

## Minutes of the meeting of Council held at Online meeting only on Friday 5 March 2021 at 10.00 am

**Present:** Councillor Sebastian Bowen (chairperson)  
Councillor Kema Guthrie (vice-chairperson)

**Councillors:** Paul Andrews, Polly Andrews, Jenny Bartlett, Chris Bartrum, Christy Bolderson, Dave Boulter, Tracy Bowes, Ellie Chowns, Pauline Crockett, Gemma Davies, Barry Durkin, Toni Fagan, Elizabeth Foxton, Carole Gandy, John Hardwick, John Harrington, Liz Harvey, Jennie Hewitt, Kath Hey, David Hitchiner, Phillip Howells, Helen l'Anson, Terry James, Peter Jinman, Tony Johnson, Graham Jones, Mike Jones, Jim Kenyon, Jonathan Lester, Trish Marsh, Bob Matthews, Mark Millmore, Jeremy Milln, Felicity Norman, Roger Phillips, Tim Price, Paul Rone, Alan Seldon, Nigel Shaw, Louis Stark, John Stone, David Summers, Elissa Swinglehurst, Paul Symonds, Kevin Tillett, Diana Toynbee, Ange Tyler, Yolande Watson and William Wilding

**Officers:** Director for children and families, Interim Head of Legal Services, Democratic services manager, Director for adults and communities, Acting Deputy Chief Executive and Acting Assistant Director for Regulatory, Environment and Waste Services

### 47. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Graham Andrews.

### 48. DECLARATIONS OF INTEREST

There were no declarations of interest.

### 49. MINUTES

The Chairman referred the meeting to the minutes of the extraordinary meeting on 2 February and the budget meeting on 12 February as contained in the correction supplement published on 2 March.

**RESOLVED:** That the minutes of the extraordinary meeting held on 2 February and the budget meeting held on 12 February, as contained in the correction supplement, be confirmed as a correct record and signed by the Chairman.

### 50. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS

Council noted the Chairman's announcements and the schedule of emergency decisions as printed in the agenda papers.

A request was raised that recording of all votes cast at meetings of the Council was undertaken to ensure transparency of decision making. The Chairman committed to consider the request following the meeting.

**51. QUESTIONS FROM MEMBERS OF THE PUBLIC** (Appendix 1 – Public Questions – Pages 7 - 12)

A copy of the public questions and written answers, together with supplementary questions asked at the meeting and their answers, is attached to the Minutes at Appendix 1.

**52. QUESTIONS FROM MEMBERS OF THE COUNCIL** (Appendix 2 – Member Questions – Pages 13 - 16)

A copy of the Member questions and written answers, together with supplementary questions asked at the meeting and their answers, is attached to the Minutes at Appendix 2.

**53. 2021/22 COUNCIL TAX SETTING REPORT**

Council considered a report by the Leader of the Council to set the Council tax and precepts for 2020/21.

The Chairman referred the meeting to the correction supplement published on the 4 March containing a corrected version of the 2021/22 council tax setting report. The Chairman outlined two corrections to the detail contained in the correction supplement: the cover to the correction supplement should state that the title of column 6 of appendix 1 was *% change from 2020/21 to 2021/22*; and the pound sign in advance of the net tax base of band D equivalent properties in recommendation (b) should be discounted.

The cabinet member finance and corporate services introduced the report and proposed the recommendations. In introducing the report she explained that the council was the billing authority and collected council tax. The report sought approval to set the precepts for each category of dwelling taking account of the council's precept, parish council's precepts, the police and crime commissioner's precept and the Hereford and Worcester Fire Authority precept. The support provided by parish councils in the provision of services was highlighted and it was noted that the tax base had reduced from the 2020/21 year which affected the percentage change of parish council precepts.

The Leader seconded the recommendations in the report and explained the variable precepts across parish councils. The decision before Council was a formal process to agree the council tax liability for households in the county.

The monitoring officer clarified that a liability on the part of members to pay council tax did not create a disclosable pecuniary interest. As council tax payers there was no need for a dispensation for members to participate in council tax setting.

The following principal points were raised during the debate:

- Equivalent rural sparsity arrangements for the police and crime commissioner and the fire authority. The provision of a £100k rural grant to the fire and rescue service but no equivalent arrangement for the police force.
- Initiatives to build stronger relationships with parish councils to help the sharing of best practice in areas such as drainage and flooding response.
- Tribute was paid to the work of parish councils and the increasing role they played locally.
- The value for money assessment of parish councils and the criteria for audits of parish councils applied by the external auditor.
- The need for a correction to the police and crime commissioner's precept contained in appendix 4.

The report and recommendations in the correction supplement were put to the recorded vote and were carried by a simple majority of the Council.

For (37): Councillors Paul Andrews, Bartlett, Bolderson, Boulter, Bowen, Bowes, Chowns, Crockett, Davies, Fagan, Foxton, Gandy, Guthrie, Hardwick, Harrington, Harvey, Hewitt, Hey, Hitchiner, l'Anson, Jinman, Graham Jones, Lester, Marsh, Milln, Norman, Phillips, Rone, Seldon, Shaw, Stone, Summers, Swinglehurst, Toynbee, Tyler, Watson and Wilding.

Against (14): Councillors Polly Andrews, Bartrum, Durkin, Howells, James, Johnson, Mike Jones, Kenyon, Matthews, Millmore, Price, Stark, Symonds and Tillett.

Abstain (0)

**RESOLVED – That:**

- a) **The precepting authority details incorporated in appendices 1 to 5, relating to town and parishes, West Mercia Police and Hereford and Worcester Fire Authority be approved in accordance with sections 30(2), 34(3), 36(1) and section 40 of the Local Government Finance Act 1992 (as amended) and that the following amounts be approved for the year 2021/22 in accordance with sections 31 to 36 of the Local Government Finance Act 1992, regulation 6 (as amended by the Localism Act 2011):**
  - a. **£386,183,501 being the estimated aggregate expenditure of the council in accordance with section 31A (2) of the act, including all precepts issued to it by parish councils;**
  - b. **£268,356,670 being the estimated aggregate income of the council for the items set out in section 31A (3) of the act (including revenue support grant);**
  - c. **£117,826,831 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) calculated by the council in accordance with section 31A(4) of the act, as its council tax requirement for the year (including parish precepts); [Item R in the formula in Section 31B of the Act]**
  - d. **£1,723.74 being the amount at (c) above divided by the amount of the council tax base calculated by the council, in accordance with section 31B of the act, as the basic amount of its council tax for the year (including parish precepts);**
  - e. **£4,883,501 being the aggregate amount of all special items (parish precepts) referred to in section 34(1) of the act;**
  - f. **£1,652.30 being the amount at (d) above less the result given by dividing the amount at (e) above by the amount of the council tax base calculated by the council, in accordance with section 34(2) of the act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no parish precept relates (Herefordshire Council band D council tax, excluding parishes)**
- b) **it is agreed that the net tax base of 68,355.22 band D equivalent properties (being the gross tax base adjusted for an assumed collection rate) used for setting the budget requirement for 2021/22;**
  - a. **is allocated to band D equivalent dwellings per precept area as shown in appendix 1; and**
  - b. **the individual council tax allocations per valuation band of dwelling by parish (including fire and police precepts) as set out in appendix 5.**

#### **54. LEADER'S REPORT TO COUNCIL**

Council received and noted the Leader's report which provided an update of the work of the cabinet since the previous ordinary meeting of Council in December 2020. The Leader introduced his report and explained that as lockdown restrictions were easing there was concern for the impact of the restrictions on the mental health of children and young people. The cabinet were taking forward the delivery of the priorities in the corporate plan which was evidenced by the proposed transfer of the freehold of the town hall and the work that scrutiny was requested to undertake concerning the incidence of flooding on the highway.

The following issues were raised:

- The active travel measures and the level of modal shift required to achieve a reduction in the level of congestion. A written response would be provided.
- The ongoing and future costs of Maylords Orchard and the value of the facility to the community.
- The need for an alternative council chamber in the event of a resumption of physical meetings.
- A request for an update on the wetlands project. A written response would be provided.
- A request for an independent assessment of the service provided by HOPE in Bromyard. The extension of the current contract enabled a more detailed review.
- The work undertaken to propose a second river crossing and support from local parties.
- Progress with the West Midlands Rail Executive.
- Flooding on Herefordshire highways.
- Available statistics to detail the level of unemployment among young people. A written response would be provided.
- The re-procurement of the advocacy service and the possible inclusion of mediation services in the tender.
- Guidance from Natural England regarding phosphate pollution and the status of emerging Neighbourhood Development Plans (NDPs). A briefing note for all members would be compiled and circulated.
- The transfer of the freehold of the Town Hall and if essential maintenance work would be completed prior to handover. A written response would be provided.
- The closure of the C1055 and the urgent need for its reopening. A written response would be sought from Balfour Beatty Living Places as to the priority afforded to the road in the works programme.
- Consultancy costs involved in the destination bid for the county. A full update on the project would be provided in the next edition of the newsletter from the cabinet member for environment, economy and skills.
- Methods to keep members up to date regarding the latest council tax collection rate and the level of arrears in council tax and business tax. Details were available in the quarterly update and the latest details could be sent in a written response.

#### **55. NOTICES OF MOTION UNDER STANDING ORDERS**

##### **Motion – Flooding and Phosphate Management Resourcing**

In moving the motion Cllr Fagan outlined the principal points below:

- The motion was a plea to ensure that agencies were properly resourced and able to convene with urgency to address flooding and phosphate pollution.
- There had been a recent history of severe flooding in Herefordshire.
- The moratorium on house building caused by phosphate levels came at a significant cost to the local community.
- There had been a significant increase in the number of chickens in the Upper Wye with an attendant increase in the level of pollution in rivers.
- The impact on the tourism sector and income from tourism resulting from pollution.

The following principal points were raised during the debate:

- Environmental land management schemes were urgently needed.
- Local experts needed to work alongside national agencies to address issues.
- A co-ordinated approach with other affected local authorities was encouraged.
- Support for farmers was necessary to address phosphate levels and spread good practice in the county. Enforcement by national agencies was also important where irresponsible practices were taking place.
- An update would be provided to all members regarding the introduction of the phosphate calculator.
- A review of the legal situation relating to house building was crucial to determine the risk to the council.
- Lobbying of government to strengthen farming rules for water was encouraged.
- Cross-party and cross-border support was essential to realise progress.
- A partnership approach to work with the agricultural sector was required.
- Levels of pollution in water courses was also affected by village sewage works.
- Natural England and the Environment Agency needed to be sufficiently resourced to be effective and proactive.

Councillor Swinglehurst seconded the motion and explained that it was essential that all agencies, political sides and interested parties in Herefordshire work together. Meetings were taking place with MPs and cross border representatives. The resources available to the county in local agencies were not sufficient. There was a political will and support from the council to resolve the issues.

Councillor Fagan as the mover of the motion closed the debate and explained that an approach was necessary which drew the government into partnership working and which placed an importance upon cross border working.

A recorded vote was requested which was supported by eight members of the Council.

The motion was put to the recorded vote and carried unanimously.

For (46): Councillors Polly Andrews, Bartlett, Bartrum, Boulter, Bowen, Bowes, Chowns, Crockett, Davies, Durkin, Fagan, Foxton, Gandy, Guthrie, Hardwick, Harrington, Harvey, Hewitt, Hey, Hitchiner, Howells, l'Anson, James, Jinman, Johnson, Graham Jones, Mike Jones, Lester, Marsh, Matthews, Millmore, Milln, Norman, Phillips, Price, Seldon, Shaw, Stark, Stone, Summers, Swinglehurst, Symonds, Toynbee, Tyler, Watson and Wilding.

Against (0)

Abstain (0)

**RESOLVED – that:**

**We request that the executive of Herefordshire Council to write to our MP's and government ministers requesting urgent intervention and immediate resourcing for our statutory agencies to address the issues of flooding and phosphate overload which is ravaging Herefordshire's economy, ecology and communities.**

The meeting ended at 1.07 pm

**Chairperson**

**Appendix 1 - Questions from members of the public**

Question Number	Questioner	Question	Question to
PQ 1	Ms Miller, Rowlestone	Further to a promise by the Conservative Prime Minister are the roads in Herefordshire subject to any imminent repairs? With regards to potholes and resurfacing to prevent dangerous travel issues, I refer especially to the road named the Wigga road in Rowlestone, repairs for which requests have repeatedly been sent to the council asking for some attention. This must be the very worse road in the whole of the county.	Cabinet member infrastructure and transport
<p><b>Response:</b> The overall condition of our roads, the scale of the task to return to a good condition and the finite sums available for the task, means that we have to prioritise our programme for delivery, our network, after a decade of cuts to Central Government Funding, is approximately £100 million behind in returning it to optimal condition. By delivering what little we have in accordance with our asset management strategy, we are maximising the impact that we have for the money available. We will continue to meet our duty toward the safety of all roads, including the Wigga road in Rowlestone, but the optimal use of funds to deliver the best overall condition for all is our objective.</p> <p>Whilst the pothole funding recently announced is welcome, when considered alongside the drop in the regular funds that we receive from Government for highway maintenance, Herefordshire will have received approximately £4.5m less to spend on its roads in 2021/22 than in 2020/21.</p> <p>The Wigga road (U74418) has been assessed by the BBLP asset management team for consideration of localised patching. The assessed priority is too far down our current programme works list to receive any works at this present time, nor would it be included in the annual plan for the next few years at current budget levels. However we will continue to monitor this road and should increased deterioration be observed then we will review and update the priority score.</p>			
<p><b>Supplementary Question:</b> Our property is adjacent to the Wigga road in Rowlestone (running from the church to Balls Cross) - The Old Vicarage, Rowlestone. Over the last 20 years since we have lived here the road has become increasingly potholed and dangerous for driving - now even for walking on. It is frequently flooded as the drains cannot cope with the amount of water running down the road and is too often covered in debris. A response to my last complaint initiated some markings on the road for proposed filling in of some potholes - these markings have now worn off due to the recent inclement weather. Since then 2 letters have been received from Balfour Beatty indicating repairs to the main roads out of Rowlestone but completely ignoring the Wigga road, which is in a much worse state than those indicated on their maps (with perhaps the exception of the end of the road which runs to the A465.) These references are C1219-A465 to The Vroe Rowlestone &amp; C1219-The Vineyard/Court Road Rowlestone. Surely if road repairs are to be done in the immediate vicinity, then why not complete the job in Rowlestone and finally repair the Wigga road whilst Balfour Beatty are in the area?</p>			
<p><b>Response from the cabinet member:</b></p>			

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The Council had £4.5 million less to spend on the public realm for pothole repair and resurfacing. Roads are surveyed and assessed on a risk matrix and are ranked on a priority work programme for resurfacing. Potholes are ranked by severity and limited resources are focused on addressing the most critical repairs. Two roads in Rowlestone, the lower and upper roads, were being addressed due to the damage suffered and the increasing priority. Contact would be made with Ms Miller to discuss the latest situation.

PQ 2	Ms Rudge, Hereford	What plans are the council making to ensure the electricity infrastructure in Herefordshire is able to provide enough available power for all the charging points that are going to be needed to power the huge rise in electric cars ownership that will happen over the next decade?	Cabinet member environment, economy and skills
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**Response:**  
As a key stakeholder Herefordshire Council has been actively engaging with Western Power Distribution, who are the district network operator in Herefordshire, through the development of their future investment planning process.

The Council has strongly outlined the importance of ensuring the electricity network is fit for purpose and supports the county's ambition to achieve net zero carbon by 2030 and has specifically identified the requirement to meet the future needs for the transition to electric personal transportation and the future electrification of heat for our homes and offices.

As well as meeting with Western Power Distribution and formally responding to their consultation, Herefordshire Council is also a partner of the Marches Energy Strategy Steering Group which is a subgroup of the Marches Local Enterprise Partnership. Through this group we have also formally met with both Western Power Distribution and SP Energy Networks (the network operator for north Shropshire) outlining all three authorities ambitious carbon zero targets for 2030 and have responded to the WPD RII0-ED2 consultation.

PQ 3	Mr North, Bromyard	We have serious concerns about the residential occupation of a 'Distinctive Environmental Asset' known as Quay Head, Tedstone Delamere HR7 4PU. In particular, with reference to the Adopted Herefordshire Local Plan Core Strategy Appendix 8, the environmental impact on adjacent Local Wildlife Sites SO75/001 & 017 (Woodland Adjoining Sapey Brook & Sapey Brook) and 1504415 Ancient Replanted Woodland. Is the Herefordshire Council satisfied that no illegal occupation and activity is occurring?	Cabinet member infrastructure and transport
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**Response:**  
Our Planning Enforcement Team is investigating this matter and I understand that the officers are currently awaiting a retrospective planning application. Such an application can then be considered by the planning service and determined accordingly, having regard to our planning policy.

PQ 4	Mr McMorran, Bromyard	Is the Council aware that, although an enforcement complaint form was issued on April 14th 2020, together with subsequent supporting documentation, and despite the manifest on-going harm to a 'Distinctive Environmental Asset' of the County, no material action has been taken. Will the Council ensure that the Planning Supplementary Enforcement Policy (Appendix C) Procedures are carried out?	Cabinet member infrastructure and transport
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**Response:**

The Planning Enforcement Team has been resourced as far as the council's budgetary position currently allows, although like many other council services a reduction in level of service has been necessary in order for the council to balance its budget for the coming financial year. Within available resources officers will still have regard to the Planning Supplementary Enforcement Policy that forms Appendix C of the council's 2018 Overarching Enforcement Prosecution Policy, which can be found at [https://www.herefordshire.gov.uk/downloads/file/1472/enforcement\\_and\\_prosecution\\_policy](https://www.herefordshire.gov.uk/downloads/file/1472/enforcement_and_prosecution_policy) although the team may take longer to respond than previously would have been the case. I understand that officers have provided a more detailed letter to you this week. We will not let anyone disregard planning laws, we may be under pressure through budgets to address reported breaches as quickly as we would like but we will address them; planning rules are to be applied to everyone.

**Supplementary Question:**

It would appear that because of the budgetary cuts referred to, anyone is now able to establish a residential development in open countryside and sort out the details later. If I and others would like to reside in this way, on land we own within the County, what is the Council's position?

**Response from the cabinet member:**

Unrestricted development was not permitted in the county and enforcement would occur where necessary. There was limited resource which might delay investigation but cases would be addressed and consequences applied.

PQ 5	Mr Butler, Whitbourne	The state of the County roads is disgraceful. What are the plans to upgrade the roads in 2021/22 – not just a bit of back filling of pot holes but in general making the roads safer to travel?	Cabinet member infrastructure and transport
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**Response:**

We know the County's roads are not in the condition that we want them to be. The highway network is an extensive (over 2000 miles of roads) and aged asset. It will take time and sustained investment in surfacing works to put it into the condition that we would like to see. In the past, adequate and appropriate Central Government funding has allowed us to do that to a much more satisfactory degree. Unfortunately, this past decade, the government has steadily withdrawn funding to authorities like Herefordshire, roughly equating to 60p in every pound given prior to 2010. Even more unfortunate perhaps is Bill Wiggin, MP, has chosen to vote at every opportunity to reduce one of those vital funding streams to Herefordshire, the Revenue Support Grant, resulting in a reduction from £62 million per annum received in 2010 to £600K this year. Further, despite assurances from both our MPs – and public statements from Mr Wiggin about increased funding - we will suffer a further reduction of approximately £4.5m from Central Government for our roads in 2021/22 than in 2020/21. In 2021/22 we will be continuing to invest the resources that we have in line with an asset management strategy that has seen an increase in the proportion of the network that is in good condition, albeit that we still have a very significant proportion of the network that is in need of maintenance. As is our duty, we will continue to respond to potholes.

PQ 6	Mr Alexander, Dilwyn	Will the Council now commit to making no increase in City centre car parking charges and no decrease in the number of car parking slots available in the City at least until the next County Council elections?	Cabinet member infrastructure and transport
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**Response:**

No I cannot commit to that and I will not. The council is committed to the effective management of the demand for parking spaces which not only protects our historic city and town centres, but also help to reduce congestion, improve air quality and provides the Council with vital income at a time of historic

cuts of funding from Central Government. We are going through a parking charge review currently. Having not been reviewed for some years all charges will now be reviewed annually to ensure that they continue to be effective and meet local needs.

The council control over 2,100 off street parking spaces in Hereford city, with over 100 on street pay and display parking spaces. Any adjustments to the parking arrangements in and around the city are carefully considered against the benefits that such adjustment may bring to the wider safety, environmental or economic factors involved in providing public services. Our charges remain in line with those of our neighbouring authorities.

**Supplementary Question:**

After close to a year of taxpayer funding and council ownership what, if any, fully costed renovation plans for Maylord are now being considered?

**Cabinet member response (cabinet member commissioning, procurement and assets):**

Only two units are currently vacant which shows the influx of small independent operators, including arts and culture which is bringing a new lease of life to the facility. A review will be undertaken of Maylords to develop a longer term strategy which should be available in May. The focus will be on independent operators, social value, town investment plan (including the use of educational and skills training) and culture.

PQ 7	Mrs Alexander, Dilwyn	Please confirm there will be no reduction in the current frequency of domestic rubbish collection throughout the County for the duration of this Council.	Cabinet member commissioning, procurement and assets
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**Response:**

The current waste collection contract runs until November 2023 and cannot be altered until this contract expires. I can therefore confirm that the frequency of domestic rubbish collection cannot be altered for the duration of this council.

**Supplementary Question:**

Thank you for your reply. I am delighted to learn the current frequency of rubbish collection cannot be reduced for at least the next 2 years though it sounds that the service could be cut once the contract ends. My concern also focuses on fly-tipping; according to Hereford's Domestic Services Manager – the incidence of reported fly tipping – after lockdown in June last year – increased by 95% in July, 41% in August and a further 87% in September – and by 52% in the final quarter of the year – and unfortunately has increased at a faster rate still this January. This is a health threatening blight in the countryside and provides a breeding ground for rats. How does this environmentally sensitive Council propose to eliminate the causes of AND the dangers from this illegal dumping.

**Cabinet member response;**

The figures in the supplementary question were queried and there was doubt about who the domestic services manager was; clarification was required on both points. The incidence of fly tipping was scandalous and a focus was required on its causes. Austerity had reduced the resources in the anti-social behaviour team and the capacity to undertake enforcement. A cross-party discussion was in progress concerning fly tipping and littering to determine how the littering policy could be updated and what enforcement could be undertaken against fly tipping. There was a suggestion that fly tipping was undertaken consistently by rogue traders. Scrutiny would be engaged in future arrangements to address the problem.

PQ 8	Mr Harwood, Ross-on-Wye	As announced on the Council's website on 26 <sup>th</sup> February 2019, the much needed development of Ross Enterprise Park was scheduled to start in late spring of that year. This has not	Cabinet member
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		happened and the Council has stated a core issue is that the development costs do not provide value for money. Is it possible to have a clear definition of what value for money is in this instance?	environment, economy and skills
<p><b>Response:</b> The council considers each proposed capital project through the assessment of a detailed business case in terms of what it will deliver against strategic priorities such as the County Plan 2020 to 2024, likely outputs and outcomes, and return on investment. In February 2019 the council took a decision to develop phase 1 of the proposed Ross Enterprise Park development on the Model Farm site in Ross on Wye. In approving the £7.07 million capital allocation the business case identified that the project would develop 8.5 net developable acres of employment land, forecast to create circa 250 jobs and a future land receipt of £1.7m (through the sale of the serviced plots). Following finalisation of the detailed design and the full tendering of the project, the development costs rose to £11.5m (49% increase) delivering the same levels of outputs/outcomes and return. This equates to a cost of circa £46,000 per job or £1.35m per acre of net developable land. Given the very significant increase in costs against the original business case for the same outcomes, the project is no longer considered value for money.</p>			
<p><b>Supplementary Question:</b> Thank you for the answer detailing the development cost of the Ross Enterprise Park as an outcome of circa £46k per job or £1.35M per acre of developable land. Can you please provide the benchmark figure in the same terms of outcome value per job that is considered cost effective by the Council for the project to proceed?</p>			
<p><b>Cabinet member response:</b> A written answer would be provided.</p> <p><u><i>Written response provided on 15 March:</i></u></p> <p>The cost per job is only one factor considered in the assessment of a business case for a project, it is not the sole determinant. The council's business case assessment is compliant with the 'The Green Book', the government's guidance for appraisal and evaluation (<a href="https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/938046/The_Green_Book_2020.pdf">https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/938046/The_Green_Book_2020.pdf</a>). For example, a business case for each project considers the financial return on investment, how a project contributes to the strategic priorities of the council, any other outputs or outcomes a project may deliver as well as jobs created. Therefore, given the range of factors, neither the council nor government has a specific job created benchmark figure per level of investment. It should also be noted that the cost per job identified (£46K) in the initial answer is only based on a project to establish development ready plots, it does not include the cost of developing the buildings required to create the actual jobs. Therefore, the overall cost per job would be higher than indicated.</p>			
PQ 9	Ms Miller, Bromyard	When will the cabinet member responsible do something about the lack of planning enforcement seen in this county as is evidenced by the wide-scale disregard of the planning process locally here in Tedstone Delamere, with challenging behaviour by a handful of people to the detriment of our natural environment putting frustration and confusion in the minds of law-abiding neighbours.	Cabinet member infrastructure and transport
<p><b>Response:</b> Thank you Ms Miller, I have answered similar questions around this site in my earlier responses here which I hope you will find useful and I am very aware of the level of public interest in this case and will now follow it closely. I understand that the planning enforcement officers are aware of this</p>			

complaint, presuming this is the case reported to the council about caravans on land adjacent to the woodland near the Sapey Valley. Planning laws apply to all and I will ensure that that is understood by all residents.

## Appendix 2 - Questions from members of the Council

Question Number	Questioner	Question	Question to
MQ 1	Councillor Nigel Shaw, Bromyard Bringsty	<p>IAT21424 returned a reply last October that a section 278 still hadn't been entered into for Porthouse Rise, Bromyard. Planning legal officers subsequently confirmed that they had not been instructed on the matter. Planning approval was nearly seven years ago. An enhancement to the roadside pavement is shown in approved drawing EII-146-KM-B-183 and refers to detail 617-03F of a zebra crossing.</p> <p>The planning officer confirmed verbally in November that he was hoping to deliver the scheme in negotiation with the developer, Keepmoat. Despite asking since I have heard nothing more, and the developer has long left the site. Bromyard residents are reasonably asking me where their improvements are.</p> <p>When will the Council's planning department confirm the timetable for the delivery of these vital infrastructure improvements which should have gone hand in hand with the delivery of the development?</p>	Cabinet member infrastructure and transport
<p><b>Response:</b> The applicant submitted a revised planning proposal for the delivery of cycle and pedestrian improvements to serve the development at the Porthouse site (application reference 190732). The submitted plans include the provision of a zebra crossing on the B4214. A report recommending approval of the revised scheme has been drafted and will be issued by 12 March. This will require by condition the delivery of the improvements within 12 months of the date of the decision.</p>			
<p><b>Supplementary Question:</b> Will assurance be provided that a review of planning and planning enforcement resourcing will now be undertaken to ensure that statutory services can be delivered and recommendations arising from the peer review report can be implemented and public confidence restored? Further funding for the planning resource was supported.</p>			
<p><b>Cabinet Member Response:</b> Robust conditions in applications was important to ensure that developer obligations were clear and could be enforced. Ensuring robust conditions would be addressed in future to ensure obligations to the local community are fulfilled. Additional funding was required to increase the capacity of the service but this would need to be taken from another area of the council if external support was not forthcoming. A written response would be provided.</p>			

Written response provided on 8 April 2021:

*At the end of 2020, we commissioned the Local government Association's Planning Advisory Service (PAS) to undertake an independent review of the council's planning service and in early 2021 we received their recommendations. We are currently working through this and have already briefed the teams. However, and like the rest of the council, the planning service has to play its part in helping to find the savings required to ensure that budgets are balanced. That said, I have made it very clear to senior management that enforcement is vital to maintain resident's confidence in local democracy and to ensure everyone plays by the same rules. I am striving to ensure that the planning directorate savings we have to make will be done in a way that does not negatively impact on enforcement and makes enforcement more efficient and effective. My view is enforcement is somewhere we will need to put extra focus on and we will probably need to consider undertaking more enforcement action over the next few years, not less.*

MQ 2

Councillor Christy Bolderson, Wormside

I understand that there is currently an employment freeze within the planning department and vacant posts for enforcement officer positions. I have a number of long outstanding enforcement issues within my ward and given the number of recommendations raised within the Planning Peer Review (PAS report), how does the administration plan to ensure there is sufficient resources to address these issues?

Cabinet member infrastructure and transport

**Response:**

The Planning Service and its enforcement team have been resourced as far as the council's budgetary position currently allows although, like many other council services, we are having to review the level of service in order for the council to balance its budget for the coming financial year. Posts have not therefore been deleted. Please also be assured that the recommendations made by the PAS report have been taken on board and that the planning service will be adopting as many of these as possible in order to improve our efficiency, although we will still need to ensure that the service remains within budget.

**Supplementary Question:**

Planning officer caseloads were concerning and had been identified as an issue in the PAS review. There was currently a large backlog of planning applications to be processed. The employment freeze was having an adverse impact on planning services and enforcement in the Wormside ward. If the income from the service exceeded its full cost base why were vacant posts not being filled?

**Cabinet Member Response:**

There was an essential need for a planning service to be well funded and robust. A distinction was drawn between the planning process which was statutory and enforcement which was discretionary. There was a current delay to the filling of vacant posts due to a restructure which was in progress to determine how the service could be more efficient in future and where savings could be realised. A similar backlog of applications existed at local authorities across the country which was the result of a consistent reduction in funding for local government since 2010.

Section 151 officer response – A written response would be provided on the financial position of the planning service but it was confirmed that it was not cash-positive.

