

Minutes of the meeting of Council held at Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE on Friday 11 October 2024 at 10.00 am

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

Councillors: Polly Andrews, Bruce Baker, Jenny Bartlett, Chris Bartrum, Dave Boulter, Harry Bramer, Jacqui Carwardine, Simeon Cole, Frank Cornthwaite, Pauline Crockett, Dave Davies, Barry Durkin, Mark Dykes, Matthew Engel, Toni Fagan, Elizabeth Foxton, Carole Gandy, Peter Hamblin, Liz Harvey, Helen Heathfield, Robert Highfield, David Hitchiner, Terry James, Jonathan Lester, Nick Mason, Ed O'Driscoll, Aubrey Oliver, Rob Owens, Justine Peberdy, Dan Powell, Ivan Powell, Philip Price, Ben Proctor, Adam Spencer, Louis Stark, Pete Stoddart, John Stone, Elissa Swinglehurst, Richard Thomas, Kevin Tillet, Diana Toynbee and Rob Williams

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

* denotes virtual attendance

20. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Biggs, Clare Davis, Gennard, Hurcombe, Kenyon and Allan Williams.

21. DECLARATIONS OF INTEREST

The Chairman, Councillor Roger Phillips, declared a non-pecuniary, personal interest in agenda items no. 8, as Vice Chairman of the National Joint Council (NJC) of England and Wales.

22. MINUTES

RESOLVED: That the minutes of the meeting held on 26 July 2024 be confirmed as a correct record and signed by the Chairman.

23. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS

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

24. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 7 - 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.

25. QUESTIONS FROM MEMBERS OF THE COUNCIL (Pages 17 - 22)

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.

26. APPOINTMENT TO COUNCIL COMMITTEE

Council considered an appointment to the vacant position of Vice-Chairperson of the Employment Panel.

Councillor Stef Simmons proposed and Councillor Jonathan Lester seconded the appointment of Councillor Diana Toynbee as Vice-Chairperson of the Employment Panel for the remainder of the municipal year.

The appointment was put to the vote and was carried by a simple majority of Council.

RESOLVED: That Councillor Diana Toynbee is appointed to the position of Vice-Chairperson of the Employment Panel for the remainder of the 2024-2025 municipal year.

27. THE REPORT OF THE HEREFORDSHIRE INDEPENDENT REMUNERATION PANEL

Council considered a report by the Democratic Services Manager to consider and approve the Herefordshire councillors allowances scheme having regard to recommendations of the council's independent remuneration panel (IRP).

The recommendations in the report were proposed by the Chairman and seconded by Councillor David Hitchiner.

The recommendations in the report were put to the vote and were carried by a simple majority.

RESOLVED:

That Council having regard to the recommendations made by the independent remuneration panel:

- i. Introduces a new allowance for all the council's independent persons and co-opted members;**
- ii. Agrees allowances are provided annually as a lump sum payment – as follows:**
 - a) A+G Independent Persons - £1,500 p/a (based on 10 meetings p/a)**
 - b) Scrutiny Co-opted Members - £900 p/a (based on 6 meetings p/a)**
 - c) Standard Independent Persons - £450 p/a (based on 3 meetings p/a)**
- iii. Permits a technical update to the constitutional provisions (as [set out at 2.2.21](#)) that apply to councillors be also applied to independent persons and co-opted members;**
- iv. Asks Council to commission the member development working group to review the induction training provided to all independent persons and co-opted members. The panel believes that practical training will ensure that the work of these independent persons will be enhanced by a sound understanding of the objectives and responsibilities of the groups they join. In accordance with members training and allowances practice, the independent persons allowance shall be linked to all induction training**

being completed prior to fully taking up their positions on committees. It is also expected that the independent persons shall attend most of the meetings and when they can't, an input through remote access or a written statement should be provided.

- v. Does not introduce a new allowance for the vice-chairpersons of council committees, at the current time. The Panel remain open to reconsidering this matter again, subject to Council agreeing to recommendation 6 below being completed;
- vi. Review the post of vice-chairperson and a role description be added to the council's constitution;
- vii. Does not introduce a new allowance for the chairpersons of task and finish groups;
- viii. Does not introduce a new higher rate allowance for the Chairperson of the Scrutiny Management Board;
- ix. Continues to link the National Joint Council pay award with the basic allowance scheme, for the next four years; and
- x. Subject to agreeing with recommendation 1, the allowances for Independent Persons and Co-opted members be also indexed linked to the National Joint Council annual pay award for the next four years.

Councillor Ivan Powell left the meeting at 10:30 a.m.

28. CONSTITUTION - UPDATES

Council considered a report by the Head of Legal Services and Deputy Monitoring Officer to consider amendments to the constitution in relation to: functions of Audit and Governance Committee including recruitment and appointment of Independent Persons to Audit and Governance Committee; functions of Planning and Regulatory Committee; clarification of the Planning Code and functions rules; amendment to Fostering Panel membership to reflect practice; amendment to employment rules; amendment to the corporate scheme of delegation; amendment to enable consequential changes to be made to the Constitution; clarification to call-in; and role description for position of chair and vice chairperson.

The recommendations in the report were proposed by the Chairman and seconded by Councillor David Hitchiner.

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

RESOLVED:

That Council approves changes in the Constitution:

- a) in Appendix 1 to enable a change to the process for resolution of objections to the framework proposals, in the Budget and Policy Framework;
- b) in Appendix 2 to enable changes to Audit and Governance Committee functions including recruitment of the Council's independent persons;

- c) in Appendix 3 to make changes to clarify the rules in The Planning code and functions of the Planning and Regulatory Committee;
- d) in Appendix 4 to make changes to fostering panel membership to accurately reflect practice;
- e) in Appendix 5 to makes changes to the corporate scheme of delegation to include provision for the statutory 'Qualified Person' under the Freedom of Information Act 2000;
- f) in Appendix 6 to enable changes to the employment rules, relating to the delegation to the head of paid service to make appropriate interim arrangements when required;
- g) in Appendix 7 to enable consequential changes to be made to the Constitution;
- h) in Appendix 8 to clarify the rules relating to officer decisions and call in; and
- i) in Appendix 9 to include a role description for the chair and vice chair of a committee.

29. APPOINTMENT OF INDEPENDENT PERSONS TO AUDIT AND GOVERNANCE COMMITTEE AND STANDARDS

Council considered a report to appoint (i) an independent person for the purposes of its arrangements for member Code of Conduct complaints and (ii) an independent expert to Audit & Governance Committee.

The recommendations in the report were proposed by the Chairman and seconded by Councillor Frank Cornthwaite.

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

RESOLVED – That:

- a) **Mary Severin is appointed as an independent person for the purposes of the Code of Conduct arrangements; and**
- b) **Kerry Diamond is appointed as independent expert to the Audit & Governance Committee.**

30. 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 26 July 2024.

Council questioned the Leader and the following actions were raised:

- In response to a question regarding the Children's Improvement Plan, to ensure that the website is updated with Phase 2 of the Plan;

- In response to a question regarding the recommissioning of the integrated community equipment service, to provide clarity regarding if the Hillside Centre will be supplied with equipment within the new contract. If the Hillside Centre will not be provided with equipment to clarify the current status of funding set aside for this purpose;
- In response to a question, to consider a method to record the feedback received and issues raised around council services at parish summits;
- In response to a question to provide an update on potential locations of EV charging points following the request for expressions of interest from local communities;
- In response to a question regarding the usability of EV charging points in Kington to ensure officers are fully testing initiatives before roll-out; and
- In response to a question regarding devolution, to engage proactively with the ministry for Housing, Communities and Local Government to ensure that Herefordshire Council does not lose out on central government funding for capital projects (e.g. key infrastructure projects) and any responsibilities that might be devolved down

31. NOTICES OF MOTION UNDER STANDING ORDERS

Motion – Flooding and Drainage

Councillor O’Driscoll proposed and introduced the motion.

Councillor James seconded the motion.

Council debated the motion. There was support across the chamber for the recommendations contained in the motion. During the course of the debate the following actions were raised:

- To consider the terms of the motion as a topic for scrutiny;
- In response to a question, to investigate and ensure that the council is discharging its drainage board responsibilities with regard to the River Wye;
- In response to a question, to ensure that modelling of fluvial and pluvial flooding is co-ordinated across those responsible public bodies; and
- In response to a query, to investigate a blocked drain/gully function on the highways defect reporting tool.

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

RESOLVED: -

Recent heavy rainfall has highlighted significant drainage issues around the County. It has become evident the current maintenance schedule for drains, gullies and culverts needs major improvement and this motion calls upon the Executive Council to:

1) Ensure all drains, gullies and culverts that fall under the responsibility of Herefordshire Council are accurately mapped

2) Undertake an urgent programme of rectifying and repairing drains, gullies and culverts where they have been damaged by the recent unprecedented period of rainfall

3) Develop a full Countywide maintenance schedule that anticipates the likelihood of heavier rainfall in the future

4) Publish the maintenance schedule so that ward members, city, town and parish councils and local people can have confidence in the plans

5) Ensure that areas most at risk of flooding are prioritised for maintenance

The meeting ended at 12.13 pm

Chairperson

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

Question Number	Questioner	Question	Question to
PQ 1	Mr Martin, Hereford	<p>I would like to understand why the council do not hold public meetings to debate the major decisions for Herefordshire?</p> <p>We have venues that can hold good numbers of the public who can in person scrutinise decisions the council make and voice their opinions on what they want to happen.</p> <p>Everything seems to be done behind closed doors and via controlled methods just like this where questions have to be emailed.</p> <p>This is not how it should be and I (as a taxpayer) demand change to this.</p>	Chairman of the Council
<p>Response: Thank you for your question. By law the council's formal meetings must be held in public, although there are some instances where the public and press can be excluded for discussions on confidential items (known as 'Part 2'). Council meetings, held in public, are open to the public to attend and, as you have pointed out, provided with the opportunity to ask questions. However, the scope of public questions is limited to and must relate to the function of the committee or a matter on the relevant agenda. Council meetings are primarily and principally meetings designed to transact council business.</p> <p>Once public questions have been concluded, there is no further provision for public involvement other than to witness the meetings as they happen. This is because there are limitations, set out in law, as to what business council committees can transact. The legislation regarding how local government operates allows only the elected representatives to take part in decisions and debate on items under consideration at formal council meetings. The relevant legislation, which also extend to the Parish tier of local government, can be found via the following link: http://www.legislation.gov.uk/ukpga/2011/20/schedule/2/part/1</p> <p>There are distinctions, in law, that differentiate formal council meetings being 'held in public' to that of public meetings. Public meetings are ways for people to come together to express their opinions, hear a public speaker or proposed plan, engage in shared learning about a topic, or work together to develop solutions. Public meetings do not have to follow any specific script or agenda, unlike formal council meetings. In the case of public meetings, whilst councillors and council officers may be participants, the council has no jurisdiction or decision-making powers at such meetings.</p>			
PQ 2	Mr Hill, Hereford	Further to the imminent changes widely expected to the National Planning Policy Framework (NPPF) at the end of this year, including likely reimposition of mandatory housing targets, will the Cabinet Member be able to provide Herefordshire Councils full response to the recent NPPF	Cabinet member environment

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		consultation and Herefordshire Councils current five year housing land supply position for 2024 including implications for plan-making and decision-making?	
<p>Response: A response to the <i>National Planning Policy Framework (NPPF) Reform Consultation</i> has been submitted to the Ministry for Housing, Communities and Local Government (MHCLG) on behalf of Herefordshire Council via their online form. Please find in the following link a compilation of all the questions and answers, collated into one document, that form the Council's response; NPPF Reform Consultation response.</p> <p>The NPPF consultation set out proposed mandatory housing targets which takes a new approach based on a revised formula and data. This means the housing target for Herefordshire has increased from 773 dwellings per annum to 1,375 dwellings per annum. This would mean 27,500 dwellings over a 20-year plan period. The recent Draft Local Plan (March 2024) consultation set out a target for 16,100 homes over the plan period, so this is a significant proposed increase.</p> <p>A significantly changed housing target for Herefordshire, of the magnitude proposed, means that it is highly likely that the Council would need to go back to the start of plan-making and consult on a new strategy. However, the implications will only be understood once MHCLG has considered all consultation responses received, and the NPPF has been formalised thereafter. This is anticipated to be in January 2025 at the earliest.</p> <p>Work to determine the 5-Year Housing Land Supply is in progress and is due to be concluded shortly with a report expected to be published in the next 3-weeks.</p>			
∞	<p>Supplementary question: Does the cabinet member consider that Herefordshire Council will need to repeat the Regulation 18 of the emerging Local Plan 2021-2041, and if so, does the cabinet member consider that the current envisioned spatial approach as set out in the emerging local plan need to be reconsidered back to both the current Policy RA2 identified settlements of the Core Strategy, given the likely change in meeting housing need or to relocate considerable concentration to around particularly Hereford if the current administration are intent on a 'growth corridor' around Hereford?</p>		
<p>Response from Cabinet Member Environment: The implications for the local plan and the plan-making process will only be fully understood once the NPPF has been formalised early next year. The stage in the plan-making process will be dependent upon the mandatory housing target set in the NPPF and the implications that this would have for the plan strategy. It would be premature to comment at this stage.</p>			
PQ3	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 and updated trip data and forecasting commissioned by AECOM is not yet available. With no up to date trip data, no updated modelling or forecasts, no up to date benefit/cost ratio, no business case and a clear lack of understanding among Members of the fundamental principles of transport planning science in relation to the effects of peri-urban road building on congested local networks, on what basis was the decision made to justify Herefordshire Council's £300m road building strategy as offering best value for money for the residents of Herefordshire?	Cabinet member transport and infrastructure

		If AECOM's anticipated report is now available, where can it be accessed?	
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Response:

In its decision of 28 March 2024, Cabinet agreed to recommence progress of the Hereford Western Bypass to the west and south of Hereford. As part of this work the council will develop a revised business case for the western bypass to reflect contemporary legislation and needs.

The business case will consider a variety of options, including comparison with a do nothing and eastern crossing, to ensure that the proposal offers value for money before proceeding to the next stage and will reflect updated traffic modelling and consideration of the needs arising from a review of the masterplan for Hereford, local housing and employment requirements and Local Transport Plan such that any proposals progressed to the next stage for the western route reflect the holistic needs of the City and broader strategic transport demands.

It should be noted that the Aecom Commission for an updated model was for a tool that would enable all new infrastructure and development proposals to model their impacts upon rather than a report. A report on the traffic impact of the western bypass will be produced utilising this model as part of the development of the business case.

Supplementary question:

If AECOM's report, utilising an updated traffic model, forecasts marginal and unstable peak hour time savings on the A49 through the city, with a slight increase in overall journey times on the A49 compared to Base Year in the Do Something (build the roads) scenario, echoing JMP's conclusion that "...a nil detriment scenario is unlikely to be possible" *, will work on the Southern Link Road and Western Relief Road be halted or will the Council disregard the findings and press ahead regardless of clear evidence that the two schemes would not reduce congestion in the city?

* JMP Transport Strategy Phasing Study, Transport Strategy Review, 20/5/2014 - Section 3 Modelling Outputs @ 3.17

Response from Cabinet Member Transport and Infrastructure:

The strategic case for any new road scheme will necessarily need to consider a broad array of outcomes, as will be set out within the Council's Local Plan and forthcoming Local Transport Plan (LTP), and not on traffic growth against an historic base year. New infrastructure should be designed to meet the future needs of the area rather than just resolving existing issues. The recent draft Local Plan consultation set out a minimum of 5,600 new homes around Hereford with government proposals currently increasing the demand for new housing even further. The Local Plan also identifies 40-60ha of areas for new employment around the City.

All of this will place significant pressure on existing infrastructure meaning a do-nothing scenario is likely to show a significant detriment compared to a base year. It is considered that a new road around Hereford will free up space for more active travel measures within the city, enabling more sustainable modes for shorter trips and therefore any road proposals need to be considered holistically alongside other transport modes as will be set out within the council's LTP and Local Cycling and Walking Infrastructure Plans. A new strategic case will be developed, including modelling various scenarios, to ensure that the council invests into infrastructure that delivers the greatest benefits to Hereford and the broader strategic transport network.

PQ 4	Mr Milln, Hereford	<p>In 2016 the proposed Southern Link Road was budgeted at £27m out of a £35m project to include £8m complementary improvements to public and active travel known as the South Wye Transport Package.</p> <p>At Council on 26th July, Mrs Morawiecka, mindful of the c.£8m overspend on the City Link Road, asked how the inevitable overspend on the SLR would be addressed. The response claims the road could still be delivered at between £31 and £35m, though clearly without the package elements. Given it was the sustainable transport elements which provided the value for money when it was a 'package', how does the Council propose to convince anyone it has a business case supported by a robust cost benefit ratio (BCR) for the poorly performing, cost-spiralling SLR as a stand-alone road?</p>	Cabinet member transport and infrastructure
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Response: The Council continues to see any new road as part of a broader package of transport schemes that work together holistically to improve the way that people are able to move in and around Hereford and enable economic growth within the City. In January 2023, the council was successful in its bid for £19.9m of funding from the Levelling Up Fund to help deliver a broad package of transport and active travel measures within the City which will see many elements of the South Wye Transport Package delivered in parallel with the progression of the Southern Link Road.

Costs for the delivery of the road have understandably risen in line with inflation since the initial proposal in 2016, in line with all national infrastructure works, however the benefits associated with a road will also have risen by a proportional amount and therefore increased costs are not anticipated to have a meaningful impact on the BCR.

Supplementary question:
 In attempting to use the £19.9m LUF grant won by the last administration for public and active travel in the City to justify the current administration's motor road ambitions through the countryside around it Herefordshire Council pursues an implausible chimera. The projects are separate in funding and objectives and contradictory in effect. Transport planners have long understood that motor road building increases traffic, while investment in sustainable alternatives relieves it, and of course the Council has failed to include pedestrian, cycle or bus infrastructure alongside its proposed Southern Link Road.

That being so would work on the cost-spiralling, stand-alone SLR and WRR schemes be halted or would the Council carry on regardless, in the event a recalculated BCR confirms them to be poor value for money?

Response from Cabinet Member Transport and Infrastructure:
 Proposals for the Southern Link Road were always considered synonymously with the South Wye Transport package, for which the LUF award has enabled many elements of the package to be brought forwards.

New infrastructure should be designed to meet the future needs of the area rather than just resolving existing issues. The recent draft Local Plan consultation set out a minimum of 5,600 new homes around Hereford with government proposals currently increasing the demand for new housing even further. The Local Plan also identifies 40-60ha of areas for new employment around the City, which will place significant pressure on existing

infrastructure. A revised strategic case considering how this growth will be best mitigated and growth best enabled by new infrastructure will be undertaken and appropriate decisions on future infrastructure investment will be made based on the outcomes of that work.

PQ 5	Mr McGeown, Weobley	<p>Cabinet Member Children and Young People Responded to PQ2, 17 Sept 2024, C&YPSC, regarding doubling and then tripling of Section 47 investigation enquires between 2020 and 2022 to an eye watering 1,393 then continuing 1,000+ annually: “During 23/24 the Herefordshire rate of S47 was 75 per 10,000 children. The regional average rate being at 67 and rates of the other Inadequate local authorities being 83 and 71, so Herefordshire rates are reflective of this pattern.”</p> <p>But: https://www.gov.uk/government/publications/local-authority-interactive-tool-lait Shows that the rate of S47s is much higher in Herefordshire (255.40 per 10,000 children) than its Statistical Neighbours.</p> <p>A most concerning number and one that’s been 250+ per 10,000 children for the last few years.</p> <p>So why such a fundamental difference between numbers perceived by Cabinet Member C&YP and real world data?</p>	Cabinet member children and young people
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Response:
Dear Mr McGeown, thank you for your further question and challenge.

With my apologies the data provided to your original question was a quarterly rate not the annual rate. The data reported was taken from the West Midlands Children’s Services Regional Performance Update which presents information by quarter, the data provided was for quarter 1 2024/25. This report does not provide the annualised rate.

The explanations regarding the increased rate of section 47 enquiries in the original question remain valid.

The inclusion of the comparator information was also quarterly data and sought to show how rates of section 47 per 10,000 in Herefordshire compared to regional local authorities who are in a similar position.

For clarity in quarter 1 2023/24 the rate of section 47 enquiries per 10,000 in Herefordshire was 100, the West Midlands regional average was 67 and the comparator authority rates were 88 and 106 respectively.

The rate in quarter 1 2024/25 in Herefordshire was 72. The West Midlands regional average was again 67 and the comparator authority rates were 71 and 83 respectively. As stated previously “ Herefordshire rates are reflective of this pattern” (given within the narrative of the original answer to PQ2 at CYPSC on 17 September 2024).

Supplementary question:

Your answer doesn't reveal the full picture, only a selected quarter.

I understand that "255.40 per 10,000 children" over four quarters is what's known as "key performance indicator" and helps determine what is satisfactory performance level.

So S.47 enquires:

2022 = 1,393,

2023 = 1,105,

2024 to date 18Aug = 561 ($\div 8 \times 12 = 841?$)

(https://www.whatdotheyknow.com/request/childrens_services_section_47_en?nocache=incoming-2730798).

and

30,100 children in Herefordshire (<https://understanding.herefordshire.gov.uk/population/>).

Therefore divide by three and roughly:

2022 = 450+ per 10,000 children.

2023 = 350+ per 10,000 children.

2024 = 250+ per 10,000 children.

During the same period, neighbouring Worcestershire and your best practice partner, Leeds city council didn't have these KPI numbers, Nothing Like It, Nowhere Near.

So does the Cabinet Member C&YP find these numbers satisfactory?

Response from Cabinet Member Children and Young People:

We do not accept these numbers as "satisfactory". We have acknowledged they are high and the reasons that have affected that during the timeframes referenced. Other authorities each have their own journey and we have highlighted issues that have impacted here in Herefordshire. We are working, with partners, to understand why they remain high and this will enable us to address issues as we work to have a rate of S47 we would expect which are more in line with statistical neighbours.

PQ 6	Mrs McGeown, Weobley	At 30 July 2024, C&YPSC meeting The Corporate Director Children and Young People explained the 'Think Family' approach: "Think Family was a term applied to an existing practice, which involved widening focus from, for example, just a parent and their child, to bringing in the wider extended relatives and considering the impact they had on an individual's life. It involved using knowledge of an individual's wider family/network..."	Cabinet member children and young people
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		Now many loving Herefordshire families of good standing resent interference in their right to family life (Article 8,...there shall be no interference by a public authority with the exercise of this right...) and are horrified at this widening to extended relatives and the potential blighting of their lives. What checks and balances will be in place to prevent Herefordshire Council overreach and unwanted imposition of this on wider family networks?	
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Response:
Thank you for your question.

The “Think Family” approach is two way. It is one intended to ensure we support parent’s and carers through their own networks to meet the needs they may have and/or to provide care for and meet the needs their child/children may have. It also seeks to understand the needs of individuals in those networks that might be impacting on the parents or carers ability to parent, and as such identifying what support might be offered directly to that individual and/or the parent. Only where we are involved in a statutory child protection or care proceedings process and acting on our duty to identify who and how best to meet a child’s/children’s needs would we engage wider family without the consent of a parent.

Specifically, but not exclusively, this will relate to where a child may be at risk of being received into care and where we need to ensure we have identified and considered alternative family members. Even then we would seek the views of the parent as to whether they feel this wider family engagement is appropriate or not and whether they feel it is in their child’s best interest or not, and these views would be taken into account’.

You can also find further information on the Herefordshire Children Safeguarding Partnership website via the following link:
[Think Family - Herefordshire Safeguarding Boards and Partnerships](#)

PQ 7	Ms Price, Hereford	Following months of unresolved complaints to Hereford Council about the effect of LED lighting outside my home I need to re-attend the issue Environmental light pollution contributes to a range of adverse health outcomes including heart disease and premature death. Yet light remains a neglected pollutant, poorly understood and regulated. It can impact negatively on human health through disrupting sleep and circadian rhythms, which also leads to negative social and economic impacts DEFRA has the lead for regulating light pollution, but many of the levers to act on these pollutants lie in other departments eg the Department for Transport and the Department for Levelling Up, Housing and Communities (DLUHC). Responsibility for acting on light pollution lies with local authorities, which come under DLUHC. When will Herefordshire Council step up and at least acknowledge complaints?	Cabinet member environment
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Response:
Thank you for your question, however, the Council’s complaints team have reviewed our records and we do not appear to have received any formal complaints on this matter in the last 5 years from you. Please can you clarify if there is a specific question you would like Council to respond to?

PQ 8	Mr Morawiecka, Hereford	In the Leader's report Appendix 2 One of the Milestones for the year is "Complete "heads of terms" on land acquisition for phase 1 (Southern section of the western bypass)". Herefordshire Council went significantly over budget on land purchases for the City Link Road scheme. How much land and how many agreements with landowners will the Council need to secure to make the target and how much budget for the Southern Link Rd has been allocated for achieving it?	Cabinet member transport and infrastructure
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Response:
 In order to construct the southern bypass the council would need to acquire 22.09Ha of land in agreements with 6 landowners.

Earlier in the year Cabinet approved an estimated budget for land purchase. The council has subsequently procured a land agent who has been able to confirm that the budget is more than sufficient and enabled the council to revise the budget to a more realistic contemporary figure. It would be inappropriate to reveal the current available budget ahead of commercially sensitive negotiations.

Supplementary question:
 The active travel measures that were part of the South Wye Transport (SWTP) project generated many benefits for the original transport package, such as improving physical activity and helping offset the increased air and noise pollution from the road. Now that the Southern Link Road is a standalone road scheme, with no business case and no funding in place to cover the estimated £35million cost, how will Herefordshire Council purchase the land necessary if landowners are not interested in selling and fund these land acquisitions, estimated at £4 million at 2010 land prices in the original outline business case for the SWTP?

Response from Cabinet Member Transport and Infrastructure:
 The Southern Link Road has always been considered as part of a package alongside active travel measures. The Council was successful in its bid for Levelling Up Funds that has allowed the council to progress many elements of the former South Wye Transport Package that was associated with the proposed new road.

Earlier in the year the council committed a budget to enable progress to be made on the southern link road which included a budget for acquiring land. The Council has also procured a land agent who has confirmed that the budget is sufficient to meet current land valuations and has made initial contact with property holders or their land agents.

PQ 9	Ms Reid, Hereford	<p>The Chief Executive's report to the full Council meeting on 11 October 2024 includes:</p> <p>"The new plan [Children's Services Improvement Plan Phase 2] ... is supported by audit, performance indicators and more opportunities for children and families to tell us about their experiences, so we can clearly see where our actions are making a difference."</p> <p>The terms of reference for Parents for Change includes:</p> <p>"To gather the views and experiences of parents in specific areas of focus"</p> <p>"They [attendees] must not have an open complaint or ongoing issues relating to Childrens Services."</p> <p>By excluding parents with an open complaint or ongoing issues, is Herefordshire Children's Services really receiving comprehensive feedback which is necessary to improve?</p>	Cabinet member Children and young people
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Response:
The Parents for Change Group members were originally gained from people who had made a complaint to the Local Authority in the last two years and they co-produced the Terms Of Reference. The core aims and objectives were defined by the parents to foster an active partnership between parents and Children's Services. There was an expectation and commitment from all that no individual children or circumstances will be discussed and they must not have an open or ongoing complaint with the Service.

The exclusions of parents with an open complaint has the intention to stop such meetings being consumed by individual cases rather than the wider aims of the group. There were also concerns that it could impact or duplicate the complaint process in this open forum. Once the issues are resolved parents who have made a complaint can join.

Supplementary question:
The response stated:

"The exclusions of parents with an open complaint [or ongoing issues] has the intention to stop such meetings being consumed by individual cases [and] impact or duplicate the complaint process."

However, as the terms of reference includes:

"there must be a clear commitment at each session that no individual children or circumstances will be discussed"

this would not be the case.

“Mission Statement: The Families’ Alliance for Change [FAC] brings together parents and stakeholders to engage in honest, open and transparent dialogue which seeks to support improvements within Children’s Services both locally and nationally.”

Will Children’s Services engage with FAC either by regular meetings (eg monthly) with its members and/or having a FAC representative(s) attending Parents for Change group meetings?

Incidentally, I suggest the CYP Scrutiny Committee recruits a Families co-optee and a Families (SEND) co-optee.

Response from Cabinet Member Children and Young People

The value of the Parent and Carer voice was understood and families had been engaged in the establishment of the Parents for Change group. Other groups would not be engaged.

Appendix – [NPPF Reform – Herefordshire Council consultation response](#).

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

Question Number	Questioner	Question	Question to
MQ 1	Cllr Dan Hurcomb, Bircher	<p>A number of areas in my Ward are prone to flooding. One, Orleton, has through the hard work of volunteers, undertaken proactive clearance work on the local brook to keep the water flowing and reduce potential for flooding. They have also developed a solution for flooding from the highway which I am pleased to say the Council's Highways Team have helpfully assisted. The work of these volunteers shows that there is no substitute for good proactive maintenance work and collaboration. Whilst the £445k the Council has allocated to local drainage work this year is welcomed, can the Leader confirm that under his leadership this Council will, where budgets allow:</p> <ul style="list-style-type: none"> • Continue to invest additional money in drainage works; • Prioritise works in areas prone to flooding; and • Switch the emphasis from reactive clearing of assets to a schedule of proactive maintenance? 	Leader
<p>Response:</p> <p>Thank you for your question Cllr Hurcomb.</p> <p>In response to your first point, the Council recognises the importance of highway drainage and for 2024/25 a further £1 million has been allocated to this area as part of the Highway Infrastructure Investment programme, alongside the £445k Drainage Grant that you reference and that the Council has recently invited Parish and Town Councils to apply for so as to undertake small improvement schemes. I understand that the Highway Infrastructure Investment programme continues for a further two years and I will be supportive of the use of this money to continue improving drainage assets around the county.</p> <p>In response to your second point, whilst it is obviously important to maintain and improve existing assets where possible to ensure that they perform as well as they can, there is recognition that there will be rainfall events that lead to the capacity of drainage systems simply being exceeded, leading to flooding. In response to this, there is a role that the Council plays in helping to better protect properties that are at risk from flooding across Herefordshire, working with partners such as the Environment Agency to bid for funding from DEFRA to help introduce new flood defences or natural flood management techniques, or to install property flood resilience measures. The Council is committed to working with such partners to secure any available funding for schemes that will benefit residents and businesses in Herefordshire.</p> <p>As to your third point around gully cleansing, the Council already operates a cyclical inspection and cleansing programme of its highway drainage assets on the county's A and B road network and on a reactive basis on other roads. It is likely that the UK will see more frequent, intense weather</p>			

events in future years, which is something that the Council recognises and that forms part of its recently published Climate Change Adaptation Plan. As part of the preparation for the new Public Realm Contract, Officers are reviewing the arrangements that are required in the future, including gully emptying and drainage to ensure the service is fit for the future. As part of this work, I will ask Officers to explore the practical and financial implications of your suggestion.

Finally, I understand that details of known highway drainage assets are routinely captured and mapped on the Council’s highway asset management system. Such assets include highway gullies (the pots on the side of the road), including the pipework associated with them that then leads to water company owned and maintained sewers. Examples of other assets that are captured and mapped include headwalls, trash screens and culverts.

As you have stated, the Council has recently invited Parish and Town Councils to apply for funding through a £445k Drainage Grant to review the existing drainage map of their area and use their local knowledge to log any assets which need adding to our system. Officers have been making arrangements for how this will happen and Parish and Town Councils who have applied for funding will be provided with this information when they are contacted with the outcome of their application.

MQ 2	Cllr Oliver, Saxon Gate	In respect of a planning permission granted to Herefordshire Council in 2010/11. The Council included a provision to carry out road improvements to Holme Lacy Road. Despite Amey drawing up outline proposals this provision has not been carried out. Will the Leader of the Council state that the current administration will bring forward proposals to rectify this omission.	Leader/Cabinet member transport and infrastructure
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Response:
I can confirm that the Council has completed detailed design and intends to seek construction tenders for the improvement measures on the Holme Lacy Road. It has taken some time to do this given the need to tie these improvements into the wider local transport plan for the area but construction of the further active travel improvements funded from the Levelling Up Fund is planned to start in 2025/26 with an approximate 12 months construction period. We will communicate with residents as we get closer to the start of construction around the details of how the works will be delivered.

Supplementary question:
Can assurance be provided that the Holme Lacy traffic calming scheme will commence by 2026?

Response from the Leader:
The Cabinet Member transport and infrastructure will meet with Cllr Oliver to discuss.

MQ3	Cllr Engel, Golden Valley South	I can find no reference in the Leaders’ Report to a discussion that has been taking place in private. This is the notion to merge Herefordshire with a larger county in order to be granted more money – with the accompanying threat that otherwise Herefordshire might “be left behind”. This would not necessarily mean a reunion with our old masters in Worcestershire, but one that would be likely to become known – officially or not – as Shropfordshire or maybe Slopfordshire. I	Leader
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		<p>realise this is in the very early stages. But bad ideas thrive in secret and we have seen this bad idea before.</p> <p>Before a county with a history that predates the Domesday Book disappears again can we have a written assurance that any such decision would be taken by the full unwhipped council after meaningful consultation with the population of Herefordshire.</p>	
<p>Response: Thank you for your question, Cllr Engel.</p> <p>Firstly, I want to address the suggestion that conversations are taking place privately. Categorically and for the public record this is not the case. There are clearly conversations happening across the upper tier of local authorities across England in response to the Government's new devolution policy initiative, which as Leader of this Council you would rightly expect me to be listening to. Every local authority, without a deal in place, is in the same position as Herefordshire Council; awaiting further details from Government before we proceed any further.</p> <p>Crucially, we await further details of the devolution framework but what we do know about devolution is that it is not about the merging of local authorities as you describe in your question.</p> <p>The Council will be tracking developments of the Devolution Bill as it passes through parliament and considering what opportunities devolution could mean for Herefordshire. As soon as further details are received, we will arrange for further all-member briefings to consider the options open to the Council.</p> <p>The chief executive's response, to the deputy prime minister, also confirmed that progress to further stages of Devolution will be subject to Full Council or Cabinet approval as appropriate.</p>			
<p>Supplementary question:</p> <p>There was concern that the devolution process posed a risk that Herefordshire would become part of a larger regional organisation. It was asked whether Council would be given a free vote on the final proposal.</p>			
<p>Response from Leader of the Council:</p> <p>The full details of the devolution were not yet known. An expression of interest had been sent to central government which had been informed by discussions between the Group Leaders. The application to central government would focus on the Herefordshire area and negotiations with central government would be undertaken. The final proposal would be debated by full Council.</p>			
MQ 4	Cllr Harvey, Ledbury North	<p>Please would the Cabinet Member confirm:</p> <ul style="list-style-type: none"> Whether or not he has now received a reply from Government confirming that government funding will be provided to undertake all the works necessary to complete the Southern Link Road (SLR) 	Cabinet member transport and infrastructure

		<ul style="list-style-type: none"> • Whether or not government and both MPs have confirmed their support for the works he has in train to progress the SLR and the Western Relief Road; • What his latest spend figures are for the money taken from council reserves that he is using to progress his plans, and their date; and • To what extent has he personally been, and continues to be, involved in the purchase of land blocks on and adjacent to his proposed route for the roads? 	
<p>Response:</p> <ul style="list-style-type: none"> • The council has received a response from DfT however, at this stage, they are unable to provide further clarification on the mechanism for drawing down upon the Local Transport Fund that was awarded to Herefordshire Council by the previous government. It is hoped that further information will be received before the end of the financial year. • Government have previously confirmed that it would be for local politicians to determine how to spend the money allocated within the Local Transport Fund and therefore have not indicated support one way or the other for the Southern Link Road. The Council has not yet sought explicit approval from the MPs for the scheme but will be doing so upon completion of a revised business case for a western by-pass. The MP for North Herefordshire has previously stated that they are not supportive of the scheme. • The council has currently spent £88,000 to progress the scheme since it was restarted. • I have had informal conversations with property owners. However and for the public record negotiations are quite properly only taking place between officers of the council or their land agent and property owners along the route of the Southern Link Road. 			
<p>Supplementary question: Will the cabinet confirm that the Department for Transport require that the business case for the Southern Link Road demonstrates value for money as a standalone project?</p>			
<p>Response from cabinet member transport and infrastructure: The cabinet member would meet with Cllr Harvey to discuss.</p>			
MQ 5	Cllr Hitchiner, Stoney Street	<p>The greedy and desperate tactics of previous Conservative administrations to housing growth have seen areas of the county hammered by predatory and unplanned development, while the county was unable to deliver on its unnecessarily high growth promises.</p> <p>Now the new Labour Government's clumsy one-size-fits-all approach to calculating housing targets has Herefordshire facing the grim prospect of an utterly undeliverable increase of more than 10,000 in the houses it is expected to magic up by 2041 to over 26,000.</p> <p>Is the Cabinet Member responding 'How high?' to this instruction to 'Jump', or is she squaring up to defend our communities?</p>	Cabinet member environment

		Please would the Cabinet Member inform this council and the public of her intentions as regards these damaging proposals?"	
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Response:

Thank you for your question. The 'predatory and unplanned development' to which you refer is most likely in reference to developments that have come forward as result of a planning appeals and sites that have come forward due to the Council being unable to demonstrate a 5-year housing land supply. The Council has demonstrated a 5-year housing land supply for the last 3-years. This council remains in favour of plan led development as non-plan led development inevitably jeopardises the delivery of infrastructure and completely undermines the plan led system. As a result, in response to the NPPF consultation, the Council has made clear that where mandatory 'aspirational' targets are enforced, the 5-year housing land supply requirement should no longer apply.

The mandatory housing targets as set on in the government's NPPF Consultation takes a new approach to setting housing targets based on a revised formula and data. This means the housing target set for Herefordshire has increased from 773 dwellings per annum to 1,375 dwellings per annum. This would mean 27,500 dwellings over a 20-year plan period. The recent Draft Local Plan (March 2024) consultation set out a target for 16,100 homes over the plan period, so this is a significant proposed increase.

The Council's NPPF consultation response makes clear that this mandatory housing target is set too high for Herefordshire and does not reflect past build rates nor market demand. The response makes clear that the target set is 'highly aspirational' on the part of the government and raises concerns around the delivery of infrastructure to support such levels of growth, in addition to concerns in relation to environmental capacity and the ability to allocate further land for future growth.

Furthermore, the response makes clear that should high mandatory targets be imposed, then the 5-year housing land supply requirement should be abolished as this should not be used against Council's for non-delivery when the targets have been set far in excess of anything that has been achieved previously. This is important and enforces the Council's view that we should not support changes to national planning guidance that would ultimately undermine plan-led decision making.

Supplementary question:

The proposed housing targets were unattainable, there was a lack of capacity in the building trade, inadequate local services and insufficient land supply. Can the cabinet member provide assurance.

Response from Cabinet Member Environment:

The targets under the new methodology were not credible and were opposed. A response from Government to the council's consultation response was awaited. Without investment in infrastructure the targets were not achievable.

