

## **Minutes of the meeting of Council held at Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE on Friday 6 March 2026 at 10.00 am**

**Present:** Councillor Roger Phillips (chairperson)  
Councillor Kevin Tillett (vice-chairperson)

**Councillors:** Polly Andrews, Bruce Baker, Jenny Bartlett, Chris Bartrum, Graham Biggs, Dave Boulter, Harry Bramer, Jacqui Carwardine, Simeon Cole, Frank Cornthwaite, Pauline Crockett, Clare Davies, Dave Davies, Barry Durkin, Matthew Engel, Toni Fagan, Carole Gandy, Catherine Gennard, Peter Hamblin, Liz Harvey, Helen Heathfield, Robert Highfield, David Hitchiner, Dan Hurcomb, Terry James, Jim Kenyon, Jonathan Lester, Nick Mason, Ed O'Driscoll, Aubrey Oliver, Rob Owens, Justine Peberdy, Dan Powell, Philip Price, Ben Proctor, Stef Simmons, Louis Stark, John Stone, Elissa Swinglehurst, Charlotte Taylor, Richard Thomas, Diana Toynbee, Rebecca Tully, Allan Williams, Rob Williams and Mark Woodall

**Officers:** Chief Executive, Director of Governance and Law, Director of Finance, Corporate Director Economy and Environment\*, Head of Service Transformation & Improvement\* and Democratic Services Manager

\*denotes virtual attendance

### **49. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Dykes, Foxton, Ivan Powell, Spencer and Stoddart.

### **50. DECLARATIONS OF INTEREST**

Councillor Fagan declared an interest in agenda item no. 4, Chairman's and Chief Executive's Announcements as a trustee of Llanwarne Village Hall.

### **51. MINUTES**

**RESOLVED:** That the minutes of the meeting held on 13 February be confirmed as a correct record and signed by the Chairman.

### **52. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS**

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

### **53. QUESTIONS FROM MEMBERS OF THE PUBLIC (PAGES 7 - 10)**

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

**54. QUESTIONS FROM MEMBERS OF THE COUNCIL (PAGES 11 - 18)**

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

**55. 2026/27 COUNCIL TAX SETTING REPORT**

Council considered a report from the Leader of the Council to set the council tax precepts for 2026/27. It was noted that the report and recommendations were contained in the supplement published on 27 February and the Chairman explained a correction to the year quoted in recommendation (a) which should be amended to 2026/27.

The Leader proposed the recommendations and introduced the report.

Councillor Swinglehurst seconded the recommendations.

The council tax precepts for 2026/27 were put to the recorded vote and carried by a simple majority.

FOR (46): Councillors Andrews, Baker, Bartlett, Bartrum, Biggs, Boulter, Bramer, Carwardine, Cole, Cornthwaite, Crockett, Clare Davies, Dave Davies, Durkin, Engel, Fagan, Gandy, Hamblin, Harvey, Heathfield, Highfield, Hitchiner, Hurcomb, James, Kenyon, Lester, Mason, O'Driscoll, Owens, Peberdy, Phillips, Dan Powell, Price, Proctor, Simmons, Stark, Stone, Swinglehurst, Taylor, Thomas, Tillett, Toynbee, Tully, Allan Williams, Robert Williams and Woodall.

Against (0)

Abstentions (2): Councillors Gennard and Oliver

**RESOLVED:**

**That:**

- a) The precepting authority details included at appendices 1 to 5, relating to town and parishes, West Mercia Police and Hereford and Worcester Fire Authority be approved in accordance with sections 30(2), 34(3), 36(1) and section 40 of the Local Government Finance Act 1992 (as amended) and that the following amounts be approved for the year 2026/27 in accordance with sections 31 to 36 of the Local Government Finance Act 1992 (as amended by the Localism Act 2011); and**
  - a. £506,912,461 being the estimated aggregate expenditure of the council in accordance with section 31A (2) of the act, including all precepts issued to it by parish councils;**
  - b. £346,343,000 being the estimated aggregate income of the council for the items set out in section 31A (3) of the act (including revenue support grant);**
  - c. £160,569,461 being the amount by which the aggregate at (a) above exceeds the aggregate at (b) calculated by the council in accordance with section 31A(4) of the act, as its council tax requirement for the year (including parish precepts); [Item R in the formula in Section 31B of the Act];**
  - d. £2,160.65 being the amount at (c) above divided by the amount of the council tax base calculated by the council, in accordance with section 31B of the act, as the basic amount of its council tax for the year (including parish precepts);**

- e. £6,912,461 being the aggregate amount of all special items (parish precepts) referred to in section 34(1) of the act;
  - f. £2,067.63 being the amount at (d) above less the result given by dividing the amount at (e) above by the amount of the council tax base calculated by the council, in accordance with section 34(2) of the act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no parish precept relates (Herefordshire Council band D council tax, excluding parishes); and
- b) It is agreed that the net tax base of 74,315.25 band D equivalent properties (being the gross tax base adjusted for an assumed collection rate) used for setting the budget requirement for 2026/27;
- a. is allocated to band D equivalent dwellings per precept area as shown in appendix 1; and
  - b. the individual council tax allocations per valuation band of dwelling by parish (including fire and police precepts) as set out in appendix 5.

## 56. APPOINTMENT TO COUNCIL COMMITTEE

Council considered the appointment of the vice chairperson of the Employment Panel.

The Chairman proposed a motion that Councillor Liz Harvey be appointed as vice chairperson of the Employment Panel for the remainder of the municipal year. The motion was seconded and put the vote; the motion was carried.

**RESOLVED: That Councillor Liz Harvey is appointed as the vice chairperson of the Employment Panel for the remainder of the current municipal year.**

## 57. LEADER'S REPORT

The Leader presented his report on the activities of Cabinet since the meeting of Council in December 2025.

Council questioned the Leader and the following action was raised:

- A meeting would be arranged a meeting with the Cabinet Member Corporate Director Community Wellbeing, the Cabinet Member Adults, Health and Wellbeing and any interested member to discuss the extension of the Council's care homes (unified) contract.

*There was an adjournment at 10:55 a.m.; the meeting reconvened at 11:15 a.m.*

*Councillors Biggs and Highfield left the meeting at 10:55 a.m.*

## 58. NOTICES OF MOTION UNDER STANDING ORDERS

### **Motion – Reinstatement of Hereford, Ross and Gloucester rail link**

Councillor Stark proposed and introduced the motion.

Councillor O'Driscoll seconded the motion.

Council debated the motion.

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

FOR (21): Councillors Andrews, Baker, Bartlett, Bartrum, Carwardine, Cole, Clare Davies, Fagan, Gennard, Heathfield, James, O'Driscoll, Oliver, Owens, Peberdy, Dan Powell, Proctor, Simmons, Stark, Tillett and Woodall.

Against (18): Councillors Boulter; Cornthwaite, Crockett, Dave Davies, Durkin, Engel, Gandy, Harvey, Hitchiner, Hurcomb, Kenyon, Price, Stone, Swinglehurst, Taylor, Thomas, Allan Williams and Robert Williams

Abstentions (7): Councillor Bramer, Hamblin, Lester, Mason, Phillips, Toynbee and Tully.

**RESOLVED: That:**

### **Proposal**

**We should position Herefordshire early to take advantage of this move towards more local control of rail in shaping our rail strategy. That should include making a central pillar of the upcoming rail strategy, a bold, ambitious and visionary commitment towards the reestablishment of the Hereford, Ross and Gloucester rail link. This can then become one of our fundamental goals of rail devolution in the Midlands, as well as forming a more rounded transport infrastructure offering to Govt. for funding. As a first step, this motion proposes carrying out an initial feasibility study.**

### **Local Context**

**Council agreed the 5th Local Transport Plan in December which aspires under Policy TN10 on rail to work with partners to enhance rail services across Herefordshire as well as long distance rail services with London and B'ham. The Cabinet lead said that this would be underpinned by a supplementary Rail Strategy.**

### **Wider context**

**The Govt, laid landmark legislation, the Railways Bill, before Parliament last November which will fundamentally alter the rail landscape in Great Britain. The Bill aims to nationalise trains and reform the railway, so it better serves passengers unveiling the new look Great British Railways, bringing track and train back together. It represents a new railway, focused entirely on delivering a proper public service for passengers. Mayoral strategic authorities (MSAs) will be able to apply for full statutory and financial responsibility for local rail services, infrastructure and/or control of stations (full devolution), where this accelerates improvements for passengers and supports a more integrated network.**

### **Benefits**

**Establishment of a strategic rail corridor from the edge of England to the heart of London, Bristol and the South.**

**Reestablishment of the rail link between two of the oldest English cities and the birthplace of British tourism.**

**Provides an additional rail link from London and Bristol to South and West Wales, including ferry ports, avoiding the Severn Rail Tunnel.**

**Enabling inward investment and a step-change in economic growth through strategic infrastructure investment in rail.**

**Supports the pro-choice travel goal of LTP5 as well as its aim for equity of transport access for the less advantaged.**

**Represents a modal shift in travel across the County and beyond.**

**Allows the Council to present a much more balanced package of transport infrastructure measures to the Govt for funding.**

**Enables the start of an enhance partnership with Gloucestershire, an important neighbouring authority.**

**Puts Herefordshire at the heart of the emerging revolution in delivery of rail services.**

**The resolution**

**This Council instructs the Executive to take five actions:**

- 1) Enter early discussions with Gloucestershire County Council on the possibility of a joint feasibility study on the reestablishment of the rail link.**
- 2) Write to the Secretary of State for Transport to set out our stall and see the likely support and possibility of funding for a feasibility study.**
- 3) In parallel, test the market for any private finance interest in backing a feasibility study.**
- 4) Engage with relevant partners and the engineering sector to seek specialist expertise for writing and scoping a feasibility study, including costs.**
- 5) Report back on progress to Council within 12 months.**

The meeting ended at 12.01 pm

**Chairman**



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

Question Number	Questioner	Question	Question to
PQ 1	Ms Laan, Hereford	As I am a cyclist now recently owning an ebike, would it be possible to know if I will still be able to cycle to Sainsbury, Belmont post office, Hereford library and other services from Breinton Common? I believe the bypass will cut right across the lanes I use with no plans for an underpass for these delightful lanes? How will I therefore be able to get safely to the services? The bus from here only goes on a Wednesday morning allowing a minimum of an hour and a half before returning. This short time doesn't help Hereford shops or cafes which is why I go by bike.	Cabinet member transport and infrastructure
<p><b>Response:</b> There is no intention for the bypass to cut off access through any lanes. Phase One has been fully designed and construction will start later this year. The design includes bridges so that no lanes will be blocked. Phase Two which will cross the river near Breinton and go northwest around Hereford and will cross over routes that you would use to access Hereford. The detailed design of this phase is not completed but at this time there are no plans to close or block any existing lanes.</p>			
PQ 2	Mr Milln, Hereford	Planning application 184535 related to archaeological work required conditional on the consent for application 151314. On the basis of supply of a written scheme of investigation (a brief) the application won a partial discharge. The actual archaeological work was completed with a report towards the end of last year. Assuming the report is deemed to be satisfactory an application for full discharge can now be made. When can we expect to see this?	Cabinet member environment
<p><b>Response:</b> The condition has been fully discharged all details can be found here: <a href="#">Planning Application Details - Herefordshire Council</a></p>			
<p><b>Supplementary Question:</b>                      The response to my question is untruthful, not alas for the first time.                      Condition 9 of the consent on application 151314 has <b>not</b> been fully discharged. The published decision notice makes it perfectly clear that it (184535) is for a <u>partial discharge</u>.                      The Council's Briefing notes for the Bypass Project Board meeting of 3<sup>rd</sup> June 2025, arising from the AECOM review, also make this clear. This is because, as your senior officer explained, the archaeological excavation on which full discharge is dependent had not been completed with a report. However a report has now finally been received so Herefordshire Council can now apply to itself for <b>full</b> discharge of the Condition subject to approval of our Planning Archaeologist. So I ask again, when can we expect to see this application? Next week, next year? Its a perfectly simple question Cllr Swinglehurst. Can you at least estimate as to when?</p>			

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<b>Response:</b> A written response would be provided.			
PQ3	Mr Sherlock, Hereford	Of the 45.3 million identified in the Capital programme position for the phase 1 bypass construction in 26/27 only 4.6 million is shown as being provided through grant funding. How is the additional 40.7 million (sourced through 'prudential' borrowing) secured and what is the risk profile to the public purse should the scheme not proceed?	Cabinet member transport and infrastructure
<b>Response:</b> Phase one of the Hereford Bypass has a total capital budget of £45.3 million, funded through £5 million of capital receipts and £40.3 million in prudential borrowing. Borrowing via the Public Works Loan Board is a standard and low-risk mechanism for councils, offering secure and affordable long-term rates in line with professional Treasury Management advice. All borrowing decisions are made by the council's Section 151 Officer in accordance with the CIPFA Prudential Code to ensure they are affordable, prudent and sustainable. The council is fully committed to delivering the bypass in full. However, in the unlikely event that the scheme did not proceed, any expenditure that had not created a capital asset would need to be decapitalised and met from revenue reserves, creating an unplanned financial pressure.			
PQ 4	Mr Morfett, Hereford	The Leaders report mentions the Councils recently adopted Herefordshire Tree, Hedgerow and Woodland Strategy which I fully support. In his report he says "The resulting Herefordshire Tree, Hedgerow and Woodlands Strategy encourages residents, landowners, organisations and partners to take their own actions in support of a shared vision for a more connected treescape across the county. It sets out an ambitious but realistic long-term vision for conserving, improving and expanding Herefordshire's trees, hedgerows and woodland network". How does the construction of the Hereford Southern Link Road with the destruction of ancient woodland, (remnants of the royal hunting area of Haywood), and the felling of many ancient and venerable trees, accord with this Council adopted Strategy?	Cabinet member transport and infrastructure
<b>Response:</b> The Hereford Bypass does not detract from the Council's ambitions in the Tree, Hedgerow and Woodland Strategy, and we are committed to delivering it in a way that protects and enhances the natural environment. Phase One includes extensive new tree and hedgerow planting, with additional land being secured for mitigation. The construction compound will also be restored and planted once works are complete. Although the route touches only a small corner of the woodland, we will keep impacts to an absolute minimum and preserve as much as possible. The Hereford Bypass is essential for easing congestion, improving resilience and supporting the county's future, and we are determined to deliver it responsibly and sustainably.			
PQ 5	Mr Stephenson, Ledbury	Herefordshire residents are sick of perceived wastage by the council and seeing little to no output for its increasingly expensive council taxes. Does the council acknowledge, that it cannot simply increase council tax by the maximum, year upon year, and that it is unfair to levee its waste and shortfalls against hard working and struggling constituents? It's time to stop with the default answer of blaming	Leader / Cabinet member finance and corporate services

		central government and be transparent about what you are doing with OUR money and what savings you are first making in house, before coming to us cap in hand. Contrary to Herefordshire council's belief, the people of Herefordshire do not have bottomless pockets.	
<p><b>Response:</b> Herefordshire Council has a long record of sound, prudent financial management and continues to be assessed as financially resilient. Over recent years the Council has delivered more than £40 million in savings while protecting essential services and investing in the county's future. The current financial pressures are driven primarily by the recent Fair Funding Review, which has left Herefordshire with one of the worst funding settlements in the country. This has created a £17.3 million reduction in Government funding over three years and assumes councils will raise council tax by the maximum allowed (without a referendum). To bridge this gap, the Council is delivering a significant £20 million savings programme through service transformation, efficiency and income generation. Despite these challenges, the Council continues to invest in infrastructure and improve services. Just last year the LGA Corporate Peer Review describing the council as "good" and striving to improve, while Ofsted recently rated Children's Services as "good", with "outstanding" leadership. We recognise the pressures many residents face and remain committed to managing public finances responsibly, transparently and in the best interests of Herefordshire.</p>			
PQ 6:	Mr Osborne-Brookes	"It is good to see that the expansion of rail services is being promoted for Herefordshire, as it fits with the Council's ambitions of promoting sustainable growth and reducing carbon emissions. The Leader of the Council has previously said that reopening a station at Pontrilas is a council priority, which is supported by the local MP, Jesse Norman. Herefordshire Council was working on a strategic Outline Business Case over a year ago, though I understand one had already been drafted in 2020 along with a feasibility study. Would the Cabinet member please update residents as to what progress is being made to deliver a new station at Pontrilas alongside wider rail initiatives?"	Cabinet member transport and infrastructure
<p><b>Response:</b> The Council is carrying out a countywide rail strategy review, which includes looking at the potential for a stop at Pontrilas alongside wider priorities such as doubletracking between Hereford and Ledbury and improved regional connectivity. The purpose of the review is to identify realistic, deliverable options for strengthening rail access across Herefordshire and to provide a strong evidence base for future investment and lobbying. The study is underway, and its findings will be reported later this year.</p>			
PQ 7:	Carole Protherough	"The Cabinet announced that the 2026/27 budget is supporting the local economy by giving car drivers 30 minutes free car parking on street and in Council car parks. For young people who have paid for a £1,000 bus pass to access services and education, what assessment was undertaken to show that extending these passes for students to use on evening and weekend buses would not be cost effective and would not support the high street and hospitality sector as much as 30 minutes free parking every day for car owners?"	Cabinet member transport and infrastructure
<p><b>Response:</b> The Council is introducing the Pop &amp; Shop scheme later this year: 30 minutes' free parking in all Council-owned car parks and on-street in Hereford to support quick trips and boost local trade. This practical measure is designed to increase short-stay visits and help high-street businesses.</p>			

We have explored extending school bus passes for 16–19-year-olds to evenings, weekends and holidays. The initial assessment found significant financial and technical barriers: additional operator payments would be required and the current pass system is not yet interoperable across multiple operators. A small allocation has been set aside in 2026/27 to design a tightly scoped pilot - testing limited extensions (by time or geography) and viability, i.e. fundable within budget, can operable across operators and demonstrably value for money.

In parallel, on 5 February 2026, in response to a council motion, the Cabinet member for Transport and Infrastructure wrote to the Secretary of State for Transport seeking Government support and co-funding for local pilots and progress towards a national approach to discounted or free youth travel - reflecting the scale of costs identified and rural service realities.

We will report back on the pilot design and feasibility in due course.

PQ 8:	Mrs Elizabeth Morawiecka	The Leaders report says that the Council is looking to improve access to the Hereford Enterprise Zone, particularly from south-west Herefordshire and South Wales by constructing the Hereford Southern Link Road. The railway bridge at Pontrilas has a height restriction that requires lorries over 4.4m from South Wales to travel via the A49 from Ross-on-Wye/Monmouth to Hereford. What is the council doing to address this significant road constraint to large commercial vehicles seeking to access the Rotherwas Enterprise Zone from South Wales?	Cabinet member transport and infrastructure
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**Response:** Initial analysis of draft traffic data modelling indicates immediate benefits in relation to HGVs in this area by delivering phase one of the Hereford bypass. That data will be shared publicly in due course once the full analysis has been completed.

**Supplementary Question:**

Thank you. The answer indicates that vehicles or loads over 4.4m high from the South Wales area will need to continue to leave the A465 at Abergavenny and go via the A40 to Monmouth, then the A466 and come into Hereford on the northbound A49. Therefore, lorries from South Wales will not use the Southern Link Road to get to Rotherwas, as they will already be on the A49 and can access the Hereford Enterprise Zone directly and the new Southern Link road will provide no benefit to them. Due to the height constraint at Pontrilas, please confirm that the draft traffic modelling reflects that the accessible route for HGVs over 4.4m travelling from South Wales to the Hereford Enterprise Zone is via the A49 northbound into Hereford and not via the A465?

**Response:**

The HGV data comes from a September 2025 traffic count which we can provide. It is real data.

*HGV data provided to the questioner on 13 March 2026*

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

Question Number	Questioner	Question	Question to
MQ 1	Cllr Hitchiner, Stoney Street	<p>Now that Shropshire Council have cancelled their road project due to cost overruns, lack of funding, and poor value for money, what steps are Herefordshire Council taking to recover LEP money paid to the then Conservative led Shropshire Council by way of a conditional grant, for failure to deliver the road?</p> <p>The Committee that considers this matter is the Marches Joint Committee which has only met once with 4 meetings postponed. A key function of the Committee set out in the Terms of Reference is “Ongoing oversight, monitoring and review of ongoing grants, assets, programmes, or initiatives until such time as they cease or are transferred”.</p> <p>The Terms of Reference also require annual reports to be provided to each Council and for all decisions to be open to scrutiny by each Council. When will these obligations be fulfilled?</p>	Leader
<p><b>Response:</b> Shropshire Council has not cancelled the Oxon Link Road, which is the scheme funded by the Marches LEP. The project they cancelled in February was a different one. Shropshire will bring an update on the Oxon Link Road to the next Marches Joint Committee meeting, where any changes to the funding agreement will be considered. Since the closure of the Marches LEP, no decisions have been required from the Committee, but directors from the three councils continue to meet every two weeks to oversee the remaining legacy projects. The Committee remains committed to publishing an annual report and will do so when there are decisions and developments to report. In the meantime, Shropshire Council as the lead statutory body continues to report operational updates to UK government. While Herefordshire Council has sought to convene the Committee – it must meet in person – not all members have been able attend due to ongoing and understandably important other matters. We look forward to the Committee meeting as soon as possible.</p>			
<p><b>Supplementary Question:</b>            You refer to the Oxon relief road. The LEP recommend a clawback of the finance provided for the Oxon relief road if a contractor was not appointed by May 2024 and work not started by 31st of March 2025. Has a contractor been appointed and has work started given the possibility that clawback should have occurred. How is this likely when the terms of reference of the March's joint committee refer to the need for unanimous decision-making which will mean Shropshire voting in favour of repayment of a loan by them? Does the leader support such an</p>			

arrangement where there are clear conflicts of interest? I anticipate some horse trading between councils. Will the leader please ensure that when decisions are eventually made they will be communicated openly and subject to appropriate scrutiny?

**Response to supplementary question:**

We will make sure that the decision is made openly and transparently. With regard to the Oxon Link Road and the previous meeting that you're referring to, I will get clarification on that point.

MQ 2	Cllr Engel, Golden Valley South	I note the council's figure of 3,000 potholes being repaired since January, which equals one and a half pothole for each mile of Herefordshire's highways. Can you tell me how many reported potholes have still not been repaired as of this week? And can you estimate how long it will take to clear the backlog?	Cabinet member roads and regulatory services
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**Response:** As of 3 March, there are 5,774 reported potholes on the network at different stages of their response times. These aren't all immediately due for repair, because defects are prioritised in line with our Highway Maintenance Plan, with response times ranging from 2 hours to 56 days. Crews are currently repairing around 150 defects a day, supported by additional teams and extended working hours. This winter has seen exceptional levels of road damage, caused by prolonged wet and cold weather. This pattern is being seen across the country, not just in Herefordshire, and it has significantly increased the volume and speed of pothole formation.

To tackle this, the Council has committed record levels of investment into road maintenance. Over the past 18 months, we have invested £43 million, nearly double the level of investment made in 2022/23 by the previous administration. This has already delivered 47 miles of resurfacing and 62 miles of surface dressing this year. Last month, Council approved a further £12.3 million of capital funding for 2026/27, enabling improvements to 84 more miles of road. This unprecedented investment, combined with the increased workforce on the ground, is helping us tackle both the ongoing backlog and the new defects caused by severe weather.

**Supplementary question:**

Although it was indeed wet, it was not a cold winter; one of the warmest winters on record. Surely the Councillor has sensed the same feeling in his electoral ward as I have in mine. Residents want safe, even, well- drained, decent, puncture-free, first world roads as the number one priority rather than the southern link road which will have no impact virtually on their lives or anything except the council's debt.

**Response to supplementary question:**

It's a combination of things for potholes, which was the saturation of the roads and the cold weather. And it wasn't a particularly cold weather, I understand. Yes. But it still happens. And we have got many pothole teams out there working hard on our highways. Unfortunately, the potholes have grown exponentially this winter. So, we are working hard and we are aiming to succeed.

MQ 3	Cllr Crockett, Queenswood	<p>Theme 1, item 2 of the Leader's Report states that: 'Re-procurement of Herefordshire Independent Adult Advocacy Services' is due in July 2026.</p> <p>Please would the Cabinet Member explain how this service has been publicised and accessed, and how many residents has it served each year over the last 5 years?</p> <p>What changes, if any, are proposed for the new contract, and how has the use of the service over the past 5 years influenced the proposed contract that is out for tender?</p>	Cabinet member adults, health and wellbeing
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**Response:** Access to the service is needs-led rather than demand-led, and individuals are referred where they meet the statutory criteria for advocacy support — for example, where they have substantial difficulty in being involved in decisions about their care and have no other appropriate person able to support them.

The service is publicised through a range of appropriate channels, including the Talk Community Directory, information provided directly to residents and carers and guidance issued to social care practitioners and partner organisations.

In practice, the majority of referrals come through professional routes such as adult social care teams, NHS partners, safeguarding pathways, and mental health services, in line with statutory guidance. This reflects the fact that statutory advocacy is most often triggered through professional assessment rather than self-referral.

The contract has been delivered by Onside Advocacy for the past five years. Annual activity levels are monitored through the Council's contract management processes, and reflect fluctuations in levels of need, variations in case complexity, and wider system pressures.

Over the past 5 years 7320 people have used the service.

The new contract will continue to deliver all required forms of statutory advocacy, including:

- Care Act Advocacy,
- Mental Capacity Act Advocacy (including Independent Mental Capacity Act service and Deprivation of Liberty Standards/Liberty Protection Safeguards when enacted),
- Independent Mental Health Advocacy, and
- NHS Complaints Advocacy.

The updated service specification has been informed by learning from the current contract, including patterns of demand over the last five years, increasing case complexity, and the need for flexibility and responsiveness to changing system pressures.

Overall, the re-procurement aims to ensure continuity of a high-quality, legally compliant service that is responsive to local need and equipped to meet demand effectively over the life of the new contract.

**Supplementary question:**

I am keen to understand what the year figures were for access to this service. Really, to understand what the trend is and as far as need versus demand is concerned which is referred to in the response. Who is the arbiter where demand is the driver from an individual as regards whether or not there is actual genuine need?

**Response to supplementary question:**

A written response would be provided.

*Written response provided on 9 March:*

**Figures for independent advocacy September 2021 to August 2025**

	2021/22	2022/23	2023/24	2024/25	
IMCA	231	247	276	202	
RPR	925	991	907	1012	
IMHA	293	317	340	294	
IHCA	86	68	42	15	
Care Act	191	233	221	167	
Community	85	69	38	70	Total
	1811	1925	1824	1760	7320

*There is no single arbitrator who decides whether an individual should receive independent advocacy. Decisions are set out in law and flow from statutory duties (see below), with responsibility resting with the relevant professional or organisation, depending on the type of advocacy involved.*

*Independent advocates do not determine eligibility and do not act as decision-makers. Their role is to provide support once the legal criteria are met, not to decide whether advocacy should be offered.*

*Where there is any disagreement about whether advocacy applies, this is resolved through professional judgement and escalation within statutory frameworks, rather than by referral to an external arbitrator or panel.*

*In short, eligibility for independent advocacy is defined in legislation and is not a discretionary or subjective decision.*

For **Care Act Advocacy** (Care Act 2014), the decision is made by the local authority practitioner (for example, the social worker) who is carrying out the Care Act assessment, care and support planning, or review.

An advocate must be arranged where the practitioner identifies that:

- the person has substantial difficulty in being involved in the process, and
- there is no appropriate person (such as a family member or friend) able to support their involvement.

This is a statutory test, not an arbitrated decision.

**An Independent Mental Capacity Advocate (IMCA)** is required under the Mental Capacity Act 2005 in specific situations where a person has been assessed as lacking mental capacity to make a particular decision, including:

- serious medical treatment decisions, or
- long-term accommodation decisions,

and where the person has no appropriate family member or friend to represent them.

In these circumstances, the local authority or NHS body has a legal duty to instruct an IMCA. Once the statutory criteria are met, the appointment of an IMCA is mandatory, not discretionary.

Where a person is subject to a deprivation of liberty, a **Relevant Person's Representative (RPR)** is appointed to support and represent the person on an ongoing basis, helping them to understand their rights, maintain contact with services, and challenge the deprivation of liberty if appropriate, including by accessing IMCA support where required.

#### **Independent Mental Health Advocate (IMHA)**

An IMHA works only with people who are:

- detained in hospital under the Mental Health Act, or
- subject to a Community Treatment Order (CTO).

IMHA eligibility is set out in the Mental Health Act 1983 (as amended). Individuals who meet the criteria are legally entitled to IMHA support.

In Herefordshire, IMHA operates on an opt-out basis, meaning eligible individuals are proactively offered advocacy and can choose whether or not to engage. The advocate does not decide eligibility; it is determined by the person's legal status under the Act.

**NHS Complaints Advocacy** is available to people who are eligible under NHS complaints regulations. Individuals can self-refer, or be referred by professionals. Eligibility is again determined by statutory guidance rather than arbitration.

MQ 4	Cllr Harvey, Ledbury North	<p>The last budget report relates to the council's finances back in September 2025. It showed 'at risk' £1.4m of undelivered recurrent savings carried in from the previous financial year.</p> <p>During the budgeting process for next financial year, these undelivered and at risk savings were not made visible and Scrutiny recommended that – given the point in</p>	Leader
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		<p>the financial year when the budget is approved - the administration should make some effort to forecast the amount of undelivered 'at risk' savings likely to be carried into the coming financial year.</p> <p>Will the Leader place on the public record as to where the money is coming from to plug the £1.4m hole in this year's budget and what undelivered recurrent savings are likely to be carried into next financial year in addition to the £30m of savings proposed to balance next year's budget.</p>	
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**Response:** The 2026/27 Revenue Budget report considered by Cabinet on 20 January 2026 and 5 February 2026 and Scrutiny Management Board at its meeting on 23 January 2026 included information in respect of the delivery of approved savings for 2025/26 and savings brought forward from previous financial years. This information is explicit in paragraphs 103 to 105 of the 2026/27 Revenue Budget Report and paragraphs 15 to 17 of the Q2 2025/26 Budget Report and Annex 2 of Appendix D: Status of delivery of brought forward savings at 30 September 2025 (Quarter 2).

Of the £11.9m of savings brought forward from 2024/25, £10.5m are forecast to be delivered or on track for delivery. The remaining £1.4m is reported as 'at risk' for 2025/26. This £1.4m relates to the 2024/25 saving target S6, which aimed to reduce the Hoople SLA contract value and deliver workforce related savings. Of that target, £480k has been achieved, but £1,420k has not been delivered and is therefore recorded as 'at risk' at Quarter 2.

Activity to deliver or mitigate 'at risk' savings will continue over the remainder of the financial year as part of the robust financial management arrangements. Any savings not delivered recurrently in 2025/26 will be carried forward to be managed and monitored alongside the £20.0m approved savings target for 2026/27.

The status of savings at Quarter 3 (December 2025) will be reported to Cabinet on 26 March 2026.

**Supplementary question:**

The question wasn't actually answered. Again, there seems to be a trend here. I'm heartened to hear his commitment to openness and transparency. I'd like to see it evidenced in the way that written questions from the public and from Councillors are actually being answered by his administration. We're three weeks away from the end of the financial year. It is simply not acceptable to come to this council with the answer to a written question saying we'll tell you about how we saw things at the end of December with the Q3 report when we meet with cabinet in two weeks time when it should be clearly possible for the leader to state where this 1.4 million pounds is going to come from to plug this hole in our in-ear budget and in the budget for the coming year.

**Response to supplementary question:**

I have answered the question. It's before you and with regard to delivering the savings, we will report on that at the next cabinet meeting.



