making and the development of the medium term financial strategy and 2019/20 budget; and**
- (c) the treasury management outturn report at appendix C be recommended to Council for approval.**

15. ANNUAL REVIEW OF EARMARKED RESERVES

The cabinet member finance and corporate services introduced the report and highlighted that the review was as a result of the LGA peer challenge which had suggested a strategic review of finances. The medium term finance strategy and corporate plan reviews were both scheduled for 2019/20.

It was noted that there was one recommendation with a number of reserve movements. Some of the reserve movements would require a business case, in particular the capital reserves.

The group leader for It's OUR County commented that some of the reserves were refunding service changes which did not occur in year. It was further commented that it was difficult to have faith in the children's wellbeing directorate savings. The party did not agree with the reduction of £1.1m in the minimum revenue provision and had concerns over the reduction in the sparsity reserve. It was noted that the new reserve to support community health and wellbeing requirements was welcomed.

Following a request for confirmation that the level of reserves were prudent and followed CIPFA guidelines, the S151 officer confirmed that he was comfortable with the levels of general and earmarked reserves and that they were CIPFA compliant.

RESOLVED

That:

(a) the following movements re earmarked reserves be approved:

- the sparsity reserve be reduced by £6.4m**
- the minimum revenue provision reserve be reduced by £1.1m**
- the severe weather reserve be increased by £1.4m**
- a new reserve of £1.6m established to support structural change in children's wellbeing**
- a new reserve of £0.5m established to support providing care costs in Adults and Wellbeing**

- a new reserve of £2.8m established to support remedial road works
- a new reserve of £0.5m established to meet any future liabilities re living wage claims
- a new reserve of £0.5m established to support the community health and wellbeing requirements
- legal services demand, £0.2m

16. CAPITAL PROGRAMME UPDATE

The capital programme update report was introduced.

The group leader for the Green Party commented that there was a missing “m” after the figure £8,484 in the first paragraph under purpose and summary.

The group leader for Herefordshire independents commented that the proposal for the Cyber Security Centre was welcomed.

It was noted that the Hillside project would be looking at innovative ways of utilising the building. Consideration was being given to extend the facility from 22 to 28 beds and potentially to just beyond 30. Depending on the financial case, the spend would be up to £1.5m.

It was further noted the projects would be subject to further reports to gain approval to commit the spend.

RESOLVED

That the following be recommended to Council

- (a) the addition of £6.711m grant funding and s106 contributions to existing project budgets within the existing capital programme as detailed in the table below be approved

Scheme Name	2018/19 New Budget/ Grant (000)
Economy, Communities and Corporate	
Local Transport Plan (LTP)	3,198
Fastershire Broadband	1,674
ECC's S106	756
Total ECC Capital Projects	5,629
Childrens wellbeing	
Schools Capital Maintenance Grant	33
CYPD's S106	589
Special Provision Capital Fund	167
Healthy Pupils	99
Basic Needs Funding	48
Total CWB Capital Projects	936
Adults and wellbeing	
Disabled facilities grant	147
Total AWB Capital Projects	147
Total	6,711

- (b) the special provision capital fund be increased by £167k in each of 2019/20 and 2020/21 capital budgets for the new grant allocation;
- (c) additional provision of £1.116m be made to support development of the Hereford Enterprise Zone Shell Store making the total provision for this project £7.316m;
- (d) provision of £1.5m be made to support conversion of the Hillside Rehabilitation Centre to provide a nursing home facility;
- (e) provision of £3.5m be made to support delivery of a Cyber Security Centre at Rotherwas;
- (f) approve the changes set out at paragraphs 35 and 36 to funding streams for Ross Enterprise Park and Childrens Wellbeing projects and adjustments across directorate projects with an overall reduction of £476,000;
- (g) the revised 2018/19 capital budget of £145.315m detailed in appendix 1 be adopted, which consists of £40.816m 2017/18 brought forward balances and previous approved budgets of £92.148m, along with the below items recommended for approval; and
- (h) the chief finance officer be authorised, following consultation with the Cabinet Member Finance and Corporate Services to make in year amendments to the capital programme to reflect additional external funding secured in year.

17. LOCAL AUTHORITY SCHOOLS MAINTENANCE PROGRAMME

The cabinet member for young people and children's wellbeing introduced the report and highlighted that the council were investing in the future of county's children and the facilities needed to reflect that.

RESOLVED

That:

- (a) The school maintenance schemes as set out in appendices 1 and 2 be approved spending £1m on basic need to provide sufficient high quality places, £1,457k to address maintenance issues and £651k allocated to schemes funded through the Local Authority Co-ordinated Voluntary Aided Programme; and
- (b) Authority is delegated to the interim education and capital manager to take all operational decisions necessary to implement the above recommendations within the approved budgets.

18. BUDGET PLANNING / CONSULTATION

The cabinet member finance and corporate introduced the report and highlighted that the council has to set a balanced budget. As part of this process, a timetable needed to be published and the council were responsible for consulting with all residents of Herefordshire. The consultation would be via an online survey and awareness would be communicated through a wide range of media streams. Members were also reminded that there would be a member's briefing on 4 July at 5.00 pm.

The group leader for the Green Party commented that the previous year's online consultation was poor and did not work very well on mobile phones. It was hoped that there would be more business input and that the views of the parish councils would be taken into consideration.

It was noted that the engagement of the parish councils took place in a number of ways and that there would be a range of survey questions.

RESOLVED

That:

- (a) the timetable for making proposals to Council for the adoption of the MTFS 2019-23 and the 2019/20 budget be approved as follows:**
 - **consultation – 5 July to 21 September 2018**
 - **Cabinet – 31 January 2019**
 - **Council (approve budget and MTFS) – 15 February 2019**
 - **Council (set council tax and precept – 8 March 2019**
- (b) it be recommended to Council that the budget meeting date be moved from 1 February 2019 to 15 February 2019;**
- (c) the approach for consulting on budget proposals for 2019/20 as set out at paragraph 11 be approved; and**
- (d) the scrutiny committee chairpersons be requested to make suitable provision in their respective committee work programmes to enable scrutiny members to inform and support the process for making cabinet proposals to Council.**

The meeting ended at 12:47

Chairman

PUBLIC QUESTIONS TO CABINET – 28 June 2018

Question 1**Ms J North, Hereford****To: cabinet member, contract and assets**

What evidence does the Council collect about the benefits which the Museum Service contributes to health, well-being and education and where that information can be found?

Response

There is a wide range of nationally published information that includes the health, wellbeing and educational benefits of the museum service which informs local service development, including 'Museums Matter' published by the National Museums Directors' Council, case studies published by the Heritage Lottery Fund, and information published by the National Alliance for Museums, Health and Wellbeing.

The council's [museum plan 2017 2020](#) sets out how the service can contribute to achievement of the council's corporate plan priorities to: enable residents to live safe healthy and independent lives; keep children and young people safe and give them a great start in life; support the growth of our local economy; and secure better services, quality of life and value for money.

Appendix 1 to the report on today's agenda provides links to a number of reports and reviews which include reference to the wider benefits of the museum service.

Supplementary question

If the museum service is outsourced will future benefits be measured under any new governance?

Answer

The future benefits associated with the museum service would need to comply with the museum plan 2017/18. At this stage it would be presumptuous to assume that the museum service will be outsourced.

Question 2**Ms J Ward, Tarrington****To: cabinet member, contract and assets**

There is a law in Britain to protect public libraries: The Museums and Libraries Act 1964 imposes on local authorities a statutory duty to provide comprehensive and efficient public library services. Any public servant or politician who breaks the law is liable to criminal proceedings. Will Herefordshire Council abide by the law?

Response

Yes. The report to Cabinet elsewhere on our agenda today clearly sets out the legal framework within which the council does, and will continue to operate.

Question 3

Ms L Wallace, Bishops Frome

To: cabinet member, contract and assets

What is the cost of the tendering process and how many years would it take to offset this against anticipated savings through outsourcing/subcontracting?

Response

There are no specific costs to the tendering process beyond existing staff time. The business case including financial benefits/costs for a commissioned service will be identified and evaluated through the procurement process and will inform a further decision on the preferred option.

Question 4

Ms E Whattler, Ledbury

To: cabinet member, contract and assets

What is the evidence to show that there would be cost savings by outsourcing / subcontracting the Library Service?

Response

The outcome of the soft market testing and the report of the Heritage Lottery Funded review "The Future Resilience of Herefordshire Council's Museum Service" links to which are published as an appendix to the report on the Cabinet agenda today demonstrate that a commissioned service may provide an income generation opportunity and shared costs as a way of reducing the revenue budget. This will be further tested through the procurement process to inform a final decision.

Question 5

Ms J Buttery, Ledbury

To: cabinet member, contract and assets

What is the evidence to show that there would be cost savings by outsourcing/subcontracting the Library Service?

Response

I refer to the response provided to Ms Whattler above.

Question 6

Ms S Sharples

To: cabinet member, contract and assets

How will the tendering process ensure that possible providers of these services have the relevant expertise?

Response

The evaluation criteria for any procurement process will include an assessment of the skills, expertise and track record of potential providers.

Question 7

Mr B Sharples

To: cabinet member, contract and assets

I believe the Council is doing good work in its analysis of how the MLA services can be adapted to serve future Herefordshire Residents. The document is vague on this point so would you explain in some detail the procedures you will put in place to ensure that anyone running any part of these services is properly monitored by the Council and who will be the responsible person tasked with carrying out this work?

Response

As with any commissioned service specific standards would be put in place to evaluate performance of the selected provider and ensure that commissioned services deliver the outcomes expected by the council. If the recommendations before Cabinet today are agreed it is intended that these standards will align to current levels of service, [CIPFA](#) benchmarking for the library service, accreditation for the museum services and due accreditation for the archive service.

The council will assign a contracts manager to manage the commissioned service and performance will be monitored and reported in accordance with the council's [Performance, Risk and Opportunity Management Framework](#). As with all council services whether delivered in house or through a commissioned arrangement, performance may be reviewed by the relevant scrutiny committee.

Question 8

Mrs E Morawiecka, Breinton

To: cabinet member, infrastructure

Herefordshire Council have referred to the Southern Link Road as the second phase of the Hereford Bypass. As this is just a local council project and not part of the strategic road network, what assurances have been received from Highways England that this road will be adopted, along with the proposed Hereford Relief Road, to be the new route of the A49.

Response

A decision as to whether the Hereford bypass is included as part of the national Strategic Route Network is a matter for the Secretary of State for Transport to determine not Highways England. Regardless of any future decision the Secretary of State may make on this matter the by-pass is of strategic importance as recognised in the council's local transport plan and the prioritisation of the route in the Midlands Connect transport strategy.

Supplementary question

Without support from the Secretary of State for Transport to detrunk the existing A49 route through Hereford, signage will continue to direct the 15% to 20% of through traffic into the city. What assurances have been received from the Department for Transport that the southern link road on the proposed western relief road will become that the new £230m A49 trunk road, without it being re-trucked.

Answer

In the process of working up the Southern Link Road , Hereford by pass, it is being done in conjunction with all the national authorities, (Department of Transport, Highways England, Midland Engine, etc). As the full business case and full funding comes forward, assurances will be given that the A49 will be re-routed and all through traffic will be directed to the new road. Further details will be forthcoming in due course.

Question 9

Ms N Shields, Ledbury

To: cabinet member, contract and assets

As libraries are a key service in our communities and support the Council's four main objectives, where is the evidence that undertaking an expensive tendering process will result in any cost savings or help ensure the sustainability of this service?

Response

I refer to the response provided to Ms Whattler above.

Supplementary question

In respect of the libraries, given that there is no evidence to state that outsourcing would be beneficial and given that there no evidence about how much the cost saving would be, what we would like to see is a proper consultation about the options as there is more than one way to do this.

Answer

The soft marketing testing was to see if there is interest in the market. The decision is to see if there is any formal interest. The three facets will be handled in different ways.

Question 10

Mr A Walker, Hereford

To: cabinet member, contract and assets

Will the council give assurance that any decision to award a contract for management of the Archive service will be taken by full council and not be delegated to the cabinet member for contracts and assets?

Response

Any decision to award a contract for the management of these services will be taken by either Cabinet or myself. This is because, by law, in a council operating a cabinet system such as Herefordshire, any function not reserved to Council to determine, is a function of the Cabinet.

However, council members are consulted on key decisions and can, through effective scrutiny, make recommendations to Cabinet to inform our decision making.

Question 11

Mr J Milln, Hereford

To: cabinet member, infrastructure

Progress on the Hereford Area Plan has stalled, allegedly due to the awaited decision on the proposed Western by-pass, with no meeting of its Reference Group since 4th April. Yet most of the HAP's work is unrelated. In particular there is an urgent need to progress the recommendations of Historic England's Urban Panel for a Design Guide SPD and for a visionary and overarching City Masterplan to underpin the HAP. Who is carrying out this work, to what brief and timetable?

Response

Progress on the Hereford Area Plan has not stalled. A brief for a City Centre Design Guide has been prepared and consultants are being procured to draft a Supplementary Planning Document. The document is expected to be completed in 8-9 months.

Additionally, consultation on the Hereford Area Plan Housing and Employment Site Options is expected to begin in August to enable the consultation to be informed by a preferred route. The Reference Group will have an opportunity to review the draft consultation document before the consultation begins.

Supplementary question

How is Herefordshire Council proposing the recommendations from Historical England which called for a visionary city masterplan to provide overarching connectivity with the Hereford Area Plan?

Answer

The HAP is moving forward. A consultant will be employed to come forward with design principles, which will include the university. This will take approx. 12 to 18 months.

Question 12

Mr T W Harvey, Leominster

To: cabinet member, contract and assets

In the consideration of the best way to deliver library services in Herefordshire, why is the in-house management of library services not included as an option to be evaluated along with the other possibilities such as out-sourcing?

Response

In-house delivery is included as an alternative option in the report to be considered by Cabinet today. Proposals submitted by potential providers will, as part of the tender evaluation, be assessed against current service delivery standards and costs.

Question 13

Ms J Adams, Kingsthorpe

To: cabinet member, contract and assets

Will the Council give assurance that the community groups representing the concerns of users and supporters of archives, museums and libraries will be given the opportunity to be fully involved in the development of any service specifications and evaluation of bids should a commissioning process to examine options for their delivery be put in place?

Response

As the report on today's agenda sets out it is proposed to use the existing service standards rather than develop a new specifications. An evaluation process will be developed to include provision for user group representative views to be taken into consideration.

Supplementary question

How will any tender process take into account the cultural value and thus the economical value. Of the services.

Answer

The cultural benefits will be taken into account. There is nothing unusual about the cultural criteria and our standard criteria will continue.

Question 14

Mrs C Palgrave, How Caple

To: cabinet member, finance and corporate services

The proposed capital programme for 2018/9 shows a Grant & Funding Contribution of £29.052m for the South Wye Transport Programme. This is different from the £27m provisionally awarded for the SWTP from the Marches LEP Local Growth Fund. Which figure is correct?

Response

The total budget for the South Wye Transport Package is £35m. Funding for the scheme comprises £27m allocated from the Marches LEP Local Growth Fund and £8m Local Transport Plan grant allocations over the life of the project. The Grant and Funding Contribution column in the appendix shows the balance of LEP and LTP funding yet to be drawn down with the balance of the £35m figure being shown in the previous years' column. I would also like to clarify that the appendix 1 published with the agenda erroneously included £970k prudential borrowing; this has been corrected in a supplement published this week.

Question 15

Ms A E Jones, Hereford

To: cabinet member, contracts and assets

As a former library worker I am interested in the following: When formulating the agreement of a TUPE process how long will the Council guarantee that the Staff Terms and Conditions and their Local Government Pensions will be protected for?

Response

The council will comply with the TUPE legislation. Should a commissioned service be implemented, relevant staff would transfer on existing terms and conditions including pension. TUPE does not expressly prohibit changes to terms and conditions within a certain time frame, but any new employer would be obliged to follow relevant employment processes should they wish to implement a change.

Question 16

Mr R Palgrave, Hereford

To: cabinet member, infrastructure

The adopted Neighbourhood Development Plan for Abbeydore, Bacton, Ewyas Harold, Dulas, Llancillo, Rowlestone and Kentchurch, identified a key issue as follows - "The long-term objective of re-opening the Pontrilas Railway Station should be promoted, with the aim of reducing road use and for the wider economic benefit of south west Herefordshire." Pontrilas is identified in the Core Strategy as a main focus of proportionate housing development, and I understand that the local sawmill is interested in making use of the railway line for freight transport.

Will Herefordshire Council actively support the objective set out in the NDP?

Response

The Neighbourhood Development Plan (NDP) referred to was adopted on 20 April 2018 forms part of the statutory development plan. The re-opening of the station at Pontrilas emerged as a key issue and a long term objective within the area. There is no specific policy within the plan regarding the reopening of the station as it was considered to be beyond the plan period.

The proposal is not currently prioritised within the council's Corporate Plan or Local Transport Plan and before consideration could be given to supporting achievement of this long term objective work would need to be undertaken to establish an initial business case through an assessment of the proposal in line with national guidance. I have discussed the proposal with the ward member and although the council does not currently have resources available to support this initial work we would be happy to provide the community with advice on the process to be followed so that they may take forward this initial exploration.

Question 17

Mr D Stevens, Branch Secretary Herefordshire UNISON, Hereford

To: cabinet member, contract and assets

With regards to the future of museums libraries and archives, if a procurement process is commenced for the future commissioning of museums, libraries and archives will UNISON be included in any subsequent tender creation and following procurement processes?

Response

Management will comply with the council's policies for managing change within the organisation and will inform unions and positively engage them in developing options, consultation and negotiation about major changes in the workforce in accordance with established HR policies and procedures.

Supplementary question

Is it a yes or a no?

Answer

I will leave it to you to make your own assumptions about the answer.

Question 18

Ms D Toynbee, Hereford

To: cabinet member, contracts and assets

What plans does the Council have to reduce and ultimately stop the use of single-use plastics across its estate, including schools?

Response

The council's [Environmental Policy](#) approved in 2013 is currently being reviewed and consideration is being given to this issue as part of that review.

Schools are responsible for their own procurement policies, but we will, as part of our review, consider how best to encourage schools and our contractors, to minimise use of single use plastics where less environmentally impactful materials are available. These discussions are already underway with our catering provider.

More widely the council's [Stop the Drop](#) campaign has gathered enormous community support to reduce and clear up litter, including single use plastics, across the our beautiful county.

Question 19

Mr A Sharp, Hereford

To: cabinet member, infrastructure

In light of the evidence in the CPOs for the SLR, I suspect that only desk-top analysis was used to re-route bridleways and would welcome evidence to the contrary. It is also of great concern that the planners appear not to grasp the current legal precedent requiring horse-riders to ride on the road and not the verge as the planners have suggested in the Orders. Instead of trying to cut corners at every turn, thereby putting horses and their riders in grave danger, please can the council reassure bridleway users that every site will now be visited – in person - and that safety audits, relying on up to date information, are now carried out as a matter of urgency.

Response

There is no attempt to 'cut corners at every turn' and the safety of all road users continues to be appropriately assessed in accordance with established guidelines to ensure informed decision making.

Any proposed changes to the public rights of way network have been designed using appropriate guidance and standards, and safety audits of the scheme have been carried out as the design has progressed; further audits will be completed when the scheme is constructed.

Question 20

Mrs K Sharp, Hereford

To: cabinet member, infrastructure

The CPO documents for the SLR leads one to suspect that only desk-top analysis was used to reposition a new PROW and access gate onto an extremely dangerous road and also that a Road Safety Audit was not carried out in regard of the repositioned access at HA7 onto Haywood Lane. If this was not the case, I would welcome any evidence please as well as an assurance that the council will seek to better protect and reassure pedestrians as they plan the SLR and that every site will now be visited – in person – and safety audits for each path and gate will be carried out now as a matter of urgency.

Response

Road safety audits of the scheme design were carried out at the appropriate stages of the project. An objector's concerns about the visual impact of an access relocation on their property has been considered and, subject to the Secretary of State's consent, a modification will be sought to the Side Roads Order to retain the access from the footpath on Haywood Lane in its current location. The review you suggest is not required; the appropriate design process has been followed, appropriate audits have been completed, and further audits will be carried out when the scheme is constructed in accordance with established processes.

Councillors' questions at Cabinet – 28 June 2018

Question 1

Councillor CA Gandy, Conservatives

To: cabinet member, contract and assets

The library service in Herefordshire is extremely valued and can be a life line for some of our most vulnerable residents who do not have the money available to either purchase books or a digital device and who also particularly in rural communities use their library as a meeting place and somewhere to obtain local information. If the decision is taken to outsource Herefordshire Library services what assurances can you give that access to our libraries by the most vulnerable will not change and that rural community libraries will continue to be supported as at present.

Response

The value of the library service is not in question, and drives the need for us to find a way in which the future of these services can be assured in the most cost effective way.

If the recommendations to be considered elsewhere on the Cabinet's agenda today are approved the commissioning of services will be based on the current standard of service.

The front-line delivery of community libraries is provided by local groups and parish councils who provide their time to deliver locally valued services which are important additions to the overall library network across the county. Although as independent from the council these community libraries would not form part of any commissioned service the council currently supports these libraries with training, advice and in some cases IT – also the council pays for the book stock; this support would be maintained through any commissioned service.

Question 2

Councillor RM Matthews, Herefordshire Independents

To: cabinet member, transport and regulatory services

A team of scientists from the University of Exeter and the Barcelona Institute for Global Health have recently announced that they have found a very strong link between the new generation of LED street lighting and breast and prostate cancer. Analysis of four thousand people in eleven regions of Spain established a link between exposure to LED lighting, doubled the risk of prostate cancer together with a 1.5 times higher chance of developing breast cancer.

Can the Cabinet Member inform us if he was aware of these very serious findings, and if so what action is being taken to reassure the public.

Public Health England have also recently raised concerns about the increasing use of LED lighting, which has of course recently been installed throughout this county.

Response

I am aware of the research report, and the media coverage of a statement made by the chief medical officer. It is unfortunate that similar coverage was not afforded to the clarification issued by Public Health England (PHE) some days later which stated “While the chief medical officer’s article highlights a theoretical risk of glare to motorists from LED street lighting if it is not installed correctly, PHE anticipates that a vast majority of this type of lighting will be installed with the LEDs recessed or with an appropriate balance of blue light so it does not dazzle drivers”. PHE’s senior scientific group leader of radiation dosimetry went on to confirm that the references to high levels of blue light damaging the retina refers to blue light in general rather than that emanating from street lights and no risk of eye damage from LED street lighting.

This is an area where there is currently no scientific consensus. The EU’s Scientific Committee on Health, Environmental and Emerging Risks has also undertaken a review of this specific issue and, whilst recognising the need for further research concluded:

“... that there is no evidence of direct adverse health effects from LEDs emission in normal use (lamps and displays) by the general healthy population.”

Lighting in Herefordshire has been correctly installed and includes an automated process for dimming the lights through the night.

We will of course continue to monitor research on this subject, but it is pleasing to note that Herefordshire was reported by the Campaign to Protect Rural England as being the darkest county in England with the lowest average light levels.

Supplementary Question

It has been noted that EU have concerns about the issue and that further research will be taking place. What systems does this authority have in place to monitor the research in this issue?

Answer

This issue will continue to be monitored by the Director of Public Health through Public Health England. Further research will be reported on by national professional bodies and networks. Subsequent findings of such research will be monitored and reported on by the Director of Public Health.



Meeting:	Cabinet
Meeting date:	27 July 2018
Title of report:	HEREFORD TRANSPORT PACKAGE (HTP)
Report by:	Cabinet member infrastructure

Classification

Open

Decision type

Key

This is a key decision because it is likely to result in the council incurring expenditure which is significant having regard to the council's budget for the service and because it is likely to be significant in terms of its effect on communities living or working in an area comprising one or more wards in the county.

Wards affected

Countywide

(with potential particular impact on Wormside, Stoney Street, Belmont Rural, Credenhill, Whitecross, Kings Acre, Queenswood and Holmer wards)

Purpose and summary

To consider: feedback to the HTP Phase 2 consultation, assessment of the shortlist of possible bypass route corridor options, the recommended preferred bypass route corridor, the development of associated walking, cycling, bus and public realm (active travel) improvements and to confirm the scope of the Phase 3 consultation.

There are a significant number of technical reports appended to this Cabinet report. There is a diagram in paragraph 25 of this report which summarises this suite of documents and explains how they relate to each other. The documents are as reported to General Scrutiny Committee on 18 July 2018. The following typographical errors have been corrected:

- Paragraph 5.7.1 of the Route Selection Report. The final sentence has been corrected to read “....slightly more intrusive....” rather than “..... slightly less intrusive.....”.
- In paragraph 4.2.7 (Table 7) of the Equality Impact Assessment Report in Appendix 7 the female population of Herefordshire has been corrected to 93,174.
- In paragraph 8.2.3 of the Preferred Route Report in Appendix 5, the compass point has been corrected.
- In Figure 4 of the Route Selection Report in Appendix 4 the compass point has been corrected.

On 18 January 2018, Cabinet approved a shortlist of seven bypass route corridors for the Hereford bypass and authorised that a phase 2 consultation be carried out on the approved shortlist of seven possible bypass route corridors and possible active travel measures to gather feedback to inform the selection of a preferred route and to enable a preferred package of active travel measures to be further developed.

The Hereford bypass, as part of the Hereford Transport Package, is a key infrastructure project that is necessary to drive the economic growth of Hereford and the region. It is identified as a priority within the council's Economic Vision, Local Plan Core Strategy (LPCS) and Local Transport Plan (LTP) and also within the Marches Strategic Economic Plan and Midlands Connect regional transport strategy.

The Hereford Transport Package will:

- Enable the delivery of future housing, employment and educational development by maintaining acceptable peak hour journey times across the city
- Enable the delivery of future housing, employment and educational development by providing attractive alternatives to the private car for journeys within the city
- Enable the improvement of regional connectivity by achieving acceptable peak hour journey times on the A49 through the city
- Ensure the transport network within Hereford is resilient enough to provide consistent journey times throughout the day
- Encourage healthy lifestyles by encouraging more people to walk and cycle
- Reduce the impacts of transport on air quality and noise within the city
- Protect the quality of the urban realm to enhance pedestrian connectivity in the city
- Improve road safety within the city.

The phase 2 consultation on the Hereford Transport Package took place in February & March 2018 and the outcome of this consultation is summarised in this report and a detailed public consultation report (P2CR) is included in Appendix 1. Over 4300 responses were received during the consultation and the results show a majority support for the objectives identified for the Hereford Transport Package and also for the inclusion of a bypass. Not all respondents expressed a preference for a particular route for the bypass and hence the results do not show a clear overall preference for any of the seven route options. In addition, the results show strong support for the inclusion of active travel measures as part of the package.

It is recognised that proposals for a bypass have the potential to have a significant impact upon local residents and land owners directly affected by proposals. The consultation

process sought to ensure those residents and landowners that were affected by the seven route corridors were fully informed of the process and potential implications. As the development of the scheme progresses, the Council will continue to engage with those who may be most affected to ensure they are treated fairly and have all the information they need.

Consultation feedback has been scrutinised in detail alongside a comprehensive technical assessment of the shortlist of possible bypass route corridors. The assessment work is summarised in this cabinet report. In addition, detailed technical reports are appended which set out the work undertaken and the conclusions. The Preferred Route Report (Appendix 5) draws together all the technical work undertaken and concludes with the recommendation that the Red Route be considered for selection as the preferred route for the bypass.

In addition to considering the route for a bypass, the technical work has also considered the development of the active travel measures which would be delivered with the bypass to form the Hereford Transport Package. This is detailed in the Active Travel Measures Report which is also appended to this cabinet report in Appendix 6.

Cabinet is asked to consider these reports and approve the further development of the bypass and active travel improvements. It is recommended that the Red Route be selected for further development and be subject to further consultation later this year. This Phase 3 consultation will enable stakeholders to comment on the detail of a bypass scheme based on the Red Route corridor and complementary active travel measures which would make up the package. The results of this consultation would then inform a future cabinet decision to confirm the bypass scheme and associated package measures and to authorise submission of a planning application for the scheme.

Recommendation(s)

That:

- (a) having regard to the feedback to the HTP Phase 2 consultation report, the Stage 2 Scheme Assessment Report, the Stage 2 Environmental Assessment Report, the Route Selection Report and the Preferred Route Report, the red route (as identified in Appendix 5) be approved as the preferred route for further scheme development for the Hereford bypass;**
- (b) subject to approval of recommendation (a) above, a further round (phase 3) of consultation on the detailed proposals for a scheme based on the red route corridor and complementary active travel measures be undertaken to gather stakeholder feedback to assist with informing a future decision by Cabinet to confirm the route for the bypass and recommended active travel measures which will together form the Hereford Transport Package, prior to submission for planning and other necessary permissions;**
- (c) the director for economy, communities and corporate be authorised to take all necessary steps to progress detailed design and, consultation including commissioning external professional advisers as required to inform future decisions on the Hereford Transport Package to a maximum cost of £2.45m; and**
- (d) the proposed responses (at paragraphs 58 to 61) to the recommendations of General Scrutiny Committee be approved.**

Alternative options

1. One option would be to select one of the other route corridors as the basis for developing the bypass scheme. This is not recommended because to do so would not be supported by the technical evidence presented in the appended reports and could therefore be subject to challenge.
2. A second option would be to not select a route corridor at this stage and seek further assessment of the options or a sub set of the options. This is not recommended as the assessment carried out to date is considered robust to inform the selection of a single route corridor for scheme development. Deferring a decision on the preferred corridor for further assessment would add significant delay to the programme for taking forward the scheme, prolong the uncertainty for residents and landowners affected by the short list of routes and incur significant additional costs.
3. An option for proceeding with the Hereford growth proposals without the provision of a bypass was considered and discounted during the Core Strategy process. Not progressing this work will mean the HTP objectives and core strategy growth targets cannot be achieved.

Key considerations

4. The Hereford bypass, as part of the Hereford Transport Package is a key infrastructure project that is necessary to drive the economic growth of Hereford and the region. It is identified as a priority within the council's approved corporate plan, Economic Vision, Local Plan Core Strategy (LPCS) and Local Transport Plan (LTP) and also within the Marches Strategic Economic Plan and Midlands Connect regional transport strategy.
5. The Hereford Transport Package will
 - Enable the delivery of future housing, employment and educational development by maintaining acceptable peak hour journey times across the city
 - Enable the delivery of future housing, employment and educational development by providing attractive alternatives to the private car for journeys within the city
 - Enable the improvement of regional connectivity by achieving acceptable peak hour journey times on the A49 through the city
 - Ensure the transport network within Hereford is resilient enough to provide consistent journey times throughout the day
 - Encourage healthy lifestyles by encouraging more people to walk and cycle
 - Reduce the impacts of transport on air and noise within the city
 - Protect the quality of the urban realm to enhance pedestrian connectivity in the city
 - Improve road safety within the city.
6. On 18 January 2018 Cabinet approved a shortlist of seven possible bypass route corridors for the Hereford bypass and authorised that phase 2 consultation on the approved shortlist of possible bypass route corridors and active travel measures be undertaken. The consultation was to gather feedback to inform the selection of a preferred bypass route corridor and to enable the preferred package of active travel measures to be further developed.

Phase 2 Consultation Report (P2CR) – Appendix 1

7. Appendix 1 contains full details of the Phase 2 consultation. Feedback, analysis and demographics are summarised below. Where appropriate, cross-references to specific sections and figures is included. This report and the Route Selection Report (RSR – Appendix 4) between them inform the Preferred Route Report (PRR – Appendix 5).
8. The Phase 2 consultation period was a six-week period, from 6 February 2018 to 20 March 2018.
9. During the consultation period exhibitions were held at a number of venues across the city. A total of 1317 people were recorded as having attended the events in the first week of the consultation with a significant number of people also visiting subsequent public events. Staffed consultation events gave attendees the opportunity to discuss the project with council staff and staff from BBLP and their consultants WSP. Following these events the exhibition was available from 16 February 2018 until the end of the consultation on 20 March 2018 and staff were available each day to answer questions and collect feedback. All consultation information and materials were available on the following website throughout the consultation period. At the invitation of parish councils the project team also attended public meetings at Breinton and Belmont.
10. The main channel for feedback was the consultation survey. The questionnaire included 18 questions, 9 of them related to the seven proposed bypass routes and the walking, cycling and public realm improvements. The remaining questions related to the consultation and attendees.
11. A total of 4,351 questionnaires were either fully or partially completed during this period – 3,354 questionnaires were completed online and 997 printed copies of the questionnaire were returned of which 30 were Easy Read versions of the questionnaire.
12. Following the end of the consultation period all feedback was saved and coded to enable analysis of all responses received including analysis of the demographics of respondents.
13. The following is a summary of the responses to the questions about the bypass and active travel measures.
14. **Question 1: Do you agree with the Hereford Transport Package (HTP) objectives to address transport problems in Hereford and enable growth?**
4202 respondents (97%) responded to this question. 2872 of these respondents (68%) said they agreed with the HTP objectives of addressing Hereford's transport problems and enabling growth. (Appendix 1, Figure 17)
15. **Question 2: Do you agree that a bypass should form part of the package?**
3033 respondents (70%) responded to this question. 1789 of these respondents (59%) said they agreed that a bypass should form part of the package. (Appendix 1, Figure 20)

16. Question 3: Which bypass route would you prefer?

In this question, survey respondents were asked to rank their preferred routes from 1 – 7. Only 1747 respondents (40%) responded to this question. 1747 respondents (40%) chose at least one route. A total of 876 (20%) chose to rank all routes and 416 (10%) only ranked one route. 2604 respondents (60%) did not indicate a preferred route.

The total score for all routes when scores from 7 (preferred route) to 1 (least preferred route) are applied to each route when a preference is stated can be seen in Appendix 1, Figure 24 and the frequency of each route being chosen as a respondents first choice when a preference is indicated can be seen in Appendix 1, Figure 25..

17. Question 4: Do you agree that a package should include possible walking, cycling, bus and public realm measures described in the consultation materials?

2799 respondents (64%) responded to this question. 2427 of these respondents (87%) said yes they agree that that a package should include possible walking, cycling, bus and public realm measures. (Appendix 1, Figure 27).

18. Question 5: Are there other walking, cycling, bus and public realm improvements or locations that you think we should be considering?

1407 respondents (32%) responded to this question. Common themes from the responses provided include requests for bus and cycling improvements (other than those shown in the consultation materials), park and ride improvements, other pedestrian improvements and school travel improvements. (*Appendix 1, Figure 28*).

19. Question 6: Do you have any other comment about the current proposals included in the Hereford Transport Package?

1407 respondents (32%) responded to this question. Common themes from the responses provided relate to traffic flows, bypass location (east or west), housing developments / growth and associated traffic impacts, bypass build process and need for the scheme. (*Appendix 1, Figure 30*).

20. Questions 8, 9 and 10 allowed respondents to tell us how often they travelled around Hereford, how they most commonly travelled and their most common reason for travelling. Analysis of responses to these questions indicate that the highest percentage of respondents (72%) to question 8 travel around Hereford daily; the highest percentage of respondents (85%) to question 9 travel by car and the most common reason for travel (67%) was for shopping by car. Further analysis of the response to this question can be seen in the consultation report in Appendix 1.

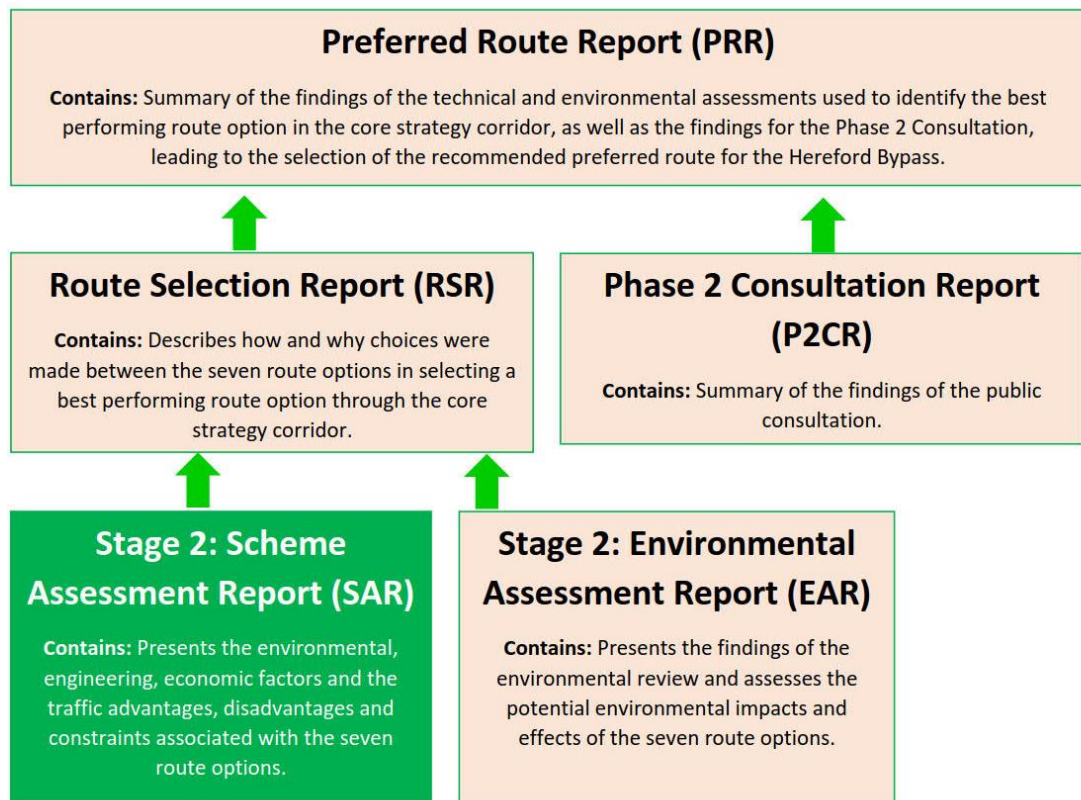
21. Written responses from 22 individuals were received during the consultation period and the details of the issues raised can be seen in the consultation report in Appendix 1. Personal details have been omitted to comply with data protection legislation.

22. 109 organisations responded to the HTP consultation using the consultation questionnaire and their feedback forms part of the feedback analysis in paragraph 10 to paragraph 17. A further 27 written responses were received from organisations in response to the consultation. Copies of these responses are included in full in the consultation report in Appendix 1.

23. This consultation reached a wide range of landowners, businesses and community members with 4351 responses. 1317 members of the public attended the first week of the consultation events with many more attending later events and attending the library exhibition right through the consultation period. The consultation website had 4474 unique visits at this time. Postcode mapping confirms that responses have been received from across the city. 1062 questionnaire respondents attended a public exhibition whilst others chose to view exhibition materials on line. The number of disabled respondents or respondents with limited mobility is in line with data for Hereford from the 2011 census.
24. In summary, the majority of respondents support the HTP objectives, the inclusion of a bypass and that a package should include walking, cycling, bus and public realm measures. Not all respondents expressed a preference for a particular route for the bypass and hence the results do not show a clear overall preference for any of the seven route options.

Bypass Route Selection:

25. The bypass route selection process is informed by a number of reports. The scheme assessment report (SAR) documents the factors to be taken into account in choosing between options and the environmental, engineering, economic and traffic advantages, disadvantages and constraints associated with individual bypass route corridors. Along with the Environmental Assessment Report (EAR), Route Selection Report (RSR) and the Phase 2 Consultation Report (P2CR) the findings of this report will inform the Preferred Route Report (PRR) which sets out the route recommended for selection as the preferred route for the bypass for further scheme development. The suite of documents is summarised below:



Stage 2 Scheme Assessment Report (SAR) – Appendix 2

26. The SAR documents the factors to be taken into account in the technical selection of a preferred route from the shortlist of possible bypass corridors approved by cabinet. It sets out the environmental, engineering, economic and traffic impacts and constraints associated with each possible bypass route.
27. The SAR has been prepared in accordance with national standards Design Manual for Roads and Bridges (DMRB) TD37/93 and incorporates the principles of the Web Transport Analysis Guidance (WebTAG). The report follows TD37/93 advice with full engineering content.
28. For the purposes of route corridor comparison, a similar design standard has been assumed for each. This is appropriate for the purpose of comparing possible bypass route corridors to select a preferred route. The design standard of the selected preferred route will be confirmed when further modelling work is completed and will be set out in Phase 3 consultation. The report summarises the differing issues associated with each bypass route corridor and all seven have been considered feasible for further assessment.

Stage 2 Environmental Assessment Report (EAR) – Appendix 3

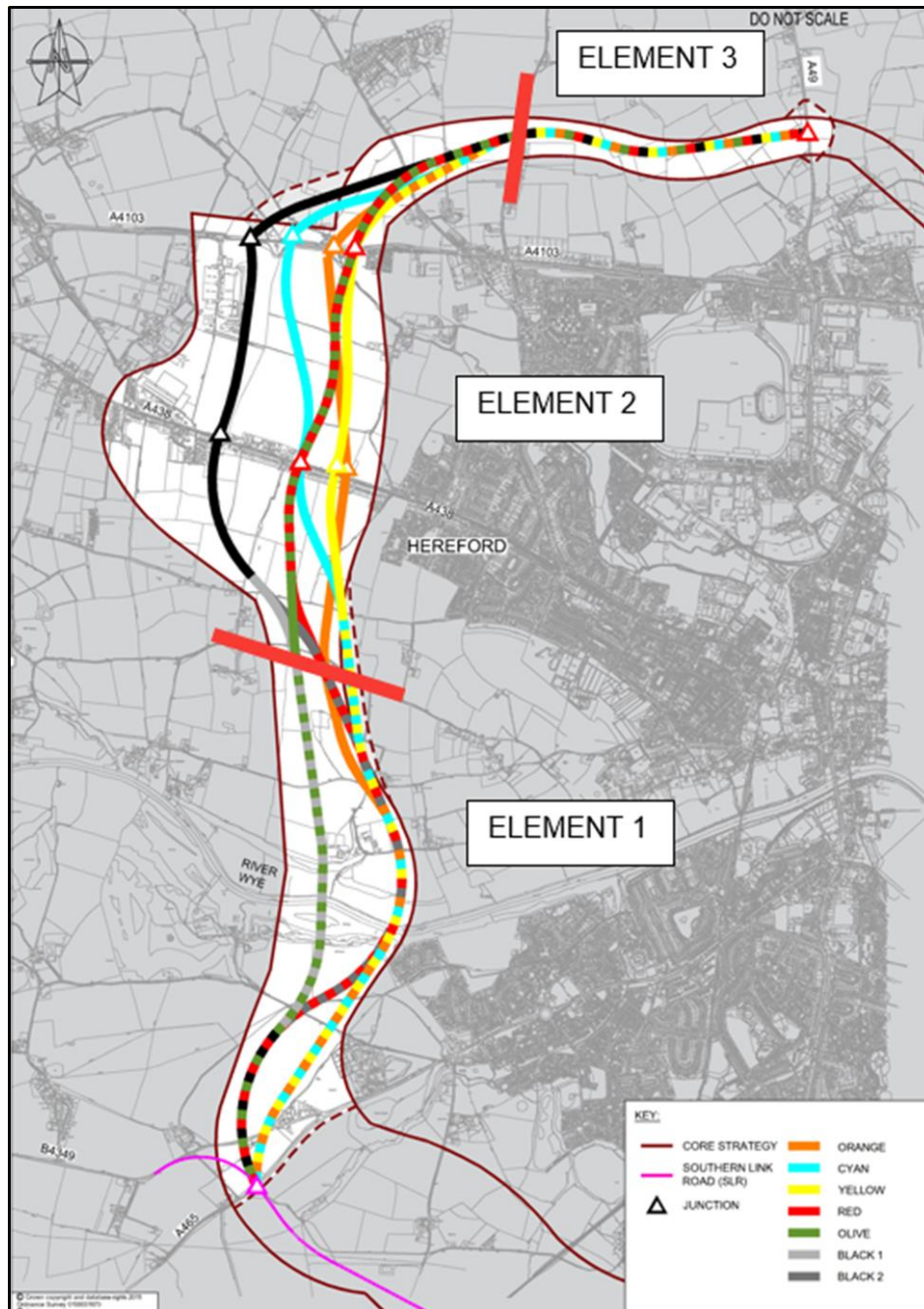
29. The EAR (included in Appendix 3 of this cabinet report) presents the findings of an environmental review and assessment of the potential environmental impacts and effects of the shortlist of seven possible bypass route corridors. The EAR has been completed in accordance with the Design Manual for Roads and Bridges (DMRB) Volume 11, for all environmental factors set out in the Infrastructure Planning (EIA) Regulations 2017. The Stage 2 EAR has been prepared to enable a preferred route for the bypass to be selected which will be subject to a more detailed assessment including a statutory Environmental Impact Assessment and subsequent Environmental Statement. The EAR and the Scheme Assessment Report (SAR) - Appendix 2 inform the Route Selection Report (RSR) - Appendix 4.
30. The assessments in this report are based on the design work that has been undertaken to refine the seven shortlisted options identified in the Corridor Assessment Framework report, as well as further qualitative and quantitative environmental assessments that have been undertaken, including modelling and surveys.
31. The environmental assessment methodology used for this assessment is in accordance with DMRB Volume 11: Environmental Assessment and Interim Advice Note 125/15: Supplementary guidance for users of DMRB Volume 11 'Environmental Assessment' and confirms that as the DMRB is intended for the assessment of trunk roads, and motorways, it is the most relevant and applicable set of guidance for the assessment of this highway project. Environmental factors assessed include:
 - Air Quality;
 - Noise and Vibration;
 - Landscape;
 - Cultural Heritage;
 - Ecology
 - Water and Drainage;
 - Geology and Soils;

Materials
People and Communities;
Climate Change; and
Combined effects and Cumulative Effects of this scheme with other schemes.

32. The potential impact of each possible bypass route during construction and operational phases have been considered. This information is used to inform the route selection process presented in the Route Selection Report (RSR).
33. As detailed design of the selected route progresses, by incorporating mitigation into the final design of the preferred route, any significant effects caused by the scheme are anticipated to decline in significance over time. There are a number of further assessments which will be carried out within and in support of the Stage 3 Environmental Statement (ES), included in the EAR, with the aim of reducing significant adverse effects. Furthermore as the design proceeds, the aim is to maximise beneficial environmental effects, in particular those which are expected to arise from the provision and future management of the scheme. The scheme is being designed to deliver overall a biodiversity net gain in accordance with good practice.

Route Selection Report (RSR) – Appendix 4

34. The purpose of the Route Selection Report (RSR) is to document and provide an understanding of the technical assessment process and methodology used in determining the best performing of the seven shortlisted bypass route corridors under consideration. (For the purposes of clarity, these are simply referred to as “corridors” in paragraphs 35 to 43 below). The RSR with the Phase 2 Consultation Report – Appendix 1 informs the Preferred Route Report - Appendix 5
35. The RSR describes the structured comparison assessment process undertaken for each of the shortlisted corridors. Each of the seven corridors has been divided into elements and sub-elements that provide a detailed comparison within the specific conditions relating to the sub-element area. The results were combined to establish the overall best performing route using information from the SAR and EAR.
36. The methodology for considering the Preferred Route is informed by national guidance ‘Choice between Options for Trunk Road Schemes (TA 30/82)’, in particular the ‘pair-wise’ comparison method. This process is appropriate as there are a number of possible bypass corridors and using the pairwise comparison involves cutting the problem down to a more manageable size by comparing the options, two at a time, eliminating the least favoured in turn. The advantage of this method is that the problem is sub-divided into a discrete number of smaller problems. It enables the reasons for decisions to be traced without ambiguity.
37. In accordance with this prescribed process, seven bypass route corridors have been split into three Elements (or sections) which allow the impacts to be carefully scrutinised and assessed.
38. The three elements (see below and Appendix 4, Figure 3) are as follows:
 - Element 1 - A465 to Hill Road (Upper Breinton Road – U73022)
 - Element 2 – Hill Road (Upper Breinton Road – U73022) to Canon Pyon Road
 - Element 3 – Canon Pyon Road to existing A49



39. The RSR provides a detailed description of each element and a description of the possible bypass corridors in each element. The issues that need to be considered when choosing between possible route corridors are presented and the relevant policy framework which is relevant to the considerations is explained.
40. Each element is split where appropriate into smaller section to make the comparison of corridors more manageable. The report provides a detailed summary of the pairwise comparison for element and the result of this comparison process within each section is confirmed.

41. The Pair wise comparison process has been used in a structured manner, and entirely in accordance with guidance to assess elements of each of the seven possible bypass corridors in the Core Strategy corridor.
42. The comparison identified a preferred route within each element as follows:
 - Element 1 – Red / Black
 - Element 2 – Red / Olive
 - Element 3 – All
43. Across all elements therefore Red is the best performing route and therefore the RSR recommends that the Red Route is taken forward as the preferred route for the bypass.

Preferred Route Report (PRR) – Appendix 5

44. The Preferred Route Report (PRR) presents consideration of the findings of the HTP technical and environment assessment work as well as the HTP Phase 2 Public Consultation (P2CR) feedback.
45. The PRR details the process for the selection of the preferred route for the bypass and has considered the following;
 - Policy background and requirements
 - Assessment process including:
 - Technical
 - Engineering
 - Environmental
 - Route Selection Process
 - Public consultation
 - Preferred Route Assessment and Recommendation
46. The PRR confirms that on the basis of this combined analysis the Red Route bypass corridor should be taken forward as the Preferred Route for the Hereford Bypass and cabinet is asked to consider and approve this preferred route for further development and consultation.
47. The process to identify a preferred route was undertaken in accordance with national guidance and design standards, planning policy and legislation. It was undertaken by experienced technical, environmental and planning teams within WSP and BBLP.

48. The map below shows the recommended preferred route:



Preferred Route (Appendix 5, Figure 2)

Active Travel Measures: Walking, cycling, bus and public realm improvements - Appendix 6

49. The public consultation results demonstrate strong support for the inclusion of active travel measures within the HTP. As such, the active travel measures (walking, cycling, bus and public realm improvements) which, with the bypass, will form the Hereford Transport Package, have been developed alongside the route selection assessment work.
50. The Active Travel Measures Report (ATMR) in - Appendix 6 outlines the work done to date in developing these walking, cycling, bus and public space improvements. It also sets out the next steps for further developing and refining the active travel projects.
51. A range of possible active travel measure improvements have been considered in the ATMR and are summarised below:

Active travel improvement options

Improvement themes	Improvements to be considered
Better use of public space	<ul style="list-style-type: none"> ■ Shared use walking and cycling paths ■ New bus lanes or on-road cycle lanes ■ Wider footways ■ Improved street environment (e.g. tree lined boulevards and removal of street clutter) ■ Wider cycle lanes ■ Improvements to bus stops (e.g. real time information)
Junction improvements for pedestrians, cyclists and bus users	<ul style="list-style-type: none"> ■ Safe crossings at all junction arms (e.g. wider waiting areas) ■ New / upgraded crossings for pedestrians and cyclists (e.g. signalising crossings and single stage crossings) ■ More cycle friendly junction designs (e.g. advanced stop lines, advanced traffic signals or right turn lanes) ■ Bus priority improvements at junctions
Crossing improvements along and across main roads	<ul style="list-style-type: none"> ■ Walking and/or cycling priority over side streets (e.g. raised footway to reduce vehicle speeds) ■ New/upgraded crossings for pedestrians and cyclists (e.g. signalising crossings, bigger waiting areas and removing guard rails)
Improved existing traffic free paths	<ul style="list-style-type: none"> ■ Better lighting, surfacing and signage ■ Wider paths ■ Improved ramps and path accesses ■ New and improved connections to the city's main roads
New traffic free paths	<ul style="list-style-type: none"> ■ New green corridors for walking and cycling ■ Connections with Holmer West and Three Elms urban expansion areas ■ "Park and Choose" sites

(Appendix 6, Table 2).

52. To further develop the active travel improvements key movement corridors have been identified.
53. The report also sets out (Appendix 6, Table 3) the development of traffic management improvements as follows;

Development of traffic management improvements.

Traffic management option	Purpose	Key risks/opportunities
HGV restrictions within central Hereford	To reduce HGV traffic through the city centre, particularly through the AQMA	Maintaining local deliveries and supporting businesses Enforcement capabilities
20mph speed limit on all streets north of the River Wye	To reduce traffic speeds to improve pedestrian/cycle comfort and safety.	Enforcement capabilities
Intelligent Transport Systems	To manage traffic demand through Hereford through intelligent transport systems Technology advancements	

54. These proposals will be developed with further consultation to confirm the preferred package of measures.
55. The report also sets out that walking and cycling provision will be delivered alongside the bypass route. The provision may include dedicated walking and cycling facilities within the limits of the bypass or in areas outside/parallel to the bypass alignment. It will also consider and provide for where the bypass interacts with the existing highway and Public Right of Way network.
56. These proposals will be developed with further consultation to confirm the preferred package of measures.

Pre-decision Call In

57. General Scrutiny Committee determined to call in the proposed decision for pre-decision scrutiny and considered the proposed Cabinet decision at a meeting on 18 July. The committee resolved that: "Based on cabinet recommendation (a) – the committee feels able to support the proposed red route based on the current evidence presented, subject to the above recommendations". The committee made four additional recommendations to the executive. These are detailed below with the proposed response to those recommendations.
58. *Recommendation a):* Natural England and Highways England are requested that they make a consultation response on the route selection, if they wish.
Proposed response: Accepted. Both Natural England and Highways England were invited to provide a response to the consultation and sent reminders of the opportunity to do so. We will continue to engage with both organisations and ask that they provide a response during the phase three consultation.
59. *Recommendation b):* The landlord and the operators of Hereford Community Farm asked if they be prepared to write a statement as to the impact of the preferred route on the deliverability of their service.
Proposed response: Accepted. This will be done as part of the phase three consultation and any submission will inform the equality impact assessment.
60. *Recommendation c):* Presentations delivered to scrutiny be made publicly available with the cabinet member papers.
Proposed response: Accepted. The presentation is published as a supplement to this agenda.
61. *Recommendation d):* Ensure that all reports presented to cabinet are formally signed off by BBLP, to provide assurance.
Proposed response: Accepted. The quality control sheets have all been signed appropriately. These are not published because they contain signatures, but are available for inspection.

Conclusion and Next Steps

62. The Phase 2 Consultation Report – Appendix 1, describes the results and analysis of the consultations on the Hereford Transport Package (HTP) to date. The Scheme Assessment Report – Appendix 2, and Environmental Assessment Report – Appendix 3, set out the impacts of the proposed Hereford bypass scheme. The Route Selection Report – Appendix 4 sets out all the appropriate technical factors to consider in the assessment of possible route corridors for the bypass scheme. The Preferred Route Report - Appendix 5 confirms that on the basis of this combined analysis the Red Route bypass corridor should be taken forward as the Preferred Route for the Hereford Bypass and the Active Travel Measures Report - Appendix 6, describes how active travel measures will be identified as part of the HTP. The cabinet is recommended to consider these reports and approve this preferred route corridor and associated active travel measures for further development and consultation.
63. This further development and consultation work will include further detailed design, environmental surveys and traffic modelling to support the development of a scheme design for Phase 3 consultation and business case development to support funding applications. Following consideration of phase 3 consultation feedback a further cabinet decision will confirm next steps to secure permissions and consents for the project.
64. The scheme is identified within the Capital Programme and funding is available to take forward this development and consultation. Work will continue with Government departments and agencies to secure funding contributions towards this development work and the future construction of the scheme. Failure to confirm early government funding will impact on funding requirement from the council and could impact on programme.

Community impact

65. The bypass is a significant transport infrastructure element of the Hereford transport strategy, linked to the promotion of social progress (by supporting housing needs), economic prosperity (by supporting new jobs, area regeneration, and business), and environmental quality (lessening the harmful impacts of traffic growth, providing an alternative route for the movement of Heavy Goods Vehicles (HGVs), and freeing up space for buses, pedestrians and cyclists). The delivery as part of a Hereford Transport Package will enable active travel measures to be implemented to deliver benefits to communities within the city.
66. The bypass will enable the delivery of new homes and communities. The development of these housing areas will include associated community sustainable transport infrastructure.
67. The re-routing of traffic, particularly HGVs, from the Hereford city centre, will benefit those living and working near the A49. However, there will be adverse effects on residents living near the proposed route. Given that the land within the bypass corridor is largely rural and suburban, there are likely to be adverse noise impacts and increases in the level of air pollution. The technical work will develop options to mitigate adverse impacts on residential amenity in line with Core Strategy policy (HD3 Hereford Movement).

68. It is recognised that proposals for a bypass have the potential to have a significant impact upon local residents and land owners directly affected by proposals. The consultation process sought to ensure those residents, businesses and landowners that were affected by the seven route corridors were fully informed of the process and potential implications. As the development of the scheme progresses, the Council will continue to engage with those who will be most affected to ensure they are treated fairly and have all the information they need.

Equality duty

69. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

70. As part of the consultation processes, an equality impact assessment screening has been undertaken to better understand the needs of those who may be impacted by the HTP proposals. This has identified that key elements of the Scheme which could disproportionately affect vulnerable groups are as follows:

Scheme development and design considerations:

- Amendments to public transport facilities, such as bus stops;
- Impacts on physical accessibility to rural and community facilities, due to increases in PRoW length and permanent closure of certain routes as well as potential changes to footpath gradients; and
- Impact on the Hereford Community Farm. Disruption caused by proximity to the Bypass or direct land take may affect its current capacity to offer therapeutic services and also its viability as a business.

Construction considerations:

- Pedestrian or community severance due to construction activities;
- Temporary changes and diversions to the road or footpath;
- Temporary changes to public transport facilities;
- Noise, dust, light and environmental impacts associated with the scheme route options have the potential to impact on health and wellbeing of the local populations; and
- The area has several trip attractions/local services that are likely to be impacted by the Scheme. Access to these attractions and local services could be affected during construction.

71. Based on the potential impacts that have been outlined above, the Screening has identified that a full Equality Impact Assessment (EqIA) should be carried out as part

of the ongoing assessment of the preferred route focussing specifically on gender, age; disability, and pregnancy & maternity. This will help in gathering further evidence to enable sound equality decision making. All other groups with protected characteristics have been screened out of an EqlA as they are not considered to experience differential impacts at this stage.

72. There is potential for benefits for groups with protected characteristics in the development of the Hereford Bypass including improved traffic flow and journey times and increased safety and security. It is important that these benefits continue to be developed and promoted with these most vulnerable users in mind so as to ensure and advance equality of opportunity.
73. As part of Phase 2, a need was identified to produce literature and information in an 'Easy Read' format. This was done as quickly as possible, and additional time allowed for those using these documents to respond.
74. 246 questionnaire respondents stated that they considered themselves to have a disability. This would include those who responded by Easy Read.
75. 121 respondents (54% of those who provided an answer to this question) agreed that the HTP objectives would address the transport problems in Hereford and enable growth. This is compared to the 68% of all respondents, and therefore indicates a lower level of agreement. Comments provided alongside responses to this question suggested negativity about the ability to meet the HTP's objectives as well as the route options being consulted upon.
76. 125 respondents (53% of those who provided an answer to this question) agreed that a bypass should form part of the HTP. This is slightly lower than the 59% across all respondents who were in support of the proposal. Comments suggested that respondents felt that the bypass would not help in meeting objectives while there was also concern regarding the environmental impact. There was also negativity regarding the route options. Another common theme identified was that the bypass would be effective in meeting the objectives.
77. Orange was the most popular route option in this case, followed by Olive and Black 1. Black 2, despite being ranked second in the overall analysis, was selected as first choice by the fewest respondents in this case.
78. 195 respondents (90% of those who provided an answer to this question) agreed that walking, cycling, bus and public realm measures should form part of the HTP. This is at similar level to the 87% who were in support overall
79. In order to identify and engage with hard to reach groups, HC continues to engage its Corporate Information, Customer and Equality Manager and follow its Equality Policy (2017-2019) which can be found on HC's website. All consultation materials and events will continue to be fully accessible, and consultation documents can be made available in different formats and languages upon request. This will be made explicit in brochures and leaflets.

80. 'About You' demographic questions will continue to be included in Phase three of this consultation, enabling the Council to monitor the effectiveness of consulting with the whole community.
81. In taking forward the route options for the bypass and the associated package of measures and in consultation with local communities, the council will pay due regard to the public sector equality duty under the Equality Act 2010.

Legal Implications

82. This is an executive function under the Council's Constitution Part 3 Section 3 and it is a key decision being one which is likely to be significant having regard to the strategic nature of the decision and/or whether the outcome will have an impact for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards in Herefordshire) affected.
83. As referred to in the previous cabinet report (18 January 2018) the policy context for delivery of this scheme is through the Core Strategy and Local Transport Plan, and the Council as the highways authority can promote and deliver the scheme.
84. Any consultation on preferred route/s are to be completed in accordance with the statutory pre-application procedure provisions in the Planning Act 2008 and should be "robust", in order to ensure that the council is acting reasonably. To date the Council have undertaken a robust appraisal on the routes, following guidance and the national standard on both Phase 1 and Phase 2 consultations.
85. Phase 3 consultation on the preferred route will also follow the statutory regime and the choice of route is based on a systematic selection method of considering the outcome of the Phase 2 consultation, and having followed guidance and the national standard as demonstrated in the appended reports. The results of the next stage of scheme development and Phase 3 consultation will enable the Council to review the assumptions made at Stage 2 and assess carefully to determine if they are feasible and will meet the aims of the scheme as originally set, prior to confirming the scheme to be taken forward.
86. In consideration of any decision to be made, Cabinet need to have due regard to the European Convention on Human Rights more particularly Article 8 which stipulates the need to take into account the right to respect for family and private life. The likely interference with human rights should therefore be weighed up in the balance of factors leading to the decision to select a route.

Resource implications

87. Estimated costs for a bypass have been developed on a consistent basis across all route corridors. This is to ensure a fair comparison for route selection purposes based on an assumed standard for the road at this stage of development. Once a route is chosen work will be done to confirm the design and standard for the scheme prior to confirming the cost estimate for the scheme to be delivered. At this point a further independent review of cost estimates will be undertaken prior to a decision to proceed.
88. The current estimated cost of each of the possible bypass route corridors is summarised in the SAR contained in Appendix 2 of this cabinet report. Costs are

presented in Section 4.9 of that report for each bypass route corridor in Table 3 of the report. Estimates comprise bypass construction costs, land acquisition and compensation payments, statutory undertaker's costs and professional fees. These costs are based on current year prices with an appropriate amount of optimism bias applied to reflect that the estimates are produced based on a preliminary design for each route. When a route is selected, detailed design of the route will progress and cost estimates will be updated. Inflation and optimism allowances will be updated in accordance with government guidance as the business case for the scheme is developed for funding application purposes.

Corridor	Estimated Total Cost (£) – Current year Prices (2018)
Corridor 1 – Orange	151m
Corridor 2 - -Cyan	153m
Corridor 3 – Yellow	150m
Corridor 4 – Red	153m
Corridor 5 – Olive	149m
Corridor 6 – Black 1	160m
Corridor 7 - Black 2	166m

89. Each cost estimate is based on a detailed spreadsheet of quantities taken from the current level of design model. These cost estimates have been built up using rates appropriate to the size and nature of the scheme from national price book SPONS Civil Engineering and Highway Price Book 2018. Estimates also include overhead and profit, preliminaries, statutory undertakers estimated costs land costs and professional fee costs. An allowance of optimism Bias of 32% is included in the costs presented given the preliminary stage of design in accordance with WebTAG guidance. This allowance within the estimate is in accordance with government guidance and ensures that preliminary cost estimates include possible future cost uplifts based on similar project experience.
90. The cost estimates presented in the SAR and summarised above are an update on the previous estimated costs presented in the Strategic Outline Business Case (SOBC) for the project. These SOBC costs were undertaken prior to any route assessment work and were consistent with the level of project detail at that time. They were estimated at the time of production of the SOBC in 2014 prices. The current estimated costs for the bypass have been estimated at current year (2018) prices. Taking inflation into account since 2014 the estimated cost of the bypass remain broadly comparable with those identified in the SOBC. The recommended red route as the preferred route for the bypass is at the lower end of estimated route costs.

Package Element	Estimated Total Cost (£) – Current year Prices (2014)	Estimated Total Cost (£) – Current year Prices (2018)
Western Relief Road (excluding Southern Link & with Risk adjusted)	£136,270,000	£153,000,000 (subject to selection of red route as preferred bypass route)
Public realm, active mode and traffic management scheme for existing route of A49	£10,000,000	To be updated as active travel measures are further developed
Public realm, active mode and traffic management scheme for radial A routes within urban area	£10,000,000	To be updated as active travel measures are further developed
Urban traffic control system including local management centre	£5,000,000	To be updated as active travel measures are further developed
20 mph schemes for residential areas	£2,000,000	To be updated as active travel measures are further developed
City wide active travel mode projects	£2,000,000	To be updated as active travel measures are further developed

91. Estimated costs for the active travel projects that would form the HTP with the bypass were estimated within the SOBC as £29m based on some assumed improvements detailed within the report and summarised in the table above.
92. Since then we have developed proposals for ATMs and consulted on a range of possible improvements. The detail of this is set out the ATM report which is contained within Appendix 6 of this cabinet report. Further assessment and consultation will enable a package of measures to be selected that would form the HTP with the bypass. The package of measures will be different from those included in the SOBC so costs will differ. This would be the subject of a further report to cabinet and cost estimates will be presented within that report to confirm overall cost and value for money of the HTP project and would be considered by cabinet at that time.
93. As of 31 May 2018 spend from 2015 totals £4.037m. £3.992m has been spend on professional fees associated with the work to develop a long list of possible bypass route corridors, assessment work to select a shortlist from this and the work (which is the subject of this report) to assess the shortlist to recommend a preferred route corridor including the consultations undertaken to inform this process. The remaining £45K is cost associated with various payments ranging from land compensation payments associated with survey work and consultation consumables costs.

94. There is an approved capital programme allocation of £2.960m in 2018 / 2019 for the detailed design and consultation of the preferred route and package. Following selection of a preferred route, these funds will be drawn down to undertake detailed design, phase 3 consultation and development of reports required to support the planning process.
95. Funding to progress the scheme further in 2019/20 and beyond will be the subject of applications for funding and will need to be considered in the annual review of the capital programme. The budget for further stages of this project development will be the subject of a further reports.
96. Funding for the construction costs of the HTP will be subject to ongoing bids to appropriate Government funding streams. As reported in January 2018, contributions to the development of the scheme have already been received from Highways England and Midlands Connect. The Council was also recently been accepted into the Housing Infrastructure Fund forward funding programme which will support the development of the detailed business case and subject to acceptance of the business case could make a significant contribution to the cost of delivering the scheme. Failure to confirm early government funding will impact on funding requirement from the council and could impact on programme. Should the scheme not be constructed the development costs would need to be funded from revenue sources.

Risk management

97. If the council does not carry out a robust appraisal process of the alignment alternatives, the route recommended for selection as the preferred route for the bypass may not be the correct choice. To ensure that the best performing route corridor is recommended this risk will be managed through the commissioning of engineering, transport planning, and environmental professional services challenged and reviewed by an adequately resourced project team within the council and its delivery partner Balfour Beatty Living Places with appropriate reviews during the delivery of the project. The route appraisal will be carried out and documented in accordance with DfT Transport Analysis Guidance (WebTAG). Compliance with this guidance will be monitored at key stages in the project.
98. The need for significant investment in transport infrastructure is recognised by the council, the LEP, and Highways England. It is possible that the current economic climate and the reliance on various funding sources to deliver the road may affect the timing and deliverability of the bypass. The risks associated with uncertainty of funding will be managed through applications for government funding, consideration of phased delivery of the road, the development of a robust business case, and ongoing regional partnership work through both the LEP and Midland Connect to secure funds from central government.

Consultees

99. Detail of Phase 2 consultation is set out in this cabinet report above and in greater detail in the consultation report in Appendix 1. Local members and parish councils were briefed both about the shortlist of possible bypass route corridors in advance of Phase 2 consultation and to explain the process for the selection of a preferred route and local members were also briefed in advance of the consideration of this cabinet report.

100. The Hereford BID, Chamber of Commerce and Business Board expressed support for the HTP and cited the economic benefits that it would bring to the city of Hereford and how it would help unlock growth in the local economy and the ambitions of the city. NMITE, Weston's and Stagecoach provided a response to the consultation setting out their support as in their view the bypass would improve regional connectivity and provide a suitable alternative route which will relieve congestion for by reducing traffic through town, resulting in improved journey times and significant improvements in air quality.
101. CPRE Herefordshire, Hereford Green Party, Historic England and the National Trust set out concerns that the proposed bypass could have environmental and heritage impacts and would not deliver the benefits claimed. These comments will be considered further as the project is progressed. The Church Commissioners noted in their response to the consultation that there is an opportunity for the bypass to contribute to reducing flows along Yazor Brook.
102. The Herefordshire Tertiary Education Trust responded to express their support for the bypass in the context of it facilitating the construction of new homes.
103. There was a significant level of support for Walking, Cycling, Bus and Public Realm Improvements and the benefits the new connections could bring. Ensuring existing public rights of way were not severed by the new road and junctions was also highlighted. The need to 'maximise benefits to public transport and non-motorised users within the city was also praised. Other organisations were keen to see more emphasis on walking, cycling, bus and public realm improvements.
104. Further consultations will take place as the project progresses. Phase 3 consultation will take place late 2018 on the preferred alignment and package of measures subject to cabinet decision. There will be ongoing consultation with people directly affected by the scheme, local communities and groups, parish councils and local members.
105. There is ongoing engagement with statutory consultees. This includes: consultation with Highways England on transport modelling, developing the business case and establishing the required design standards; consultation with Historic England discussing options to avoid adverse impacts on heritage assets, including the setting of listed buildings; consultation with Natural England to agree the approach to the Habitats Regulation Screening Assessment and Environmental Impact Assessment; and the Environment Agency to discuss matters in relation to watercourses and flood risk, particularly design requirements for the River Wye.
106. All political groups and local members were consulted about this report. There has been no direct feedback from local members or political groups to officers.

Appendices

Appendix 1: HTP Phase 2 Consultation Report

Appendix 2: HTP Stage 2 Scheme Assessment Report

Appendix 3: HTP Stage 2 Environmental Assessment Report

Appendix 4: HTP Route Selection Report

Appendix 5: HTP Preferred Route Report

Appendix 6: HTP Active Travel Measures Report

Appendix 7: HTP Equality Impact Assessment

Background papers

None

