

Minutes of the meeting of Council held at Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE on Friday 13 October 2023 at 10.00 am

Present: Councillor Roger Phillips (chairperson)
Councillor Stef Simmons (vice-chairperson)

Councillors: Polly Andrews, Bruce Baker, Jenny Bartlett, Chris Bartrum, Graham Biggs, Dave Boulter, Harry Bramer, Jacqui Carwardine, Ellie Chowns, Simeon Cole, Frank Cornthwaite, Pauline Crockett, Clare Davies, Dave Davies, Mark Dykes, Toni Fagan, Elizabeth Foxton, Carol Gandy, Catherine Gennard, Peter Hamblin, Liz Harvey, Helen Heathfield, Robert Highfield, David Hitchiner, Dan Hurcomb, Terry James, Jim Kenyon, Jonathan Lester, Bob Matthews, Ed O'Driscoll, Aubrey Oliver, Rob Owens, Justine Peberdy, Dan Powell, Philip Price, Ben Proctor, Louis Stark, Peter Stoddart, John Stone, Elissa Swinglehurst, Richard Thomas, Kevin Tillet, Diana Toynbee, Rob Williams and Mark Woodall

Officers: Chief Executive, Chief Finance Officer, Corporate Director - Economy and Environment, Corporate Director - Children & Young People, Corporate Director - Community Wellbeing, Director of Governance and Head of Democratic Services

19. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Durkin, Mason, Ivan Powell, Spencer and Allan Williams.

20. DECLARATIONS OF INTEREST

There were no declarations of interest.

21. MINUTES

RESOLVED: That the minutes of the meeting held on 28 July 2023 be confirmed as a correct record and signed by the Chairman.

22. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS

Council noted the Chairman's and Chief Executive's announcements as printed in the agenda papers.

23. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 5 - 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.

24. QUESTIONS FROM MEMBERS OF THE COUNCIL (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.

25. TAXI AND PRIVATE HIRE POLICY

Council considered a report by the Cabinet Member Roads and Regulatory Services to approved the reviewed and amended Taxi and Private Hire Policy 2023 – 2028.

The Deputy Leader proposed the recommendations and introduced the report.

The Leader seconded the recommendations for approval.

Council debated the report and was supportive of the reviewed and amended Policy. During the course of the debate the following action was raised:

- To provide a written response with detail as to how the requirements of the Policy on taxi and private hire drivers would be enforced.

The recommendations in the report were put to the vote and were carried unanimously.

RESOLVED – that:

- a) the policy be approved;**
- b) the implementation date be 1st January 2024 to allow time for trade compliance;**
- c) authority be delegated to officers as specified in the licensing decision making process appended to this report;**
- d) authority be delegated to officers to make legal or statutory guidance changes and, administrative error corrections to the policy.**

26. LEADER'S REPORT

Council received and noted the Leader's Report which provided an update on the work of Cabinet since the previous ordinary meeting of Council on 28 July 2023.

Council questioned the Leader and the following actions were raised:

- to investigate the resumption of periodic meetings between members and Highways England.
- to provide a response to a question concerning the treatment of the all ages social care revenue budget in the Q1 Budget and Performance Report.

There was an adjournment at 11:45 a.m.; the meeting reconvened at 11:59 a.m.

27. NOTICES OF MOTION UNDER STANDING ORDERS

Council debated the motion contained in the report by the Director of Law and Governance.

Motion – Net Zero Targets

Councillor Proctor proposed the motion.

Councillor Stark seconded the motion.

Proposed amendment:

This council calls upon the CEO to write to the Prime Minister to express the concern of elected members following his speech on net zero. Whilst the letter will acknowledge the positive steps outlined in the speech it will also express concern about the apparent rowing back on net zero ambition and call upon the PM to redouble his efforts to:

- 1) Ensure the UK meets its climate change and environmental obligations as expressed in international treaties.***
- 2) That he ensure that the government provides the 'clarity, consistency and continuity' called for in the Mission Zero review to give sectors the confidence to develop green skills and drive change.***
- 3) That the government will ensure that there are sufficient measures in place to support a just transition.***

Councillor Swinglehurst proposed the amendment above to the original motion.

Councillor Hurcomb seconded the amendment.

Council debated the proposed amendment. There was division among the membership. It was the contention of some members that the amendment was not sufficiently robust in its messaging to central government. The amendment was supported by other sections of the membership who referred to the challenges posed by current net zero targets including the replacement of gas and oil boilers in rural areas.

The proposed amendment was put to the recorded vote and was lost by a simple majority.

FOR (20): Councillors Baker, Biggs, Bramer, Cole, Cornthwaite, Dave Davies, Foxton, Gandy, Hamblin, Highfield, Hurcomb, Kenyon, Lester, Matthews, Price, Stoddart, Stone, Swinglehurst, Thomas and Robert Williams.

AGAINST (25): Councillors Andrews, Bartlett, Bartrum, Boulter, Carwardine, Chowns, Crockett, Clare Davies, Dykes, Gennard, Harvey, Heathfield, Hitchiner, James, O'Driscoll, Oliver, Owens, Peberdy, Dan Powell, Proctor, Simmons, Stark, Tillett, Toynbee and Woodall.

ABSTAIN (1): Councillor Phillips

Council debated the original motion. There was widespread support for the motion.

An alteration was proposed, as below, to the original motion to include correspondence to the prime minister regarding funding of net zero measures. The alteration was accepted by the proposer and seconded and incorporated into the motion.

The prime minister to ask him to allocate adequate government funding to implement these measures fairly.

The motion as altered above was put to the recorded vote and was carried by a simple majority.

FOR (45): Councillors Andrews, Baker, Bartlett, Bartrum, Biggs, Boulter, Bramer, Carwardine, Chowns, Cole, Cornthwaite, Crockett, Clare Davies, Dave Davies, Dykes, Foxton, Gandy, Gennard, Hamblin, Harvey, Heathfield, Highfield, Hitchiner, Hurcomb, James, Kenyon, Lester, Matthews, O'Driscoll, Oliver, Owens, Peberdy, Phillips, Dan Powell, Proctor, Simmons, Stark, Stoddart, Stone, Swinglehurst, Thomas, Tillett, Toynee, Robert Williams and Woodall.

AGAINST (1): Councillor Price

ABSTAIN (0):

Resolved – that:

At its meeting on 28th July 2023 Council unanimously resolved to reaffirm its earlier declaration of a climate and ecological emergency. Underpinning this is our ambitious target to achieve net zero across the County by 2030. To achieve this, Herefordshire Council must work in partnership with local people and businesses, other local authorities and with government.

Since that meeting the UK Government has unexpectedly announced that it will roll back on many key commitments that it had previously made to help move the country along the path to net zero. These commitments are vital to enable all sectors to plan investment effectively and for people, businesses and other organisations in Herefordshire to take the steps we all need to reduce carbon emissions from all activity across the County. More importantly, our commitment to achieving the goal of a zero carbon, nature-rich Herefordshire by 2030 will be undermined.

The government's weakening of its role in transition is bad for the UK and for Herefordshire and our net zero target. The council, in representing the people of Herefordshire, has a duty to warn the government of the impact of their decision and inviting them to think again.

Council therefore resolves to:

Instruct the Chief Executive to write to:

- **the Secretary of State for Transport to ask him to return to the government's previous target of ending the sale of new petrol and diesel cars by 2030**
- **the Secretary of State for Energy Security and Net Zero asking her to return to the previous target of ending the sale of new fossil fuel boilers by 2030**
- **the Secretary of State for Levelling Up, Housing and Communities asking him to continue to require landlords to upgrade the energy efficiency of their properties**
- **the prime minister to ask him to allocate adequate government funding to implement these measures fairly.**

The meeting ended at 12.48 pm

Chairperson

Agenda item no. 5 - Questions from members of the public

Question Number	Questioner	Question	Question to
PQ 1	Mr Symonds, Ross-on-Wye	A Police traffic survey of the A40 30mph zone in Hildersley showed the 85%ile speed was 39.1mph. With this evidence Herefordshire Council planning officers amended the s106 conditions for the current David Wilson development to include a contribution for a light controlled crossing on the A40 in Hildersley. This money was paid to the Council some months ago so please could you tell me when this important road safety improvement will be implemented?	Cabinet member transport and infrastructure
<p>Response:</p> <p>S106 Highways & Transport has a total budget of £373,635.5 with which to deliver these improvements. The budget has now been committed and the scope of works passed onto Principal Designers, AECOM, in September to begin outline draft proposals for a signalised crossing and TRO to move the 30mph limit further east of the David Wilson development, with the potential of a 40mph 'buffer zone' preceding this. The movement is intended to now capture the development within the 30mph limit.</p> <p>Ward Member Cllr O'Driscoll has been briefed prior to these works being commissioned and is in support. Detailed design is expected to be completed this financial year, TRO completion and anticipated delivery around the 3rd quarter of 24/25.</p>			
PQ 2	Mr Milln, Hereford	<p>At Council on 8th March 2019, in answer to my question about reducing road injuries by extending 20 mph limits where people live, Cllr Price confirmed that the Council was committed to deliver further 20 mph schemes as part of the Hereford Transport Package which had been consulted in 2018.</p> <p>On 6th March 2020 Full Council passed a Motion requesting the Executive to investigate area-wide 20 mph speed limits across Herefordshire's towns and major villages.</p> <p>Notwithstanding the Prime Minister's recent pronouncements Cllr Price was kind enough to offer continued support at the 20 mph public meeting on 20th September 2023.</p> <p>Given that local authorities responsible for more than 20 million people in the UK have now implemented these, what progress has Herefordshire made in the 43 months since the Motion was passed?</p>	Cabinet member transport and infrastructure
<p>Response:</p>			

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The council has been progressing a policy to manage and introduce 20mph speed limits where possible. Work to gather the evidence to support and set the Herefordshire Policy is being undertaken this financial year. The review and recommendations will enable the council to make an informed decision as to how to progress in Herefordshire.

Supplementary Question:

I would like to thank Councillor Price for his reply as I did on 8th March 2019 for his reply to my question on the same subject during the administration before last. However it was not written by him but by the Head of Highways and Traffic. It is word for word what one takes to be the executive response to the Motion passed by Full Council on 6th March 2020 finally provided on 19th September 2023.

It doesn't answer the question which was for an account of progress to date following the 2015-19 administration's direction confirmed by Council 43 months ago. However rather than ask it again and risk a nil response, may we please have a clear timetable for the work programme outlined in the executive response, ie for the:

- evidence gathering for 20mph in Herefordshire
- policy for introduction and management of 20mph
- delivery of review and recommendations and a date for Council to consider this.

I recognise that the answer to this will require a little time to obtain and I would therefore suggest a written response would be appropriate, made available to all members. Finally may I thank Cllr Price for agreeing to meet Professor Whitelegg about this next Friday, the 20th.

Response to supplementary question from Cabinet Member Transport and Infrastructure:

The cabinet member confirmed the meeting would be taking place with Professor Whitelegg. A written response would be provided.

Written response to supplementary question provided on 26 October 2023:

Dear Mr Milln,

Thank you for your supplementary question regarding 20mph speed limits, which requests a clear timetable for the work programme outlined in my previous response.

To answer your question, Officers are in the process of procuring professional services support to develop a 20mph policy for Herefordshire.

In terms of the timescales involved with such a procurement process, Officers have been developing the necessary contract documents to allow for advertising of the opportunity to begin at the start of December 2023, with evaluation and award of contract by the end of January 2024. The contract to develop a 20mph policy for the county will then commence in February 2024 with an anticipated completion date of Autumn 2024.

As you have alluded to, the external support will involve the collation of an evidence base, early engagement with stakeholders, draft policy development, public consultation and engagement with stakeholders and prioritisation and identification of potential Phase 1 schemes.

I trust that this answers your question satisfactorily.

PQ 3	Mrs McGeown, Weobley	<p>It is intended to carry out Flu Vaccination Clinics for High School students in Herefordshire. This program has not previously been applied to this group.</p> <p>An information letter will be provided by each school to the parents to enable them to give fully informed consent for their children to receive the Flu vaccination. This should observe the ethical duties as per the “Montgomery Ruling” to inform parents of all “material risks” (which includes risks considered rare) of the vaccine before seeking their consent: https://www.supremecourt.uk/cases/docs/uksc-2013-0136-judgment.pdf</p> <p>A template letter, sourced from a commercial company, targeting younger children resident in metropolitan areas is inappropriate.</p> <p>Please detail contents of the letter that will ensure Herefordshire parents give their fully informed consent and also Identify the Key Potential Benefits and Harms to this group of children living in the healthy Herefordshire environment?</p>	Cabinet member adults, health and wellbeing
<p>Response: NHS England are responsible for the annual flu vaccination programme and commission Vaccination UK to provide the nasal flu programme across numerous counties and boroughs in England, including the Black Country, Hertfordshire, Herefordshire & Worcestershire, Peterborough and 9 Boroughs of North East London. The 2023/24 annual flu vaccination programme includes both pupils attending primary school and those attending high school (also called secondary school) in line with national guidance.</p> <p>As part of the vaccination programme in schools, Vaccine UK send out a cover letter to parents informing them that the flu vaccine will be offered in their child’s school, should they wish to take it up. This provides brief information about the flu vaccination spray, potential side effects, and directs parents to a consent form online. The same letter is used for the parents of primary and high school pupils. This letter is not the main information source for informed consent, but does signpost parents to publically available sources of information. The cover letter points parents to visit a publicly available online e-consent form that has more detailed information to better inform consent. This includes a Frequently Asked Question section, a link to a 12-side “information for parents and carers” leaflet produced by the UK Health Security Agency, and further links to www.nhs.uk/child-flu.</p>			
<p>Supplementary Question: VACCINATION UK LIMITED (Company number 03682679) operate commercially and for shareholder profit. The contract value for flu vaccination in schools in Herefordshire and Worcestershire is £628,899.16 (Ref: FOI-2309-2020861 NHSE:0679352). So not a cheap letter! To observe the ethical duties as per the “Montgomery Ruling” Surely the letter must contain the full Patient information leaflet (PIL) provided by the vaccine manufacturer to inform patients about their medication regarding its administration, precautions and potential side effects. Also current “The Medicines and Healthcare products Regulatory Agency” yellow card data for this nasal Flu vaccination detailing numbers of reported adverse reactions and deaths. None of the “signpost parents to....” information or links contains this.</p>			

Surely councillors have a duty of scrutiny to ensure all information required to enable Herefordshire parents to grant fully informed consent is contained in the primary communication and if found wanting, call out Vaccination UK to correct this?

Response to supplementary question from Cabinet Member Adults, Health and Wellbeing:

The cabinet member responded to explain that the original response provided details of how informed consent would be obtained. The Director of Public Health considered all ethical requirements.

PQ 4	Mr Lister, Ledbury	Why is the council proposing to remove £2 million funding allocated to the Super Hubs project when there is a clearly identified need for the sort of hubs, identified within the project documentation, within the county's market towns, most of which will be delivered by volunteer led organisations, such as Ledbury Food Bank, thus adding considerable value to the money invested in the projects? If the funding is removed to what extent will the market towns benefit from the reallocation of the £2 million?	Cabinet member adults, health and wellbeing
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Response:

Thank you for your question. When this capital money was allocated by the previous administration to create Super Hubs, expressions of interest (EOIs) were invited from all local organisations, not just Talk Community Hubs, to deliver a broader range of integrated and co-located services close to local communities, such as health, counselling, midwifery, health visiting, mental health services and physiotherapy and possibly confidential meetings/clinics. In all cases, I recognise the significant amount of work that people have put into developing the expressions of interest for the benefit of local communities.

We want to be absolutely sure that any funding will bring a real benefit to communities and that is why we are undertaking a wider, strategic review of the Talk Community approach. The recommendation to take the funding out of the coming year's Capital Programme does not mean that we are dismissing the idea of Super Hubs and I can assure members and those organisations who made their submissions that once we have a better understanding of what is being delivered, how many people it is reaching, where the gaps are etc. we will look again at the Super Hub proposal.

This review of the capital programme means that the previously allocated funding will be made available to support the capital projects proposed as additions to the capital programme. These include projects such as Resurfacing Herefordshire Highways and Employment Land and Incubation Space. This funding will benefit the whole county including the market towns.

Supplementary Question:

What form will the review of the Talk Community approach take and is the assurance that you will look at the Super Hubs proposal dependant on that review? How long will the process take?

Response to supplementary question from Cabinet Member Adults, Health and Wellbeing:

The review would engage all Talk Community Hubs and would be aimed at developing an understanding of what was working well and what improvements were necessary. The review would take place between November 2023 – January 2024.

PQ 5	Mr McGeown, Weobley	<p>In January 2021, Cllr David Hitchiner, as Leader of Herefordshire Council, made a pledge, interpreted as not personal but representing Herefordshire people, to UK100 CITIES NETWORK LIMITED.</p> <p>https://www.uk100.org/blog/2021/01/road-cop26-january-update-local-net-zero-pledges-hit-50</p> <p>A £1.3Milion+ annual turnover, Private Company:</p> <p>https://find-and-update.company-information.service.gov.uk/company/10515243</p> <p>Even after a number of Freedom of Information Requests, the benefits to Herefordshire Folk of meeting membership criteria of UK100 are unclear.</p> <p>But</p> <p>“members in the network do not need to renew their membership”</p> <p>but</p> <p>“members can withdraw their membership at any time”</p> <p>Such as elected changes in political control.</p> <p>https://www.uk100.org/membership#question16</p> <p>So will Cllr Jonathan Lester release Herefordshire from Cllr David Hitchiner’s pledge and withdraw membership?</p> <p>Or will he reaffirm the pledge, imposing on Herefordshire Folk the continuing meeting of criteria to UK100 Ltd?</p> <p>“membership can be terminated by UK100 if a local authority no longer meets the membership criteria”.</p>	Leader
<p>Response: The Council remains committed to our ambitious targets to achieve both organisational and countywide carbon neutrality by 2030.</p>			

UK100 is a cross-party membership organisation that supports the most ambitious councils to go further and faster on their Net Zero and Clean Air targets.

Our participation in this network does not commit the Council to anything beyond our own commitments and remains a useful tool for networking and sharing best practice.

As such the Council is not looking to withdraw from this network.

Supplementary question:

You state about UK100 membership “remains a useful tool for networking and sharing best practice”.

I assume this refers to “knowledge sharing between members including meetings, webinars, roundtables and workshops”

Do you intend councillors/council officers to participate or have they already done so and if so how is scrutiny provided to ensure that these events serve the interests of Herefordshire people only.

As without open scrutiny of these “free to be a member of events” there may be concern that these may be designed to influence the thinking of councillors to primarily serve the interests of UK100 LTD’s, £1.3Milion+ paymasters, whoever they may turn out to be, as there is seldom such a thing as a free lunch?

Response to supplementary question from the Leader:

The network was a partner that members and officers engaged to ensure that that the council was pursuing best practice. Members and officers were bound by codes of conduct and the Nolan Principles.

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PQ 6	Mrs l’Anson, Ledbury	<p>In 2019 Ledbury was designated a Super Hub. Several officer led meetings ensued and suitable venues were considered e.g. St. Katherine’s Hall. This decision was replaced by information that towns could now apply to become Super Hubs. No further information was forthcoming</p> <p>The recent 'expressions of interest 'submitted to Herefordshire Council from LEAF and from the Ledbury Food Bank were not just ideas jotted down on the back of an envelope but long and detailed submissions deserving serious consideration which included rectifying Ledbury's lack of youth facilities.</p> <p>My question:-</p> <p>Will this Administration reconsider their decision to remove funding for Super Hubs so that Ledbury LEAF and Ledbury Food Bank can continue their brilliant work, and also confirm that the money pulled is not going to be swallowed up by road building?</p>	Cabinet member adults, health and wellbeing
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Response:

Thank you for your question. 43 expressions of interest (EOIs) were submitted for the funding which was to support the delivery of a broader range of integrated and co-located services close to local communities, such as health, counselling, midwifery, health visiting, mental health services and physiotherapy and possibly confidential meetings/clinics.

In all cases, I recognise and appreciate the significant amount of work that people have put into developing the EOIs to benefit their local communities and this has been further complicated by frequent amendments to the Super Hub proposal.

You will appreciate that many of these EOIs would not have gone to the next stage as insufficient money was available to support every bid. In addition, some of the bids were within a stone's throw of each other or did not support a programme to deliver a broader range of services than currently delivered.

However, we want to be absolutely sure that any funding will bring a real benefit to communities and that is why we are undertaking a wider, strategic review of the Talk Community approach. The recommendation to take the funding out of the coming year's Capital Programme does not mean that we are dismissing the idea of Super Hubs and I can assure members and those organisations who made their submissions that once we have a better understanding of what is being delivered, how many people it is reaching, where the gaps are etc. we will look again at the Super Hub proposal.

Supplementary question:

Thank you Councillor Gandy for your helpful and detailed answer to my question, and the reassurance that communities will benefit from future funding. I now fully realise that the 'expressions of interest' requests that went out to organizations from the previous Administration were misleading and that many of the 'expressions' submitted did not fit into the Super Hub remit. Please can you give your assurance that when you have undertaken your necessary review of Talk Communities and Super Hub strategy, you will give the submissions from organizations such as LEAF, who are endeavouring to provide services for our young people, serious consideration?

Response to supplementary question from Cabinet Member Adults, Health and Wellbeing:

The cabinet member acknowledged that the process for expressions of interest had been confusing as the impression had been given that it was a paper-only exercise before funding was provided. The review would consider talk community hubs and super hubs. Individual applications had been received from a number of local community groups in the same area; joint bids between local groups in the same locality would have been better.

Agenda item no. 6 - Questions from members of the Council

Question Number	Questioner	Question	Question to
MQ 1	Cllr David Hitchiner, Stoney Street	I attended the Cabinet meeting on Thursday 5th October and was pleased to hear Cllr Price confirm that no works will be started on the Southern Relief Road until the money is secured to fund it. This seems to contradict the wording of the papers submitted to Council which state at paragraph 7 (f) that the £12.3m included money to enable “initial works to start”. It is in my view inappropriate for any works to start before a business case is in place and full funding is in place. Would Cllr Price please confirm his intentions? If initial works are excluded what exactly is the £12.3m to be spent on prior to the putting together of a business case – surely not for buying land which might not eventually be needed if the business case does not stand up?	Cabinet member transport and infrastructure
<p>Response:</p> <p>The rationale for the Southern Link Road linking the A49 with the A465 is well documented. The planned allocation of £12.3m is to support this work. Governance arrangements will be followed before any decision to incur capital expenditure is made, in line with the council’s Contract Procedure Rules, Finance Procedure Rules and the Scheme of Delegation.</p>			
<p>Supplementary Question:</p> <p>Given the number of new councillors since 2019 can the cabinet member confirm that he will provide full explanations and not refer in some vague way to being well documented? Could he also ensure that full regard is given to the climate emergency and new government guidance to ensure that if a case is to be prepared it will be professional and well written.</p>			
<p>Response to supplementary question from Cabinet Member Transport and Infrastructure:</p> <p>The south wye link road is a committed project for this administration and we will be taking this forward with the necessary documentation and in the correct manner, engaging everyone who is concerned along the route.</p>			
MQ 2	Cllr Elizabeth Foxton, Eign Hill	<p>I understand the three parish councils promoting the Pontrilas Parkway initiative were advised that Network Rail and DfT expect to see Herefordshire and Monmouthshire Councils’ good faith towards the Pontrilas Station project evidenced by each making provision of at least £2m capital funding towards the scheme.</p> <p>Such provision will go a long way to ensuring the scheme is supported by both national governments - especially as finding time in rail scheduling is not considered a constraint and the Prime Minister seeks smaller, good, alternative railway projects.</p> <p>Given the support from our MP Jesse Norman and the Leader of the Council – and recognising that the business case is more developed than the resurrection of the Southern Link Road –</p>	Cabinet member transport and infrastructure

		will the Cabinet Member give me, and Golden Valley residents, his commitment to amend the proposed capital programme today to include such provision?	
Response:			
I would reiterate my previous comments that as an administration, we support the development of a new station at Pontrilas, however the scheme, and its development, necessarily are the responsibility of Network Rail and Transport for Wales. I have asked officers to organise a round table meeting of all public sector partners that will benefit from this scheme. The administration is working to agree and prioritise which projects to take forward as a part of its transport strategy. I am not aware of any requirement of the Council to use its own resources, but I am happy to follow this up if Councillor Foxton can share further details with me.			
MQ 3	Cllr Dave Boulter, Whitecross	Please could Cllr Price or Cllr Stoddart please confirm where the £7,000,000 of capital receipts is planned to come from which they propose to use towards their £12,300,000 funding allocation for the reintroduction of the Southern Link Road to the Capital Programme?	Cabinet member transport and infrastructure
Response:			
At 1 September 2023, there was an unallocated balance of £14.2m in the council's Capital Receipts Reserve. This balance will be considered to fund any future revisions to the Capital Programme.			
MQ 4	Cllr Pauline Crockett, Queenswood	Please would Cllr Price confirm that he has an approved Outline and Full Capital Programme Business Case made out for his proposed introduction of the Southern Link Road to the Capital Programme today, and what the source is of the financial modelling which has been used to evidence the project costs as set out in those business cases?	Cabinet member transport and infrastructure
Response:			
The rationale for the Southern Link Road linking the A49 with the A465 is well documented. The planned allocation of £12.3m is to support this work. Governance arrangements will be followed before any decision to incur capital expenditure is made, in line with the council's Contract Procedure Rules, Finance Procedure Rules and the Scheme of Delegation.			
MQ 5	Cllr Liz Harvey, Ledbury North	Please could Cllr Stoddart explain why he is not continuing the good practice introduced by the Independents for Herefordshire and Green coalition to require that outline and full business cases are developed for all capital programme schemes that are submitted to full council for approval?	Cabinet member finance and corporate services
Response:			
For each of the proposed additions, relevant information and evidence has been considered as part of the review undertaken by Cabinet. Governance arrangements will be followed before any decision to incur capital expenditure is made, in line with the council's Contract Procedure Rules, Finance Procedure Rules and the Scheme of Delegation.			

In prior years, business cases have not been prepared for all capital programme schemes.

Projects included in the capital programme approved by full Council have been supported by an outline business case where this method has been deemed relevant and, in other instances, the development of detailed information has continued after a project has been added to the programme. This ensures a practical approach; balancing appropriate governance with the ability to make progress on capital projects.

The revised Capital Programme approved for 2021/22 included £20m as a dedicated budget for 'Strategic Housing Development' to cover the initial phases. As such, a business case was not provided at the point of inclusion in the capital programme, recognising that supplementary arrangements were in place to ensure expenditure would be subject to appropriate controls and governance.

Similarly, the purchase of Maylords Shopping Centre in 2020 was not supported by a business case; this purchase formed part of the 'Development Partnership' entry; this being a broader budget allocation in the capital programme.

In July 2020 Cabinet recommended to Council a mid-year revision to the capital programme to support Priority Flood Repair Works and this was not supported by an outline or full business case.

Fully funded grant projects such as Local Transport Plan (LTP), Disabled Facilities Grant (DFG), the schools maintenance grant and S106 developer income, do not have business cases as the funding is spent in line with the grant conditions.

The Capital Programme for 2024/25 will be presented to Council in February 2024 for approval. All additions will be supported by an outline business case, where deemed necessary, which will include an analysis of costs and expected benefits, strategic fit, project scope, an assessment of risks as well consideration of dependencies and other options.

For projects included in this revised capital programme for approval by Council in October 2023, a full business case will be prepared where appropriate. As an example, a business case for the Library Project will be published as part of the documents for the Cabinet meeting on 26 October 2023. Where a business case is not prepared, for example the Resurfacing Herefordshire Highways project, this capital work will be informed by other relevant information such as condition surveys.

Supplementary Question

Will the Cabinet Member commit to publically publish business cases to all additions to the capital programme and fully justify subtractions and alterations in the approved programme.

Response to supplementary question from Cabinet Member Finance and Corporate Resources

All actions will be in line with the council's contract procedures, procedural rules and the scheme of delegation.

