

**Minutes of the meeting of Cabinet held at The Council Chamber -  
The Shire Hall, St. Peter's Square, Hereford, HR1 2HX on  
Thursday 26 September 2019 at 2.00 pm**

**Present:** Councillor Felicity Norman, Deputy Leader of the Council (in the chair)  
Councillors Pauline Crockett, John Harrington, Liz Harvey, Trish Marsh and Ange Tyler

Cabinet support members in attendance Councillors John Hardwick and Alan Seldon

Group leaders in attendance Councillors Jenny Bartlett and Bob Matthews

Scrutiny chairpersons in attendance Councillors Elissa Swinglehurst, Carole Gandy and Jonathan Lester

Other councillors in attendance: Councillors Christy Bolderson, Toni Fagan, Elizabeth Foxton, Jennie Hewitt, Jeremy Milln, Nigel Shaw, David Summers and William Wilding

Officers in attendance: Alistair Neill, Richard Ball, Chris Baird, Claire Ward, Andrew Lovegrove and Karen Wright

**81. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors David Hitchiner and Gemma Davies.

**82. DECLARATIONS OF INTEREST**

None.

**83. MINUTES**

**Resolved:** That the minutes of the meeting held on 25 July 2019 be approved as a correct record and signed by the Chairperson.

**84. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 7 - 20)**

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

**85. QUESTIONS FROM COUNCILLORS (Pages 21 - 24)**

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

**86. EXECUTIVE RESPONSE TO THE CLIMATE EMERGENCY**

The cabinet member environment, economy and skills introduced the report and highlighted three minor corrections as follows:

- Both resolutions were passed unanimously by Council;
- The y (upwards) axis of the graph at paragraph 13 of the report was incorrectly labelled and should read carbon dioxide in *thousand* tonnes;
- The date of the climate emergency resolution in appendix 1 should read 8 *March* 2018.

In introducing the report, the cabinet member made the following key points:

- the council recognised the active lobbying by many members of the public, in particular young people, and the strong emotions raised by this subject;
- the council was prepared to adopt challenging new targets;
- carbon emissions had already been reduced by over 40% against the 2008/9 baseline;
- significant reductions in budgets over this period had been challenging but drives for efficiencies and changes in ways of working to reduce costs had also delivered environmental benefits;
- the council had met its carbon target two years early but this did not mean that work would stop, initiatives both within and outside the council had been continuing since the climate emergency motion was passed in March 2019;
- it had to be recognised that many homes and businesses in Herefordshire were not cash rich, programmes such as the warm homes programme had enabled investments;
- every tonne of carbon saved would make a difference, even apparently small actions could have a ripple effect and become a large change;
- the level of public support had been noted, working together would magnify the impact of council actions;
- climate change appeared in many sections of the new corporate plan which was currently under consultation;
- it was recognised that most changes would be neither quick or straightforward, some changes would only be possible as contracts came due for renewal;
- Herefordshire would work with other councils to lobby for changes to the national framework that prevented the council from doing certain things.

In discussion of the item cabinet members noted that:

- additional detail on planned actions would be provided as soon as possible;
- the new policy would set out actions for the council and also seek to influence partners;
- every aspect of the council's operations would be considered through the lens of the climate emergency;
- the council would also seek to learn from good practices elsewhere in the country and overseas;
- this was an issue that cut across cabinet portfolios;
- the voices of young people and their support for action on climate change had been heard.

Group leaders were invited to give the views of their political groups. It was noted that:

- all groups were supportive of action to tackle climate change;
- the cost of initiatives would have to be looked at carefully;
- the commitment of young people was welcomed;
- working with partners such as parish councils was very important;
- the use of supplementary planning documents should be explored to work towards targets, the review of the core strategy would need to take account of the agreed response to the climate emergency motion;
- the Energy from Waste plant was making a transformational contribution;
- different ways of working would be fundamental, increasing flexible and home working would have an impact on the trips generated by coming and going of staff.

**It was agreed that:**

**The executive's response to the resolutions relating to the climate emergency passed by Council in March and July 2019 be agreed as detailed in Appendix 1.**

*The meeting adjourned between 2:58 and 3:09. Councillor Matthews left the meeting at this time.*

#### **87. YOUTH JUSTICE PLAN 2019 - 2020**

The cabinet member children and families introduced the report. The head of service at West Mercia Youth Offending Service highlighted the following key points:

- The plan had been prepared and adopted by the Youth Justice Management Board in May 2019, it now required endorsement by the four councils in the West Mercia area;
- The plan had been prepared in accordance with government guidance and outlined key performance data and actions planned to be taken during the current financial year;
- The previous system dealing with first time entrants met statutory guidance but allowed for an initial youth caution to be issued without this being part of a joint decision-making process between the police and youth justice service, it was felt that a lot of young people receiving youth cautions could be diverted through an informal disposal process where their needs would be addressed and services provided without giving the young person a criminal record;
- All decision making would now come through a joint panel which included colleagues from other agencies such as the early help services of the council, the panel would look at the nature and severity of the offence alongside the needs of the young person.

The chair of the children and young people scrutiny committee noted that the actual numbers were small but the way they were required to be reported skewed the statistics. The scrutiny committee received each annual plan but found the process frustrating as much of the action had already happened. The action plan had been scrutinised and endorsed. More recent statistics had been shared with the committee, which showed an improved picture and the committee had requested that in future the latest available statistics were shared as part of the process.

It was reported that the latest available figures for 18/19 showed 43 first time entrants compared with 76 in the previous year. The rate of reoffending within 12 months for the cohort October 16 – September 17 was 30.5% in Herefordshire compared with a national rate of 38.9%. This was a significant reduction on the previous Herefordshire figure of 44.4%.

Group leaders welcomed the decrease in numbers but noted that it was difficult to highlight trends from the available data with the small numbers involved. It might be worthwhile to focus on early help in relation to first time offenders and it would be helpful if the report could say why there was a general reduction in the trend.

The director for children and families explained that the board was in the second year of a three-year approach and that there had been recent improvements in operational matters that enabled the local service to have access to council systems to share information in the interests of children and young people.

The cabinet member children and families commented that she was heartend to hear that numbers were moving in the right direction and that intervention was in place to support young people who had contact with the youth justice system.

**It was agreed that:**

**The Youth Justice Plan 2019/20 (appendix a) be recommended for approval by full council.**

## **88. GAMBLING POLICY 2019-2022 (REVIEW)**

The cabinet member housing, regulatory services and community safety introduce the report, noting that the Gambling Act 2005 required the council to produce a statement of principles to be applied when exercising licensing functions. The reviewed policy was largely unchanged from the previous version but did reflect new guidance from the gaming commission.

The principal licensing officer reported that gambling was not a large issue in Herefordshire although there were issues of protection of children and vulnerable people. It was market driven and in decline in Herefordshire.

Cabinet members noted that:

- The policy was in relation to physical premises;
- The need for signage in other languages to support migrant workers had been included in the local area plan risk assessment and premises were expected to have documents available to support those who need that help.

The chairman of the general scrutiny committee stated that the committee had gone through the revised policy with a fine toothed comb. He was pleased to see that eight of the eleven recommendations had been incorporated and he understood the reasons why the others could not be taken on board.

Group leaders were invited to express the views of their group. Concern was expressed that quite a few of the recommendations were simple fixes and it was important that policies were carefully reviewed. It was noted that the policy had been consulted on and that efforts were made to ensure that language was appropriate and understandable.

**It was agreed that:**

**the revised Statement of Gambling Licensing Policy 2019-2022 (attached at appendix 1) is recommended to Council.**

## **89. TRAVELLERS SITES DEVELOPMENT PLAN DOCUMENT**

The cabinet member infrastructure and transport introduced the report, supported by the strategic planning manager and senior planning officer. It was highlighted that:

- There was a requirement to provide for the accommodation needs of travellers through the development plan process that was met by the DPD which would sit underneath the council's core strategy;
- The document set out plans to provide some additional pitches on existing sites and a new transit site near Leominster;
- The document had been subject to extensive consultation including with the gypsy and traveller community;
- The new temporary stopping place adjacent to the A49 near Leominster was supported by the police and sought to address unauthorised encampments by providing a suitable location for such encampments to be moved to;
- The transit site would have no permanent structures but hard standings would be provided and the site would be opened up on an as needed basis, with negotiated stay periods depending on the circumstances;
- The examination in public had recommended additional pitches and an additional existing private site had been identified to address this need;
- Madley had been identified as an area for future investigation, there were some outstanding issues but this might be a suitable location for a site in future;
- Capital bids would be made to support development of sites as necessary, it was anticipated that additional pitches would be available over the next five years.

Group leaders acknowledged the hard work of officers in developing the plan and recognised it was a necessary document to add to the core strategy.

**It was agreed that:**

**(a) the Herefordshire Travellers sites Development Plan Document (DPD) 2018-2031 (appendix 4 and at [https://www.herefordshire.gov.uk/info/200185/local\\_plan/796/travellers\\_sites\\_document\\_examination/7](https://www.herefordshire.gov.uk/info/200185/local_plan/796/travellers_sites_document_examination/7)), incorporating the Planning Inspector's recommended main modifications (appendix 2) and the schedules of additional modifications (appendix 3) be recommended to Council for adoption; and**  
**(b) it be recommended to Council that delegated authority be given to the programme director growth to make any further minor modifications, (e.g. typographical) to ensure consistency with other development plan documentation.**

## **90. ACCOMMODATION BASED SUPPORT SERVICE FOR CARE LEAVERS**

The cabinet member children and families introduced the report, supported by the head of community commissioning and resources and the head of looked after children. It was noted that:

- This would be a new service for young people with complex needs;
- The properties to be used included some already owned by the council and an additional property that had been acquired, works to renovate the buildings were expected to be completed by Spring 2020 and the new service would be commissioned alongside these works;
- The needs of young people needing this type of service were carried but included risk of exploitation and criminal behaviour;
- There was growing demand for this type of service and in the past the council had placed young people outside the county, this had been at a cost and the quality of provision had been variable, this new service would be more cost effective and give the council greater control over quality;
- It was hoped that many service users would transition to being fully independent but this would not always be the case, the service would work with partners in the NHS, probation service and universal services such as further and higher education providers with regards to appropriate ongoing support;
- There had been substantial market engagement in advance of the procurement so the council could be confident that potential providers would come forward;
- The buildings would offer a range of types of accommodation according to the needs of the individuals and would have an on site facility for staff to work with the young people;
- Using council owned properties gave a measure of control and simplified operating arrangements, the council would lease the building to the service provider so they would be responsible for collecting rents and maintenance of the building;
- It was noted that there was reluctance from social housing providers to take on young people in this cohort due to perceived risks such as non-payment of rents;
- The proposal was welcomed as an example that arm's length commissioning might not be the best option in all circumstances.

The chair of the children and young persons scrutiny committee reported that the committee had scrutinised the care to be provided within the building to understand the support being offered to care leavers. The committee had been assured that support would be 24/7 with a lot of one to one support and involving outside agencies as necessary. The committee felt that the service should be reviewed at a future point to ensure that the desired outcomes were being achieved, and had requested that a visit be arranged to the property before it was occupied.

Group leaders welcomed the proposed approach and agreed that the service should be reviewed at a future point to check it was meeting its stated aims. The decision to acquire the building for the service was lauded.

**It was agreed that:**

- (a) the commissioning of a service to provide support and accommodation management for vulnerable care leavers in council owned properties through an open procurement process be approved;**
- (b) the director for children and families be authorised to take all operational decisions necessary to implement the service including award of contract for the accommodation based service for a period of up to five years and with a maximum value of £2.5m.**

#### **91. HEREFORD BID2**

The cabinet member environment, economy and skills introduced the report noting that:

- Business improvement districts were a recognised tool to deliver economic benefits, allowing business to lead in providing services additional to those already provided by the council;
- Initiatives such as the Stronger Towns fund require strong business input, giving the Hereford BID an important role to play;
- The Hereford BID board were keen to welcome new members.

The economic development manager explained that there was a voting process to approve continuing the BID for a further period with all businesses located with the BID area entitled to vote. The council had 25 votes to cast. Consultation had taken place with the approximately 400 businesses in the BID area and the majority were strongly in favour of continuing the BID.

Cabinet members noted that the work done by the BID supported tourism, particularly as the council was not able to give as much support in this area as it might wish due to financial constraints, and had increased footfall in the city centre.

Groups leaders commented that it was pleasing to see that business supported the BID as good value for money. It was suggested that they be encouraged to share positive experiences with the market towns to encourage other BIDs to be set up. It was also suggested that ongoing events should reflect the climate emergency.

Cabinet members noted that a Herefordshire BID that would cover all market towns was in development and this could be a very positive step. The increase in the rateable value threshold for business to pay the levy was welcomed as good for smaller businesses.

**It was agreed that:**

- (a) the Economic Development Manager be authorised to vote in favour of Hereford BID for the second, five year term (2020-2025);**
- (b) payment of the levy on Herefordshire Council properties in the BID area be approved, valued at £21,495 in year one (an increase of £14,790 on the current levy paid) for a period of up to five years; and**
- (c) The Director of Economy and Place (liaising with Legal Services) be authorised to finalise and arrange for the execution by the Council of all necessary contract documentation relating to the BID extension.**

**PUBLIC QUESTIONS TO CABINET – 26 September****Question 1****Ms J Morris, Hereford****To: cabinet member, infrastructure and transport**

In addition to their public realm contract, BBLP and WSP have provided additional professional expertise at council meetings as well as extra design resources and environmental assessments. The Council claims that every new fee proposals from these companies, which is treated as an extension to the existing contract, is reviewed and monitored and subjected to detailed change control mechanisms. With the SWTP still not on the new Verto Capital monitoring system in March 2019 and over £4.million spent in professional fees with these companies, would the cabinet member please explain what work has been done to confirm that these additional contract costs are within the detailed, up to date budgets and are competitive despite not going out to tender.

**Response**

The SWTP project management and design functions provided by BBLP are services which are within scope of defined services of the Public Realm Service Delivery contract and these services were therefore commissioned using this contract and are not an extension as the question suggests. The process of commissioning this work involves detailed scrutiny of fee proposals before commissioning and any changes to commissions during delivery are managed through the contract change control mechanism.

Approved budgets, spend and forecast spend reports are monitored as part of the project management of the programme as well as being reported to cabinet. The £4m figure referred to in the question is not recognised. The scheme is managed using the councils VERTO system and the current forecast project cost remains within the £35m budget set out in the 2014 Strategic Outline Business Case for the project. In addition, each report informing decisions about this project and published on the council's website contains a summary of scheme budget and cost forecasts.

**Question 2****Mrs J Tonge, Hereford****To: cabinet member, infrastructure and transport**

Can the cabinet member confirm that the time savings quoted for a bypass in the 2018 HTP Consultation leaflets were 'made up', and not the result of any detailed modelling?

**Response**

No I cannot. Officers have confirmed to me that the journey time statements set out in the 2018 Hereford Transport Package public consultation materials were based on traffic modelling outputs available at the time of publication taken from the traffic model established for Hereford. This model has been developed in accordance with Department for Transport specification and can be used to understand how a wide range of transport projects, including walking, cycling public transport and road schemes would work.

The consultation brochure compares a journey time on the A49 in 2032 with the bypass scheme open to a present day journey time on the A49. The information presented is based on the 2016 traffic model. Should the bypass scheme progress, traffic modelling work would continue and

further traffic modelling information would be set out in future public consultations about the scheme.

### **Question 3**

**Dr N Geeson, Hereford**

**To: cabinet member, infrastructure and transport**

At the last meeting of the General Scrutiny Committee (23 July 2019) I asked about the Hereford Transport Package Consultation on Walking/Cycling/Buses that had closed on 11th March 2019, and when the results of the consultation would be available. I was told that “the HTP consultation feedback is being analysed and a report summarising this feedback will be presented to the new administration cabinet later this summer and will published on the council’s website at that time”. Is this important feedback now available please?

### **Response**

I agree that it is important to publish the results of this consultation.

The public consultation report was not completed whilst the new cabinet took some time to review the Hereford Transport & South Wye Transport projects following the election. However the report will be finalised and published shortly.

### **Supplementary question**

I had asked about the results of the Hereford Transport Package public consultation on walking, cycling and buses that was back in March 2019 and these are still not published. The transport sector currently accounts for around 27% of all greenhouse gas emissions so in addressing the climate emergency how fast do councillors expect to promote more widespread use of clean electric buses, cycling and walking to reduce emissions across Herefordshire?

### **Response**

The short answer is as quickly as possible. We are in a period of pause and review of the two major transport schemes but that does not prohibit us from looking at the schemes and the type of sustainable transport that we have always espoused we would look at and is a major intention of ours. We are in the process of putting capital bids in for budget consultations in February. That should give an indication of how we are moving forward. It remains a huge and very important ambition. It is easy to talk about sustainable transport but if it is not prioritised it will not happen, we intend to do that.

### **Question 4**

**Mrs J Richards, Hereford**

**To: cabinet member, infrastructure and transport**

Can the Cabinet Member confirm that the number of lorries (HGV’s) crossing the Greyfriars Bridge has actually fallen consistently since 2000?

### **Response**

No it is not possible for me to confirm this. We don’t have automatic count information which separates out HGVs from other vehicles from before 2010. The data we do have access to from the permanent traffic counter on Greyfriars Bridge records the number of vehicles greater than

6.6m (which would include HGVs). We have this data from 2010 from this recorder which shows that the number of such vehicles has fluctuated over this period. This is set out in the following table:

|                     | 2010  | 2011  | 2012  | 2013  | 2014  | 2015  | 2016  | 2017  | 2018  |
|---------------------|-------|-------|-------|-------|-------|-------|-------|-------|-------|
| AADT (all vehicles) | 46522 | 46304 | 46388 | 45735 | 46464 | 46701 | 46386 | 46018 | 45511 |
| AADT >6.6m          | 5350  | 5337  | 5107  | 5096  | 5285  | 5098  | 5149  | 5338  | 5552  |
| AADT <6.6m          | 41172 | 40968 | 41282 | 40641 | 41179 | 41604 | 41237 | 40680 | 39959 |

### **Supplementary Question**

Thank you for your reply, which was surprising, as I have seen graphs from the Department for Transport that do show a decrease in HGVs over Greyfriars Bridge. However, if we can at least agree there has been no particular increase in HGVs over Greyfriars Bridge since 2000, can we also agree that the number of HGVs over the Greyfriars Bridge is not relevant to the need for a bypass or not.

### **Response**

You are right that there are different figures available. The figures the council use are on the counter that has been in place since 2010. It does not separate HGVs from other vehicles over 6.6m long so includes things like vans and smaller lorries but the relative numbers of anything over 6.5m is comparatively small compared to the traffic movements over the bridge and that is something that is important to remember.

### **Question 5**

**Ms H Thomas, H Weston and Sons Ltd, Much Marcle**

**To: cabinet member, infrastructure and transport**

If there is no bypass for Hereford City, is Herefordshire Council now advocating that all HGVs must drive through Hereford City Centre to get to their onward destination?

### **Response**

No this is certainly not what I am advocating. I took the decision to pause the bypass scheme to allow further time to review the scheme (which would include HGV movements and impacts) in more detail. I am concerned that as currently developed, the bypass and the southern link road may not be compatible with the climate challenge, carbon reduction and emerging policy and that there may be other options that could deliver transport and growth objectives and these should be considered. All options need to be considered as we look to the long term and towards providing a high quality, integrated and low carbon transport system for the whole of Herefordshire, not just for the immediate future but for generations to come.

### **Question 6**

**Mr R Palgrave, How Caple**

**To: cabinet member, infrastructure and transport**

At Council's Cabinet meeting in January 2018, the minutes report: "The cabinet member infrastructure responded that the eastern route for a bypass was not a viable alternative and that the enterprise zone was booming. The cabinet member economy and communications stated that unemployment in Herefordshire was at an historic low and that the enterprise zone had been highly successful." Does the current cabinet member for Infrastructure believe that in the subsequent 18 months, the Hereford Enterprise zone has gone from boom to bust and that the delay in completing the Southern Link Road is to blame?

### **Response**

I do not believe the Hereford Enterprise Zone to be 'bust'. It continues to be highly successful, a number of major developments are underway such as the £9million development of the Cyber Quarter - Midlands Centre for Cyber Security (through a joint venture between the council and the University of Wolverhampton) and the £7 million development of business incubation space in the former World War One Shell Store.

The council recently approved £5m of funding in August to support the next phase of infrastructure works required to bring brownfield sites back into economic use, in response to a high demand for business space on the Enterprise Zone.

### **Supplementary question**

As I am sure you know, planning permission for the Southern Link Road (SLR) was granted in July 2016. The following May amendments were made to the environmental impact assessment regulations, requiring that development proposals should include an assessment of their climate impacts both from construction and when in operation. No such assessment has been made for the SLR because its planning permission pre-dated this change to the regulations. In 2015, the committee on climate change prepared a report for government which provided a methodology to assess the climate impacts arising from the construction of large infrastructure like roads. Based on this methodology the construction emissions of the SLR would be in the order of 2,500 tonnes of CO2 equivalent and those of the Hereford Bypass would be around 19,000 tonnes. For context the reported emissions in 2018/19 from the councils own estate were 15,600 tonnes. Given the declared climate emergency and the aspiration for the council to be carbon neutral by 2030, will you please ensure that the construction climate impacts of the SLR and the bypass are fully considered as part of the pause and review process you have initiated.

### **Response**

I can confirm that we will be applying any current legislation or requirements to our review. We intend to look at the data as it was presented and as it is presented against climate emergency declarations both nationally and locally and we will take into account any updates on regulations.

### **Question 7**

**Mr D Hinksman, H Weston and Sons Ltd, Much Marcle**

**To: cabinet member, infrastructure and transport**

If there is no bypass are the council confident that the alternative routes that drivers currently take to avoid congestion – Holme Lacy bridge, Mordiford Bridge and Bridge Sollers bridge – are routes capable of carrying this additional traffic; not only cars but HGVs too. Increasingly Mordiford bridge is gridlocked as lorries try to negotiate it.

### **Response**

I have not at any time since my election suggested that the rural routes you refer to in your question are the appropriate routes for HGV traffic to travel on and there are already restrictions in place which prevents this on the route through Holme Lacy and Mordiford. As I set out in my response to question 5 the decision to pause and review the bypass scheme will enable options to be considered for a high quality, integrated and low carbon transport system for the whole of Herefordshire.

### **Question 8**

**Mr A Morwiecki, Breinton**

**To: cabinet member, infrastructure and transport**

The 2017 investigation into Blueschool House required capital projects to have a fully auditable budget with costs tracked against spend. The Council website reports that in response “the chief executive made a statement in which he:

- apologised unreservedly for what had taken place
- accepted all the recommendations made by the auditors”.

The November 2018 public inquiry on the SWTP heard the only budget available was the 2014 Strategic Outline Business Case (SOBC). The public have since been told that the 2014 SOBC budget was not an “approved budget”. The funding for the SWTP ATMs has been cut from £8million to £5million and professional fees of £4.7Million are over the £750,000 budget in the SOBC. If the Chief Executive agreed the Internal Audit recommendations, where is the approved detailed budget for the SWTP with costs tracked against it?

### **Response**

Approved budget, actual spend and spend forecasts for the South Wye Transport Project are monitored as part of the project management of the project as well as being reported to cabinet. The scheme is managed using the councils VERTO system and the current forecast project cost remains within the £35m budget set out in the 2014 Strategic Outline Business Case. In addition, each report informing decisions about this project and published on the council’s website contains a summary of scheme budget and cost forecasts. The ATM budget has not been cut from £8m to £5m as your question suggests. The 2014 SWTP SOBC document sets out an estimated ATM cost of £5m within the overall scheme budget of £35m and this has not been reduced. I am not clear what the figure of £750k in your question refers to. It is not from the 2014 SOBC document and it is not correct to suggest that this figure represents the current approved budget for SWTP fees.

### **Question 9**

**Mr E Morfett, Hereford**

**To: cabinet member, infrastructure and transport**

Can the Councillor for infrastructure confirm that average annual traffic passing over Greyfriars Bridge has barely increased since 2000 and remained around 45,000 per day since 2012, based on Department of Transport road counts?

See: (<https://roadtraffic.dft.gov.uk/manualcountpoints/36537>).

### **Response**

The council holds automatic traffic count data for the Greyfriars Bridge dating back to 2006. In assessing changing flows since this period we have commenced at 2007 as this is the point at

which the ASDA roundabout work was completed. The table below summarises the data for Greyfriars Bridge which is held by the council. This indicates that traffic flows have fluctuated slightly between a high of 47,133 and low of 45,511 during this period.

|                     | 2007   | 2008   | 2009   | 2010   | 2011   | 2012   | 2013   | 2014   | 2015   | 2016   | 2017   | 2018   |
|---------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| AADT (all vehicles) | 46,412 | 47,133 | 46,734 | 46,522 | 46,304 | 46,388 | 45,735 | 46,464 | 46,701 | 46,386 | 46,018 | 45,511 |

### **Supplementary question**

In reviewing the council's executive response to the climate emergency declaration I was disappointed to find after months of research it lacked vision and a strategy to focus effort on actions to address the issues. My concern is that this council, like Oxford, will pay lip service to the climate emergency while pursuing policies that double transport emissions for car dependent housing estates and increase road capacity. The key elements lacking in this councils executive response to the emergency declaration in my opinion are: a strategy and timeline to reduce our carbon footprint in areas of greatest impact, namely power generation consumption and transport emissions; developed economic cost and benefit analysis of such steps including congestion charging, electric bus fleets, low emission zone levies and commuter parking charges; funding to ensure a robust response to take positive actions like the green bond initiative that enables cities to finance green infrastructure through access to public markets. My question is what is the vision of this council to achieve rapid CO2 and NOX reduction and what steps will it take in the near term to achieve this and how will it fund this important strategic development to protect future generations.

### **Response**

My understanding of the response that we have provided today is that it is a response to the motion passed unanimously in March. The appendix gives a bit more meat, perhaps a bit more oomph that you were expecting, and we will then have a policy document that will follow that which will have the detail worked out and pretty much cover the sort of responses you are requiring. In terms of what our commitment is to addressing climate change and the emergency and whether it is lip service or not, it is not. This council is determined to uphold the unanimous declaration and I commend the conservatives in the previous administration for follow through so strongly on that and enabling that to be passed on the day. I comment them also on the Core Strategy, which in fact has as a predominant aspiration to reduce dependency on the car. I think that we will try as an administration to match those lofty ambitions and add some detail of our own in light of the new emergencies.

### **Question 10**

**Mr M Churchward, Hereford**

**To: cabinet member, infrastructure and transport**

Can the Cabinet member confirm that Highways England did not require a cap on vehicle traffic leaving Asda or the Old Market shopping development but did so for the HEZ?

### **Response**

The ASDA food store and Oldmarket development did not have an LDO associated with them. The ASDA food store was permitted in March 2005 as part of a planning application for a number of uses whilst the outline planning permission for the Old Market shopping development was permitted in 2011. There were no "traffic caps" required by the Highways Agency as part of these permissions but the planning application for each included a detailed assessment of traffic that

would be generated by the development, the impact on the highway network including the trunk road network and mitigation works to ensure there was no detriment as a result of the development – this involved junction improvements as part of the Asda development.

The Hereford Enterprise Zone Local Development Order contributes to the development of Hereford Enterprise Zone by applying simplifying planning arrangements to avoid the need for individual planning applications where proposals accord with the conditions imposed by the LDO. The conditions of the LDO exclude development that would either on its own or in combination with other development lead to an increase in morning and afternoon peak hour trip generation above a trip limit agreed between Herefordshire Council and Highways England in a separate Memorandum of Understanding.

However, the LDO does not prevent development taking place which is not expressly permitted through the Order. Proposals for such development would be subject to the normal planning application process and may proceed if planning permission is granted. In addition, proposals which constitute permitted development would still be able to proceed without the need for planning permission from Herefordshire Council whether covered by this LDO or not.

### **Question 11**

**Mr D Allison, Hereford**

**To: cabinet member, infrastructure and transport**

Can the Cabinet member confirm that the overall traffic across the bridge (@45000 annual average daily flow) has not increased since 2012 and barely increased since 2000?

### **Response**

Please see the response to question 9.

### **Question 12**

**Ms L Lewis, Breinton**

**To: cabinet member, infrastructure and transport**

Can the Cabinet member confirm that Highway England's own figures show that Herefordshire is in the lowest possible category for businesses dependent on the on the strategic road network?

### **Response**

Highways England has identified Herefordshire as a county with 0-3% forecast growth (2015-2030) in employment in Strategic Road Network-reliant sectors. This is however, not the lowest categorisation, with some parts of the country having less than 0% reliance on the SRN.

### **Question 13**

**Ms N Eyles, Hereford**

**To: cabinet member, infrastructure and transport**

From Freedom of Information requests on the SWTP I note that there is an email in January 2019 from the Marches LEP asking the Head of Infrastructure of Herefordshire Council to re-profile

“the outputs for housing units and jobs created” to bring them forward from 2032/33. The Growth Deal funding agreement between Herefordshire Council & Shropshire Council (for the Marches LEP) showed that the road scheme would be completed in 2018/19 and would do nothing to improve journey times; congestion or pollution. What evidence is available to support the request by the Dept for Transport that, despite the delays on this project, that these jobs and new houses will now be delivered ahead of 2032/33?

## **Response**

The request came from the Marches LEP and not from the Department for Transport as the question suggests. It is not unusual for us to review output dates with funders over the life of a project.

It was not requested because the programme for the delivery of scheme has changed from that set out in the original contract. It is not unusual for the programme of a project of this size to change as events occur which were not originally anticipated. The SWTP scheme programme has been updated regularly and programme updates have been provided and agreed every quarter to the Department for Transport and the Marches LEP since the project began.

## Question 14

Ms K Sharp, Hereford

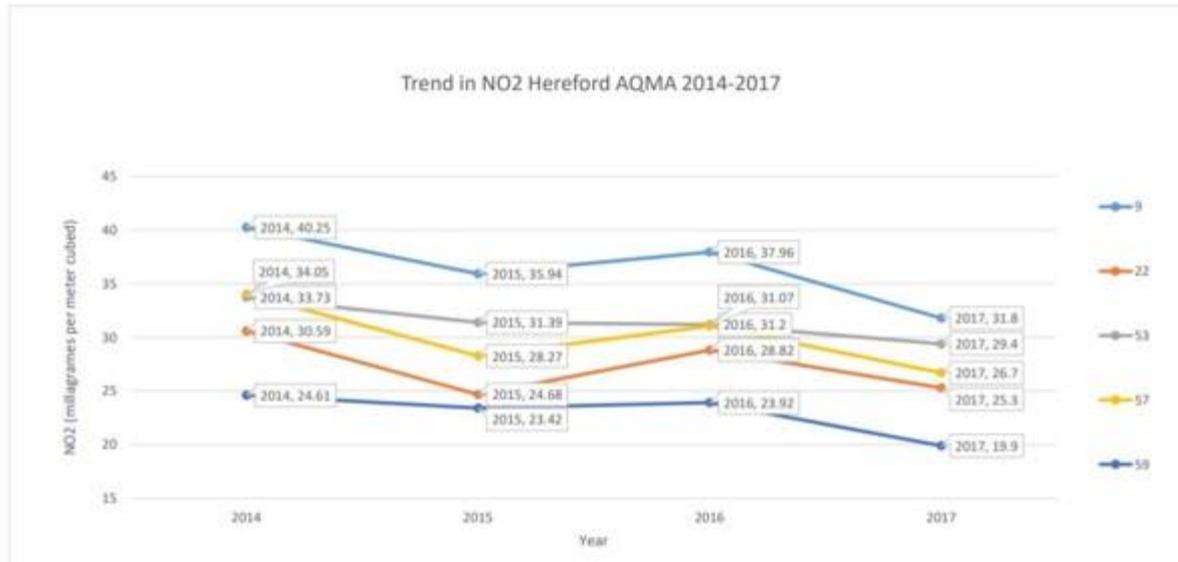
To: cabinet member, infrastructure and transport

Can the Cabinet member confirm that that nitrogen dioxide (NO<sub>2</sub>) levels as an indicator of air pollution have generally fallen, and that the Hereford AQMA now records levels consistently below the national objective level of 40µg/m<sup>3</sup>?

See:

[https://www.herefordshire.gov.uk/info/200145/business/133/environment\\_and\\_pollution](https://www.herefordshire.gov.uk/info/200145/business/133/environment_and_pollution)

Figure A.1 – Trends in NO<sub>2</sub> Hereford AQMA 2014 - 2017



## Response

I cannot confirm that interpretation. The council's environmental health service continue to monitor nitrogen dioxide across the county, including several monitoring points in Hereford's Air Quality Management Area. Although recent reports have implied a reduction in trend, this may be because several monitoring points have had to be moved and therefore a simple comparison is not possible. This is explained more fully in section 3.2.1 of the 2018 Air Quality Annual Status Report which can be accessed at [https://www.herefordshire.gov.uk/download/downloads/id/18377/air\\_quality\\_annual\\_status\\_report\\_asr\\_2018.pdf](https://www.herefordshire.gov.uk/download/downloads/id/18377/air_quality_annual_status_report_asr_2018.pdf)

For this reason, the council will continue to monitor and observe the trend, reporting on this annually.

## Question 15

Mrs C Protherough, Clehonger

To: cabinet member, infrastructure and transport

Can the Cabinet member confirm that Highways England did not require a cap on vehicle traffic leaving Asda or the Old Market shopping development but did so for the HEZ?

## Response

Please see response to question 10.

## **Question 16**

**Mr T Meadows, Hereford**

**To: cabinet member, infrastructure and transport**

According to the previous Cabinet Member for Infrastructure the “Destination Hereford” programme has been successful in increasing walking and cycling levels in Herefordshire since it started in April 2011, and has contributed towards a 5% reduction in car use between 2016 and 2017 and a 26% increase in cycling in the same period. Apparently, this council is the only one in the West Midlands to win funding from all three rounds of the Department for Transport funding programme. With such success in getting residents out of cars, reducing pollution, getting residents active, tackling congestion more quickly and at a much lower cost than road building, what offers better value for the local taxpayer – expensive road schemes which are designed to increase car use, or a good comprehensive network of active travel measures across the city?

### **Response**

I agree that behavioural change initiatives like Destination Hereford and investment in active travel measures can offer good value for money and be successful in encouraging people to use modes other than the car. Appropriate road schemes which are not designed to increase car use but to mitigate other issues also can offer value for money in the right circumstances. The review of the Hereford Transport Package will enable us to determine what approach or combination of approaches would deliver the best value for the local taxpayer.

## **Question 17**

**Mr D Gillam, Peterchurch**

**To: cabinet member, environment, economy and skills**

What steps will the Council take to publicise the Climate & Ecological Emergency and when will the Council create an appropriate communications strategy that helps everyone in Herefordshire to understand the urgency of the situation we are facing?

### **Response**

We take the climate emergency and the protection of our environment extremely seriously. At cabinet today we will be considering the executive response to the resolutions passed by Council in March and July of this year, and what actions to take. A communications strategy will be considered as part of developing the council’s action plan to address these issues.

### **Supplementary Question**

At the UN climate action summit this week the UN secretary general said ‘science tells us that on our current path we face at least 3 degrees Celsius of global heating by the end of the century. The climate emergency is a race we are losing, but it is a race we can win.’ The UN estimates that the world would need to increase its efforts between three and five-fold to contain climate change to the levels dictated by science, a 1.5 degree rise at most. Bearing in mind the slow pace of the council’s response so far, will you commit to spending five times more next year than you did this year to tackle the climate emergency locally?

### **Response**

We are more focused on the result of the investment so don't think I can promise that we would go times five but one thing we do very carefully is to check the actual impact of interventions we are planning. We have had a very successful five years with the previous plan. I will be confident that we will set this plan and we work out how to make it work but I would not be able to make the commitment about the actual amount of money at this point. We need to write the plan and a future step will be to adopt it.

### **Question 18**

**Ms W Ogden, Much Birch**

**To: cabinet member, environment, economy and skills**

In response to the Climate Emergency declared over six months ago please can the Cabinet explain how every Herefordshire Council service and administrative department can give assurance that their actions, policies and contracts are working in ways which support the declaration: in order for the impact of changes/actions needed to be included in the 20/21 budget and longer term plans?

### **Response**

As you will see from the report appearing on today's agenda, in our proposed response to the resolutions passed by Council earlier this year we will be considering the development of a checklist against which our strategies and plans may be assessed going forward, as well as other actions we can take in the short to medium term.

### **Question 19**

**Dr K Jamieson, Ross-on-Wye**

**To: cabinet member, environment, economy and skills**

While the commitment to reducing carbon emissions to net zero by 2030 is vital and necessary, carbon is not the only problem. What additional actions will the Council be taking to address the wider ecological crisis that threatens our food supply?

### **Response**

As you will see from the report appearing on today's agenda, in our proposed response to the resolutions passed by Council earlier this year we will be considering what actions to take including potential impacts upon wider ecology and food supply.

### **Supplementary question**

When I read the councils climate response I was shocked. I pinned a lot of hope on your response after you declared a climate emergency last March and I lost that hope. There was nothing in the document that spoke to me about the scale and the urgency of the response that is required. Would you be willing to recognise that we are all facing a life threatening emergency and whether you would be willing to fundamentally change the way you work so that the whole council can act now?

### **Response**

I think the answer to that will come up in the response to the report that we are just about to get to. I think it is best for that to speak for us. Thank you for coming as this is very important.

## **Question 20**

**Mrs C Monkley, Much Marcle**

**To: cabinet member, environment, economy and skills**

It is good to hear that the Council has this month changed to a 100% renewable electricity supplier. This encourages the production of more renewable energy. It does not mean that the Council will be using 100% renewable electricity as the electricity comes from the National Grid which is supplied by a mix of sources. Please will the Council commit to producing all the electricity that Herefordshire (not just the Council) uses, from renewable sources within Herefordshire?

### **Response**

As you will see from the report appearing on today's agenda, in our proposed response to the resolutions passed by Council earlier this year we will be considering updating the council's Carbon Management Plan. The extent to which the production of renewable energy in Herefordshire could contribute to meeting the energy needs of the council will be evaluated as part of that work.

### **Supplementary question**

As it has taken from March to September for this council's response to the climate emergency that it declared then, and the response contains aspirations but not commitments, as part of the group who encouraged the council to declare the emergency, I don't feel heard. The system only allows the public a day to respond to the document you put out, because of that I feel only marginally engaged with. The system also means that the public who put in questions, like me, got just hours to digest the answers. That means I feel that my views are considered not very relevant. The specifics in my questions were not answered in the response therefore I feel ignored. I feel these things hamper a constructive relationship between the public and the council and I would like this system to change please. Since March, when this declaration was declared, the rate of greenhouse gas emissions worldwide has accelerated. Since March, the rate of damage to our global oceans has accelerated. Since March, the rate of melting of our polar ice caps and glaciers has accelerated. Since March, the rate of ecological damage we are doing globally has accelerated. All of these things have human consequences. Human displacement and personal devastation is accelerating. In short, the rate of human caused climate destabilisation is accelerating. I ask you to hear and feel my anguish, my fear and my frustration. Will the council commit to producing all the electricity that Herefordshire needs from renewable sources within Herefordshire? Why should we expect anyone else to produce our electricity?

### **Response**

I hear your intense pain at this situation. I know that producing that much renewable energy in Herefordshire would be far from uncontroversial. What we are going to do is look at that as part of the process. It is certainly a possibility but it would not be an easy win.

## **Question 21**

**Ms P Cramsie, Newton St Margarets**

**To: cabinet member, environment, economy and skills**

Now that you are endorsing the Climate Emergency motion, does this mean that, since time is of the essence, you will consider signing up to already-existing initiatives such as the the Woodland Trust's Tree Charter, which would include the mass planting of trees, and Bee-Friendly's

Hedgerow Manifesto, which would enable pollinator corridors to be established across the county, aiding wildlife as well as food security?

**Response**

As you will see from the report appearing on today's agenda, we will be considering in our proposed response to the resolutions passed by Council earlier this year, what actions to take. Subject to Cabinet's approval of these proposals, I will ensure that the potential benefits of joining existing initiatives such as those referred to are explored as part of developing our action plans.



## **Councillors' questions at Cabinet – 26 September 2019**

### **Question 1**

**Councillor Diana Toynbee, Greyfriars Ward**

**To: cabinet member, infrastructure and transport**

In January 2019 I received a written answer from the previous Cabinet member for Infrastructure that the forecast spend of £2,508K for 2018/19 would, amongst other things, deliver

- Procurement of a contractor for the Southern Link Road construction and mobilisation
- Completion of the full business case for the South Wye Transport Package for submission and sign off to Department for Transport
- Development of a programme for delivery of the active travel measures.

As work has continued into this financial year, please tell me where I can find the signed and submitted full business case, the programme for the Active Travel measures and the name of the contractor for the construction of the Southern Link Road?

### **Response**

Whilst the development of the full business case for the south wye transport package and the contractor procurement process for the southern link road progressed in 2018/2019 these were not completed as originally programmed and work extended into 2019/2020. There is therefore not yet a final business case, and approved programme of active travel measures or an appointed contractor to publish. As a result actual spend in 2018/2019 was £2.006m which was less than that forecast in January 2019 as elements of this work was reprogrammed into 2019/2020.

Work in 2019/2020 was further impacted by the purdah period and the elections in Spring 2019 and following the formation of a new administration we took some time to consider both the South Wye and Hereford transport packages to ensure they remained the best option to meet the desired outcomes and any new or emerging priorities, such as those associated with the climate emergency.

I therefore took the decision in August to pause and review this scheme and the Hereford Transport Package. My decision was called in and reviewed by the General Scrutiny Committee and I am considering their recommendations before taking my final decision.

### **Question 2**

**Councillor Roger Phillips, Arrow Ward**

**To: cabinet member, infrastructure and transport**

During the pause if the Cabinet member seriously considers building an eastern bridge crossing without a link between the A438 and A4103 (the Worcester and Ledbury main roads); will he establish the impact the crossing would make on the level of traffic through Lugwardine and Bartestree villages, on Cotts Lane and Lumber lane, and also in Tupsley on the Ledbury road and Hampton Dean highway?

## **Response**

No decision has yet been taken to progress the eastern bridge scheme. If a decision were taken scheme development would include the appropriate assessment of impacts of the scheme. This would include traffic modelling and forecasting the impact of the scheme on the highway network. It is likely this would include the areas referred to in your question. Any decision regarding this scheme would be the subject of a further decision report.

## **Question 3**

**Councillor Bob Matthews, Credenhill Ward**

**To: cabinet member, environment, economy and skills**

Owing to the fact that the county is desperately in need of a considerable number of secure and well paid jobs, can the Cabinet Member inform us of what her plans are to deal with this extremely serious situation. There are thousands of houses under construction within the county, so I am sure that she will agree that it is of paramount importance that these jobs and adequate support services are delivered without delay.

## **Response**

Growing the economy, developing higher value sustainable employment opportunities for current and future residents is a key priority for the council. The county faces a number of significant economic challenges such as having a very low wage economy (19% below the national average weekly wage), low productivity (27% below national average Gross Value Added per head of population), and an aging population/ workforce with 24% of people 65 or over, compared to a national average of 18%.

As we set out at the Parish Summit on the 20<sup>th</sup> September, within the Corporate Plan consultation document a priority is to '*Support an economy which builds on the county's strengths and resources*'. The council continues to deliver the Invest Herefordshire economic vision, and is proactively working with the Local Enterprise Partnership and businesses to deliver the Marches Strategic Economic Plan.

In the first few weeks of the new administration we have enabled the £19 million development of the first purpose built student accommodation in Hereford and underwritten part of NMiTE's Growth Deal grant to establish teaching space on Blackfriars St. This will support the critical development of Higher Education provision in the county, developing higher level skills, retaining/ attracting younger people, creating the workforce to attract business investment. We have also approved £5m to support the continued successful development of the Hereford Enterprise Zone, establishing high quality business space to enable growth. The £9 million development of the Midlands Centre for Cyber Security and the £7 million development of business incubation space at the Shell Store remain on track to open in the summer 2020.

As per recent government announcements, the council have also secured £2m of Heritage Action Zone funding to support the development of Leominster, and up to £25m of stronger towns funding to support the development of Hereford.

We are reviewing employment land and business space needs across the wider county.

## **Supplementary Question**

I thank the cabinet member for her report but I must point out that most of what she has mentioned was well in place with the previous administration so there is still a lot of work to do. A prosperous and sound local infrastructure is vital to deliver all the climate change and other services that this county needs so we should all be working strongly in support of that view. Could I ask how often does she meet the local business people at Rotherwas and elsewhere in the county? Also there is no mention at all of the tourist trade which I think is an extremely undervalued trade within the county that is one of our strengths. Could she take this up and try and take that forward.

## **Response**

I have been out to the LEZ two times, I haven't yet managed to circle the actual businesses but I have had a lot of discussions with Mark Pearce and his team. Tourism now explicitly appears in one of the cabinet portfolios. Only yesterday, I was at a meeting of the Herefordshire Sustainable Tourism and Food Partnership which is drawing up a proposal to have a Herefordshire Business Improvement District (BID), which would focus on tourism businesses across the county. Despite the relatively small number of people in economic development, they do an excellent job in keeping, as much as they can, tourism on the board and they were instrumental in securing a number of capital bids recently which should help among other things with tourism.

The cabinet member undertook to look at regular reporting on job creation following clarification of the measurements Councillor Matthews was seeking.

## **Question 4**

### **Councillor Nigel Shaw, Bromyard Bringsty Ward**

#### **To: cabinet member, corporate strategy and budget**

The Marches LEP agenda includes an update growth deal projects. Table 3 (p24) notes that the NMiTE phase 2 (£5,660,000.00) and South Wye Transport Package (£27,000,000.00) are now high risk in relation to generating full spend by 31 March 2021.

The report notes, "The decision to undertake 'pause and review' work on the Southern link road presents the LEP with a significant risk due to the timescales involved in ensuring that £27m of Growth Deal Funding is spent by 21 March 2021."

In the LEP board meeting on the 24th September how is the Leader proposing to explain to our LEP partners how the Authority will mitigate the risk for the LEP on each project and what kind of impact does he think this situation will have on any future application for government funding by the Authority, through any source?

## **Response**

The meeting to which Councillor Shaw refers has taken place.

South Wye Transport Package: A robust discussion took place over this issue with the case being put forward for the funding to remain in Herefordshire, and being available should a decision be made which would enable work on the Southern Link Road to start before the end of March 2021. The council, Local Enterprise Partnership (LEP) and Department for Transport (DfT) are due to meet in October to discuss the pause and review and explore funding options,

and an additional meeting of the LEP Board is due to take place following that meeting. The South Wye Transport Package includes a wide range of active travel measures in addition to the proposed road. To date LEP partners, DfT and Midlands Connect have all been understanding of the need for a pause and review to ensure all options are considered to deliver the best outcome for the county.

NMiTE: Representatives from NMiTE attended the same meeting and will attend the same additional LEP Board meeting to present more refined plans for the next phase of their Growth Deal allocation. They have developed their plans in consultation with the council, LEP executive team and a wide range of local partners.

So far as future applications are concerned, we have been encouraged by some of the responses we have received. I think that if we continue to present strong cases, there is every reason to believe that if our proposals address the climate emergency as well as economic development, employment and housing needs, we will receive a good reception from government.

### **Supplementary question**

I thank Councillor Hitchiner for his reply and appreciate that he remains in such good humour in respect of our relationship with the LEP. I hear that the LEP was also put in good humour by his request to change the purpose of the SWTP package into funding for electric buses, however a further result of this pleading at Tuesday's Board meeting was a resolution for LEP members to propose new projects to spend the funding currently secured by Herefordshire, quite possibly elsewhere in Shropshire or Telford and Wrekin to be submitted by end of October, after which this funding will presumably be forfeit by the Council.

I do sympathise with Councillor Hitchiner as he and his Independent group are being pulled into ever more extreme position by his Green and IOC supporters that now appear to be dictating the administration's policies. Can Councillor Hitchiner confirm that he is getting tired of leading this county towards economic stagnation and his arm is being twisted to step down as Leader in favour of a representative from one of these other groups in the coming year?

### **Response**

A written response will be provided.

*The following written response was provided.*

I am sorry I wasn't present to answer in person, but thank Councillor Shaw for his concern for my welfare. I would wish to reassure him that I am delighted to have the opportunity to lead this Council in the development of its new corporate plan to address the current and future needs of Herefordshire; I do not tire easily, and certainly not when pursuing the best interests of this county. I would also like to assure him that both my arms are in their usual position.