

Minutes of the meeting of Council held at Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE on Friday 26 July 2024 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, Jacqui Carwardine, Simeon Cole, Frank Cornthwaite, Pauline Crockett, Clare Davies, Dave Davies, Barry Durkin, Matthew Engel, Toni Fagan, Elizabeth Foxton, Carole Gandy, Catherine Gennard, Peter Hamblin, Liz Harvey, Robert Highfield, David Hitchiner, Dan Hurcomb, Terry James, Jim Kenyon, Jonathan Lester, Ed O'Driscoll, Aubrey Oliver, Rob Owens, Dan Powell, Ivan Powell, Philip Price, Ben Proctor, Adam Spencer, Louis Stark, Pete Stoddart, John Stone, Elissa Swinglehurst, Richard Thomas, Kevin Tillet, Allan Williams and Mark Woodall

Officers: Chief Executive, Corporate Director - Economy and Environment, Corporate Director Community Wellbeing*, Director of Governance and Law and Democratic Services Manager.

* denotes virtual attendance

10. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bramer, Chowns, Heathfield, Mason, Peberdy, Toynbee and Rob Williams.

11. DECLARATIONS OF INTEREST

There were no declarations of interest.

12. MINUTES

RESOLVED: That the minutes of the meeting held on 24 May be confirmed as a correct record and signed by the Chairman.

13. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS

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

14. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 5 - 16)

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.

15. QUESTIONS FROM MEMBERS OF THE COUNCIL

There were no questions from members of the Council.

16. ADDITION OF CAPITAL BUDGET TO PROVIDE AN ACQUISITION FUND FOR HOUSING PROVISION

Council considered a report by the Cabinet Member Finance and Corporate Services to approve the addition of a £5 million capital budget to enable delivery of housing provision.

The Cabinet Member Finance and Corporate Services proposed the recommendation and introduced the report.

The Leader of the Council seconded the recommendation in the report.

Council debated the report.

The approval of the addition of the capital programme for housing provision was put to the vote and was carried unanimously.

RESOLVED: That Council:

- a) Approves the addition of £5 million to the capital programme for housing provision.**

17. STATEMENT OF GAMBLING POLICY 2024-2027

Council considered a report by the Cabinet Member Roads and Regulatory Services to review and approve the statement of principles (Gambling Policy) to be applied by the council when exercising its licensing functions under the Gambling Act 2005.

The Cabinet Member Roads and Regulatory Services proposed the recommendation and introduced the report.

Councillor Richard Thomas seconded the recommendation in the report.

Council debated the report.

The approval of the Statement of Gambling Policy (2024 – 2027) was put to the vote and was carried unanimously.

RESOLVED: That:

- a) The Statement of Gambling Policy (2024 – 2027) at appendix 1 be approved.**

18. DESIGNATION OF S151 OFFICER AND SALARY FOR DIRECTOR OF FINANCE POST

Council considered a report by the Chairperson of the Employment Panel to approve the Employment Panel's recommendation for the salary for the new post of Director of Finance and the designation of the post as the statutory s151 officer.

The Chairperson of the Employment Panel moved the recommendations and introduced the report.

The Vice Chairperson of the Council seconded the recommendations in the report.

Council debated the report.

The approval of the Employment Panel's recommendations was put to the vote and was carried unanimously.

RESOLVED: That:

- a) The salary for the new role of Director of Finance is set at £104,583; and**
- b) The Director of Finance role is designated as the statutory s151 officer.**

There was an adjournment at 11:05 a.m.: the meeting reconvened at 11:19 a.m.

19. LEADER'S REPORT

Council received and noted a report from the Leader of the activities of the executive (cabinet) since the meeting of Council on 8 March 2024.

Council questioned the Leader and the following actions were raised:

- To provide a response to a question regarding the increasing trend, since Covid, of school absences and what plans the council has to help schools overcome the problem;
- In response to a question regarding the new road strategy for Herefordshire to provide clarity concerning the national policy concerns of the Department of Transport regarding the road projects;
- In response to a question regarding the digital strategy, to make the strategy available to all members and to provide detail of the steps being taken to ensure business continuity plans are in place in the event of a successful ransomware attack to ensure the council can recover and continue to deliver services;
- In response to a question regarding the impact of the MERS strategy on the Delegated Grants and Programme Management Team, to provide detail on plans to strengthen the team; and
- In response to a question regarding the availability of housing/affordable accommodation to attract staff, to provide clarification of how recruitment policies take account of this issue.

The meeting ended at 12.18 pm

Chairperson

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

Question Number	Questioner	Question	Question to
PQ 1	Mr Gibson, Ross-on-Wye	Please explain why tens of millions are being spent on a Hereford bypass. Whilst the state of existing roads in provincial towns and surrounds such as Ross On Wye are left in a dangerous and unsafe state of repair?	Cabinet member transport and infrastructure

Response:

I share your frustration at the state of our roads. This is the result of decades of underinvestment at a national level, resulting in a gradual decline in highway condition. As such, the Council is investing £8 million of its own money into resurfacing parts of the county's highway network this financial year, starting next month. This will include £5 million being committed to the A and B roads and a further £3 million for the C and unclassified road networks. Lengths of road have been identified for resurfacing works following detailed and comprehensive surface and structural condition surveys. These surveys help us to objectively prioritise where we need to invest across our highway network.

In answer to your question, investment in the highway network seeks to both maintain the existing infrastructure in a reasonable and safe condition and to carry out improvements aimed at addressing specific issues. The funding streams that the council receives are often focused on, and restricted to, certain elements of highways work. Some funds can only be spent on maintenance work while others are only eligible for new works that provide particular benefits. Our investment programmes therefore balance the availability of these different types of funding with the needs of the network, which can range from maintaining drains and tackling potholes through to major road schemes to improve safety and access to services.

Last year the council was allocated a significant increase in government funding intended specifically for highways maintenance. This funding could amount to nearly £107m extra funds, on top of current allocations, between now and 2033. The funding is relatively modest in the first couple of years and will be focused mostly on a programme of surface dressing across the county, but as funds increase in future years it is expected that significant and demonstrable improvements to the condition of the network will be delivered.

Funding for major projects such as the bypass will come for different sources to those for maintenance. To access the funds the council must demonstrate wider benefits through a series of business cases. The bypass is expected to significantly reduce congestion in Hereford, improving conditions for business, residents and visitors alike, and provide access to new housing and employment sites that are vital to the future prosperity of both the city and the county. The funding package is expected to comprise a mix of government funding and developer contributions and will depend on the bypass delivering these benefits.

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PQ 2	Mr Whitelegg, Ledbury	There is no bus timetable information of any kind at all at the two Ledbury town centre bus stops. When will Herefordshire Council assemble this information for all bus services/all operators and make it available at both Ledbury town centre bus stops?	Cabinet member transport and infrastructure
<p>Response:</p> <p>The council is already aware of the missing timetable cases at the Ledbury Memorial bus stops. It is unfortunate that the cases here attract a disproportionate amount of vandalism with the last cases being removed following the third incident in the past twelve months. Vandalism of our bus shelters is sadly commonplace, typically in the form of graffiti, but facilities in Ledbury have experienced substantial physical damage in a relatively short period of time. As an example, the shelter recently sustained severe damage when the cable powering the electronic Real-Time Information (RTI) screen was cut, exposing live wires. Our contractors promptly addressed this by re-wiring the unit and securing it to the rear of the shelter.</p> <p>As this is the second instance where the timetable case has been damaged beyond economic repair the service is exploring options to install vandal resistant units. At the present time we are in discussion with manufacturers but have yet to find a suitable alternative. In the meantime, two new timetable cases will be installed at the stops in the coming weeks.</p>			
<p>Supplementary question:</p> <p>Please will the Council display timetable information as soon as possible in locations near to the town centre bus stops and in addition to the problematic bus shelter location. There are 2 possibilities:</p> <ol style="list-style-type: none"> 1) The town centre newsagent Ledbury News, 3 High St, Ledbury, HR8 1DS 2) The display case for public notices on the railings next to the bus shelter 			
<p>Response from Cabinet member transport and infrastructure:</p> <p>The council would be installing two new cases within the next two weeks.</p>			
PQ3	Mr Fisher, Bromyard	The footpath EL6 in Edvin Loach has been closed for six years because of a broken bridge. Will the Council confirm that the bridge will be replaced by 31 March 2025?	Cabinet member transport and infrastructure
<p>Response:</p> <p>The Council has identified a number of bridges that require replacement across the Public Rights of Way network as part of its 2024/25 capital programme. The Council intends to replace the bridge on footpath EL6 and hopes to do so by 31 March 2025.</p>			

PQ 4	Mr Morawiecka, Hereford	<p>The Leader reports “Long journey times for road freight, with major bottlenecks around Hereford, lead to increased costs for businesses and discourages investment.”</p> <p>Devon Council is resolving these issues around Exeter, quickly and more cost effectively, by opening stations like Marsh Barton, for £16million. In the first year almost 90,000 passenger journeys have been made. The Devon Councillor responsible said “The user numbers demonstrate that more people are taking advantage of the Devon network to make journeys into the city for work and appointments. With the pressure on the city’s road network, reducing congestion and improving air quality are key aims for the Council, more people choosing to use public transport is great news for residents & visitors to the city.”</p> <p>Why is Herefordshire Council not replicating this by investing £10million into opening stations at Pontrilas and Moreton-on Lugg?</p>	Cabinet member transport and infrastructure
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Response:

The council has committed £50,000 towards preparing a Strategic Outline Business Case for a new station at Pontrilas, known as the Golden Valley Parkway. The council has established a task force that includes representatives from across the rail industry that will assist in developing a realistic and robust case for a new station. The business case will help to assess the benefits of increased travel opportunities and traffic reduction against costs that could be up to £20m.

PQ 5	Mrs Morawiecka, Hereford	<p>The Hereford City Centre Transport Package was expected to build the City Link Road, a Transport Hub at Hereford railway station and deliver improvements for walking, cycling and public transport along Commercial Road, Blueschool Street and Newmarket Street, inside an overall budget of £40.651million. Would the cabinet member responsible update the Council on the final cost of completion of the whole project and the likely completion date?</p>	Cabinet member transport and infrastructure
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Response:

[A decision was published in November 2017](#) that saw the allocations within the overall package of work re-distributed to take into account the higher costs that had been experienced during the construction of the City Link Road. The re-distribution did not alter the overall budget but did result in a significant reduction in the funding available for the Transport Hub and other features. For further information please see this [Cabinet Report](#) published in July 2021.

The council was successful in its bid to attract Levelling Up Funding and was awarded £19.9m in January 2023. The bid included for the funding of the Transport Hub and for the creation of active travel measures along the roads outlined in your question. The total budget now associated with the whole package of works is as follows:

Scheme	Cost/ budget	Status
City Link Road	£36,890,857	Complete

Transport Hub	£10,088,144 (including a contribution of £6.38m from the Levelling Up Fund)	Due for completion December 2025	
Active Travel – Commercial Road/ Blueschool Street/ Newmarket	£1,980,000	In design, awaits completion of Car Parking Review for the City to inform final design of Active Travel measures connecting the Transport Hub with the City Centre	
Total Budget	£48,959,001		

Supplementary Question:

The City Link Road incurred additional land costs of at least £5.115m which were originally budgeted at £11.135 and which have so far cost £16.250m, an increase of 46% on budget. This is more than the £5Million the Council are currently setting aside to tackle homelessness in the County, surely a higher priority than building for cars.

How is this administration planning to cover the inevitable budget overrun costs on the South Wye Transport Package and other unfunded road schemes?

Response from Cabinet member transport and infrastructure:

The decision to recommence the work on Phase 1 of the Hereford Western Bypass was made by Cabinet on 28th March 2024, the full report can be found [here](#)

At present the Cabinet has committed £10.3m of capital funding to progress with Phase 1 of the bypass and has allocated £760,000 of revenue funding to enable works for Phase 2 of the project.

In the same report an estimate for the delivery of Phase 1 indicates that the total cost of delivery will be in the range £31m to £35m. Discussions are ongoing with Midlands Connect and DfT to determine the most appropriate method of funding. Estimates are based upon current awareness of typical costs for schemes of this nature, and a range of inflation figures have been accounted for. The range of estimates has included for optimism bias and the budget is currently considered to be sufficient to allow for the successful completion of the scheme.

It should be remembered that the Cabinet does not look at budgets in isolation but across the full breadth of services that the Council is responsible for. Every decision that is made is viewed in the round, balancing the needs of all that are impacted as a consequence.

PQ 6	Mrs Protherough, Hereford	The Leader’s Report has a whole section called “New Road Strategy for Herefordshire”. With the change in national government expressing commitment to rail and buses as a way for everyone to travel, regardless of whether they have access to a car, and also meeting the public demands to tackle the climate crisis, where are the Council’s “New Rail Strategy for Herefordshire” and its “New Bus Strategy for Herefordshire”?	Cabinet member transport and infrastructure
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Response:

The Council is currently preparing its new Local Transport Plan. A Local Transport Plan is the local authority’s strategic document for transport in the county; setting out our objectives for the next five years for all transport modes. This is a statutory document which we need to consult the public on

before submitting it for adoption at Full Council. It will contain our strategic ambitions for Rail and for Bus travel, amongst other modes of transport. A draft Local Transport Plan will be in the public domain for consultation within the next six months.

Supplementary Question:

If capital funds of £10million are allocated for developing new road schemes what capital funding has been allocated by the Cabinet to invest in delivering business cases for new rail and bus stations, and integrating these types of transport with safe, active travel measures?

Response from Cabinet member transport and infrastructure:

Before capital funding is committed to any scheme, a robust business case needs to be developed.

At this early stage the council uses revenue funding, and £50,000 has been allocated by the council to develop the Strategic Outline Business Case (SOBC) for a new rail station at Pontrilas. This project is known as the Golden Valley Parkway.

The SOBC is the earliest assessment of the viability of a scheme. Should there be a strong case to develop the station further, an Outline Business Case will be produced in greater detail, followed by a Full Business Case.

Demonstrating a strong business case will be essential if capital funding, likely to be from the Department for Transport, is to be forthcoming. It is also necessary to show a positive financial model for the train operating company, Transport for Wales.

If the SOBC can demonstrate a positive case for the station then the design would be developed further, which will include access and active travel measures.

The council is also delivering a new Hereford Transport Hub at a cost of £9.828m. It is expected that construction will start by December 2024 and take around 12 months to build. The Hub is a modern integrated transport exchange that will increase bus facilities in the city and enable passengers to switch easily between different modes of transport. Improvements to the public realm around the station will create better walking, cycling and bus infrastructure and increase the choice of travel options.

We are also investing new Bus Service Improvement Partnership (BSIP) funds of around a million pounds a year for the next three years in supporting and enhancing existing bus services in the county, including the market towns”.

PQ 7	Ms Martin, Hereford	The traffic model produced for the Southern Link Road by JMP Consultants in 2014 is now well beyond the five year threshold regarded as robust for Base Year validation and forecasting purposes. Has an updated model been produced? If so, who has been commissioned to produce it and where can it be found? If not, why not?	Cabinet member transport and infrastructure
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Response:

A new transport model for Herefordshire is nearing completion, using traffic data from 2023. The model has been developed by AECOM consultants over the past 18 months or so and will reflect up-to-date traffic flows and post-Covid travel patterns.

The new model will be used in a number of situations, from updating business cases for the Hereford Western Bypass, testing scenarios for the draft Local Plan and to understand and mitigate the traffic impacts of proposed developments. The new transport model is expected to be completed in August; once completed the council will issue a communication on how the model can be accessed.

PQ 8	Mr Browning, Ledbury	In the light of the election of a new mission-led Labour Government, please can you outline what changes, if any, Herefordshire Council intend to make to support the national mission and deliver improvements in children's social care in Herefordshire?	Cabinet member children and young people
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Response:
Thank you for your question.

I am sure you will be aware that Herefordshire Children's Services have been on an improvement journey since the Ofsted inspection in 2022.

As you will be aware the current administration was elected in May 2023 and quickly committed to the improvement of children's services as being the top priority for Herefordshire Council. That commitment remains.

Whilst 'mission-led' was not part of political discussion at that time I can assure you that the whole ethos from day one last year has in fact been very much that – mission-led.

The whole improvement process is supported by an under pinning action plan progress against which is monitored via the improvement board. Whilst the improvements are required in children's services it is vital that key partner agencies are also involved and committed, and membership of the improvement board reflects this. In addition as part of that improvement process, government appointed a Children's Commissioner and the local government association provide support through a LGA advisor and both are also members of the board.

Ofsted as the inspectorate have conducted four monitoring visits all of which have provided formal feedback on those areas where progress has been made and those where further progress is needed.

As Cabinet member for children's services I am firmly sighted on, committed to and where appropriate am directly involved with those leading and delivering improvements.

I am assured that Herefordshire Council and it's key partners, notably but not exclusively police, health and education, remain firmly committed to deliver the improvements necessary and by way of example the new Director Of Children's Services only last week presented the revised improvement plan to the board for approval and secured full commitment from all partners to deliver against it.

Supplementary question:

There are still a few issues we can see and there's a lot around accountability which the families can see needs to be addressed. One way forward is to have a working style group where there are appropriate councillors involved and stakeholders who represent the public and have already been advocating for families. I think such a thing should be discussed and the group can invite councillors and discuss how to make progress on some of the issues we know exist. Are the councillors here willing, on the basis of the Hereford Times article, which talked about a public inquiry, to support the suggestion?

Response from Cabinet member children and young people:

A written response would be provided.

Written response provided on 9 August 2024

As a council we are committed to delivering the best for our children and families and this commitment is set out as a priority in our Council Plan.

The inspection by OFSTED of Children's Services in June 22 has provided a comprehensive review of concerns relating to practice that requires improvement. We have accepted the findings of that inspection and this has been the basis for the children's improvement plan. A phase two of this plan was agreed at the Improvement Board on 17th July 24 and is now being led by our new interim Director of Children's Services Ms Tina Russell.

During the course of our improvement work to date we have listened to many families, either through the families commission, on a case by case basis or in private meetings about their experiences. We have reflected on and learnt from this feedback and used it to inform ongoing service development of policy and practice. Our phase two plan includes a continued and wider development of listening to children, young people and families to understand their more recent experiences of services being received.

Herefordshire children services improvement remains under the scrutiny of Ofsted through regular monitoring visits and the Department for Education (Dfe) through the Commissioner with additional support from Leeds as a sector led improvement partner and the scrutiny of the multi-agency improvement board.

We are working now with any individual families through the appropriate process to complete any outstanding issues to ensure we can achieve a conclusion. We do not believe any further working group, of the kind you describe, has role or function to enable us to bring each case to a conclusion any faster or to achieve greater learning for the organisation.

PQ 9	Mr McGeown, Weobley	<p>In a few cases following referral to Herefordshire Children Services (MARF) section.47 enquiry is initiated.</p> <p>This moves things up a significant level and allows statutory laws to be engaged:</p> <p>Children Act 1989, section 47, Local authority's duty to investigate,</p> <p>(1) Where a local authority—</p> <p>(b) have reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm,</p> <p>Initiating s.47 enquiry requires that the threshold of <u>Reasonable Cause</u> and <u>Likely to Suffer Significant Harm</u> must be met.</p> <p>This decision is an important one as it justifies compulsory intervention in family life.</p> <p>"Reason to believe" and "could be at risk of significant harm" are far short of satisfying this threshold.</p> <p>This is how I read and understand it.</p> <p>If I am incorrect, how does Herefordshire Council read it?</p>	Cabinet member Children and young people
<p>Response:</p> <p>Thanks you for the question. Any decision requiring the application of a threshold has to be made on a case by case basis by the professionals involved, and when required with the support of legal advice. In each case the professional involved will share information and come to an agreed decision on whether or not the information shared indicates a child or young person is, or might be at risk of significant harm, that requires further enquiries to be made under section 47 of the Children Act 1989 and the LA's duty to investigate. The concerns of harm will be shared with the parents and child in an appropriate way so as to assist in the enquiries, manage any criminal investigation and protect the child in each case. It is not appropriate to provide a generic interpretation response to this question.</p>			
<p>Supplementary question:</p> <p>I believe your answer illustrates the problem perfectly.</p> <p>You state "with the support of legal advice" and "<u>might be at risk</u> of significant harm".</p> <p>Additionally contained in s.47 notification letter: "where there is <u>reason to believe</u> the child/children <u>could be at risk</u> of significant harm. The section 47 enquiry takes place".</p>			

I assume this is a standard Council copy and paste text.

Would it be a good idea for Councils legal department to provide instruction to Social Workers of all ranks so that they can understand the significant legal difference between Reasonable Cause to suspect and Likely to Suffer Significant Harm compared to the vaguer reason to believe and might be at risk/ could be at risk of significant harm?

Wouldn't such instruction enable better understanding of when to seek the support of legal advice for satisfying thresholds?

Response from Cabinet member children and young people:

My apologies for any confusion in using a different language in the initial response, the term Reasonable Cause and Likely to Suffer Significant Harm are the words used and staff trained in – this is not a difference in meaning simply a difference in language used.

PQ 10	Mrs McGeown, Weobley	<p>In a few cases following referral to Herefordshire Children Services (MARF) section.47 enquiry is initiated and “Parents Notification Letter” delivered. This moves things up a significant level and allows statutory laws to be engaged.</p> <p>If I understand correctly the guidance in “Working Together” recommends that parents whose children are subject of s.47 enquiries should always be given information about how advice and advocacy can be obtained from independent sources, both locally and nationally.</p> <p>“Safeguarding Boards should conduct a trawl”....”to compile a list of local and national sources of independent advice and advocacy to be given to parents at the outset of s.47 enquiries”....”identify solicitors”...”familiar with “Working Together” and the local child protection procedures”...”particularly those who are members of the Law Society’s Childrens Panel”.</p> <p>Does Herefordshire Council do this and if not, why not?</p>	Cabinet member Children and young people
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Response:

Child Safeguarding Boards have been replaced by Safeguarding Children Partnerships. The responsibilities of Safeguarding Children Partnerships is set out within the statutory guidance Working Together to Safeguard Children (December 2023). Within this guidance there is no requirement for Safeguarding Children Partnerships to conduct such a trawl, or to compile a list of local and national sources of independent advice and advocacy, and as such Herefordshire Safeguarding Children Partnership does not.

Those involved are provided with the Herefordshire ‘Hear Me’ information which provides advocacy support for children and young people, and which is publicly available via the following link: [Hear Me children's rights and advocacy service – Herefordshire Council](#).

An advocacy service for adults is also provided via 'Onside Advocacy Service: [Advocacy: Onside, Worcestershire & Herefordshire \(onside-advocacy.org.uk\)](https://advocacy.org.uk). At the point of invitations being sent out for the Initial Child Protection Conference, parents / carers are also advised that 'you are very welcome to bring an adult supporter with you' within that invite.

Supplementary question:

I believe your answer illustrates the problem perfectly.

Working together is guidance published 26/3/2015; it provides protocols for best practice when using statutory legislation.

There may be no specific requirement in December 2023 update to "...compile a list...local solicitors...as such Herefordshire Safeguarding Children Partnership does not"

But you do have such a list.

It is available through: tri.x, "your leading partner in online social care procedures".

I have a very smart four page print with Herefordshire Council logo:

"Law Society Children Panel Solicitors Herefordshire and Worcestershire".

Get the PDF:

<https://proceduresonline.com/trixcms2/media/19388/list-of-local-solicitors.pdf>

Why withhold providing this list even when formally requested?

Is it because the council wish to prevent empowering, loving families of good standing, protecting their right for private and family life, Article 8, European Convention on Human Rights?

Response from Cabinet member children and young people:

Thank you for your follow up question. For clarity, the Herefordshire Safeguarding Children Partnership (formally the 'Board') is a separate entity to Herefordshire Council, albeit the Council is part of that partnership. The response given was in relation to the role of the Safeguarding Partnership in, "Safeguarding Boards should conduct a trawl", and the response to that particular question is correct. The Partnership is not responsible for all of its partners' procedures and publications.

As you have identified Herefordshire Council does hold a list of local solicitors. There was no intention to withhold this information but the response was simply replying to the question regarding the Safeguarding Partnership responsibilities.

PQ 11	Ms Albright, Leominster	In light of the emerging evidence & recommendations in the Diffuse Water Pollution Plan (being prepared by the EA and NE) would Herefordshire Council be prepared to ask NE to reconsider its position on the moratorium on new homes in the Lugg?	Cabinet member environment
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		The DWPP echoes other data sources showing that Welsh Water has already reduced more than its 'fair share' of phosphate load and so after 5 years of ecological, economic and social disadvantage in rural N. Herefordshire, during which the river conditions declined, Herefordshire Construction Industry Lobby Group (HCILG) were hoping that now was a good time to revisit the painful predicament of local house builders and local communities.	
Response:			
<p>The advice issued today by the Ministry of Housing Communities and Local Government to all Local Authorities (MHCLG) in receipt of funding from MHCLG is to continue to progress the Strategic Mitigation Schemes for which funding has been received, as whilst Habitats Regulations is high on their agenda there are no plans to remove the requirement for Nutrient Neutrality.</p> <p>The Diffuse Water Pollution Plan (DWPP) is still in its early stages and whilst evidence has been collated which confirms what we have come to understand around the apportionment of agricultural pollution. An options appraisal is underway with recommendations still being formulated and not yet finalised.</p> <p>The DWPP forms part of a wider collective of plans currently being progressed; including the Wye Catchment Plan and the Nutrient Management Plan, with an update to the Welsh evidence proposed. These plans are due to come forward in Spring 2025 and will collectively provide a clearer picture of water quality across the catchment with the actions needed to quantify river restoration, at present this is the only accepted mechanism for the Nutrient Neutrality requirement to be withdrawn.</p> <p>Therefore, at the present time we will not be seeking a further opinion from Natural England.</p>			
PQ 12	Mr Milln, Hereford	Paragraph 50 of the New Road Strategy presented to Cabinet on 28 th March 2024 claims that a 150m section of the Southern Link Road , referred to in the Leaders' report today, was completed. This is false. In July 2019 a hole was dug in a field near Grafton and filled with hardcore. However this was carefully and fully reinstated to green field many years ago and there is now absolutely nothing to show for it, let alone was it 'completed'. What physical evidence therefore has the Council of a material start on the SLR such as is required to substantiate its claim the planning permission has been preserved?	Cabinet member transport and infrastructure
Response:			
<p>Phase 1 works were carried out in July 2019 and involved the partial construction of a section of the Southern Link Road approximately 150m in length, between chainage 1150m and chainage 1300m of the scheme. The construction of the carriageway in this section included earthworks, unbound road pavement and fencing.</p> <p>These works were confirmed in the letter from the Local Planning Authority dated 25th July 2019. This letter stated:</p>			

Condition 1 – Commencement of Development

Officers were advised that works commenced, in accordance with the details agreed for phase 1 on the 1st July 2019. The case officer visited the site on Thursday 4th July 2019 and Monday 9th July 2019 and we are able to confirm that the work undertaken is considered to be sufficient to confirm the commencement of development in accordance with the requirements of condition 1.

The Council has access to the photographs taken by the contractor during these works as evidence.

The Local Planning Authority is content that the works undertaken ensure that the Planning Permission remains extant.

Supplementary question:

As though it were not enough for the Council to mark its own homework, here apparently the dog ate it. Of course the truth is there is no homework. There is no 'material start' to the Southern Link Road such as it required to preserve the planning permission. Where we had been told by its so-called 'New Roads Strategy' that there is a 150m completed section of the SLR, there is a fine crop of potatoes. Nothing else, just potatoes.

Will the Cabinet member ensure that his New Roads Strategy report is corrected at para 50 so that it tells the truth? It simply cannot say there is a 150m completed section of the SLR when this is plainly false.

Response from Cabinet member transport and infrastructure:

There are many photographs showing the start of the SLR in July 2019. There is a great layer of stone laid across that section and it has been compacted down. It cannot be seen in any other way than the start of building the road. There are many documents regarding the start of the works on the SLR, including the discharge of conditions and emails with planning officers to confirm that work has commenced, in accordance with planning law and which is sufficient to start the project.

In February 2021 the previous administration had an extraordinary meeting where the project was cancelled and of the 52 members at that meeting an electronic vote was had and you needed 27 votes to get a majority and there was 27 votes in favour (of cancellation). Every councillor who voted to cancel the scheme I would hold personally responsible for the additional costs of over £20million that the cancellation has cost this council.