

Corporate Support Centre
Paul Satoor - Chief Executive

To: All members of the Council

our ref: Council - 9 October 2026
contact: Matthew Evans, Democratic Services
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1 October 2026

Dear Councillor,

You are hereby summoned to attend the meeting of the Herefordshire Council to be held on **Friday 9 October 2026** at the Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE at **10.00 am** at which the business set out in the attached agenda is proposed to be transacted.

Yours sincerely
Claire Porter



Monitoring Officer

AGENDA

Council

Date: **Friday 9 October 2026**

Time: **10.00 am**

Place: **Conference Room 1 - Herefordshire Council, Plough Lane
Offices, Hereford, HR4 0LE**

Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

Matthew Evans, Democratic Services

Tel: 01432 383690

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If you would like help to understand this document, or would like it in another format or language, please call Matthew Evans, Democratic Services on 01432 383690 or e-mail matthew.evans@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Council

Membership

Chairman
Vice-Chair

Councillor Roger Phillips
Councillor Kevin Tillet

Councillor Polly Andrews
Councillor Jenny Bartlett
Councillor Graham Biggs
Councillor Harry Bramer
Councillor Simeon Cole
Councillor Pauline Crockett
Councillor Dave Davies
Councillor Mark Dykes
Councillor Toni Fagan
Councillor Carole Gandy
Councillor Peter Hamblin
Councillor Helen Heathfield
Councillor David Hitchiner
Councillor Terry James
Councillor Jonathan Lester
Councillor Ed O'Driscoll
Councillor Rob Owens
Councillor Daniel Powell
Councillor Philip Price
Councillor Stef Simmons
Councillor Louis Stark
Councillor John Stone
Councillor Charlotte Taylor
Councillor Diana Toynbee
Councillor Allan Williams
Councillor Mark Woodall

Councillor Bruce Baker
Councillor Chris Bartrum
Councillor Dave Boulter
Councillor Jacqui Carwardine
Councillor Frank Cornthwaite
Councillor Clare Davies
Councillor Barry Durkin
Councillor Matthew Engel
Councillor Elizabeth Foxton
Councillor Catherine Gennard
Councillor Liz Harvey
Councillor Robert Highfield
Councillor Dan Hurcomb
Councillor Jim Kenyon
Councillor Nick Mason
Councillor Aubrey Oliver
Councillor Justine Peberdy
Councillor Ivan Powell
Councillor Ben Proctor
Councillor Adam Spencer
Councillor Pete Stoddart
Councillor Elissa Swinglehurst
Councillor Richard Thomas
Councillor Rebecca Tully
Councillor Rob Williams

Agenda

	Pages
NOLAN PRINCIPLES	9 - 10
1. APOLOGIES FOR ABSENCE To receive apologies for absence.	
2. DECLARATIONS OF INTEREST To receive any declarations of interest by Members in respect of items on the Agenda.	
3. MINUTES To approve and sign the Minutes of the meeting held on 24 July 2026.	11 - 24
4. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS To receive the Chairman and Chief Executive's announcements.	25 - 30
How to submit questions	
<i>The deadline for submission of questions for this meeting is:</i>	
<i>5:00 p.m. on Monday 5 October 2026.</i>	
<i>Questions can be submitted via the Online questions portal Further information and guidance is available at Get involved - Herefordshire Council</i>	
<i>Accepted questions and the response to them will be published as a supplement to the agenda papers prior to the meeting.</i>	
<i>Full details about asking questions and the deadlines at public meetings can be found here: constitution of the council</i>	
5. QUESTIONS FROM MEMBERS OF THE PUBLIC To receive questions from members of the public.	
6. QUESTIONS FROM MEMBERS OF THE COUNCIL To receive any written questions from members of the Council.	
7. CONSTITUTIONAL UPDATES To propose amendments to the constitution.	31 - 74
8. LEADER'S REPORT To receive a report from the leader on the activities of the executive (cabinet) since the meeting of Council on 24 July 2026.	75 - 106
9. NOTICES OF MOTION UNDER STANDING ORDERS To consider Notices of Motion.	107 - 112

YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

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Members of the public are advised that if you do not wish to be filmed or photographed you should let the governance services team know before the meeting starts so that anyone who intends filming or photographing the meeting can be made aware.

The reporting of meetings is subject to the law and it is the responsibility of those doing the reporting to ensure that they comply.

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Public transport links

The Herefordshire Council office at Plough Lane is located off Whitecross Road in Hereford, approximately 1 kilometre from the City Bus Station. The location of the office and details of city bus services can be viewed at:

<http://www.herefordshire.gov.uk/downloads/file/1597/hereford-city-bus-map-local-services>,

**The Seven Principles of Public Life
(Nolan Principles)**

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

Minutes of the meeting of Council held at Conference Room 1 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE on Friday 24 July 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, Jacqui Carwardine, Simeon Cole, Frank Cornthwaite, Pauline Crockett, Clare Davies, Dave Davies, Barry Durkin, Mark Dykes, Matthew Engel, Toni Fagan, Elizabeth Foxton, Carole Gandy, Catherine Gennard, Peter Hamblin, Liz Harvey, Robert Highfield, David Hitchiner, Dan Hurcomb, Terry James, Jim Kenyon, Jonathan Lester, Nick Mason, Ed O'Driscoll, Aubrey Oliver, Rob Owens, Justine Peberdy, Philip Price, Ben Proctor, Stef Simmons, Adam Spencer, Louis Stark, Pete Stoddart, John Stone, Elissa Swinglehurst, Charlotte Taylor, Richard Thomas, Diana Toynbee, Rebecca Tully, Allan Williams, Rob Williams and Mark Woodall

Officers: Democratic Services Manager, Corporate Director Community Wellbeing and Director of Governance and Law

11. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Biggs, Bramer, Harvey, Heathfield, D Powell and I Powell.

12. DECLARATIONS OF INTEREST

Councillor David Hitchiner declared an interest as a local resident to the proposed bypass. Cllr Hitchiner outlined the dispensation he had been granted to speak and take part in all meetings that discuss the matter.

Councillor Ben Proctor declared that he represented Hereford City Council on the Stronger Towns Board which was involved in the funding arrangements for the Shirehall project.

13. MINUTES

RESOLVED: That the minutes of the meeting held on 22 May 2026 be confirmed as a correct record and signed by the Chairman.

14. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS

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

15. 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 their answers, is attached to the Minutes at Appendix 1.

16. QUESTIONS FROM MEMBERS OF THE COUNCIL (PAGES 11 - 14)

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.

17. LEADER'S REPORT

The Leader presented his report on the activities of Cabinet since the meeting of Council in March 2026. Council questioned the Leader and the following actions were raised:

In response to a question concerning the Ross on Wye Enterprise Park there was a commitment to involve local ward members as the project develops.

In response to a question concerning a scheme to loan tools to volunteers to maintain public rights of way, a written update would be provided.

In response to a question concerning the unsuitable facilities at local schools to cope with hot weather (in particular portacabins) a letter would be sent to the government to raise concern with the inadequate level of funding for improvements to school infrastructure.

In response to a question regarding the 2006 policy relating to the Management of Common Land in Herefordshire, there was a commitment to undertake a review of the policy.

In response to a question regarding the management of the closure of the pedestrian walkway on Burcott Road Railway Bridge, an update would be provided to the local ward member and neighbouring members.

In response to a question regarding the diversion signage and information available to cyclists in respect of closed routes, officers would be asked to ensure proper signage was in place for cyclists during road/cycle path closures.

In response to a question concerning funding for improvements to cycling, walking and wheeling facilities a list of proposed improvements through the Local Cycling, Walking and Wheeling Infrastructure Plan would be circulated to members.

In response to a question, clarification would be provided as to whether a further Political Group Consultation would be undertaken on Hereford Western Bypass Phase One – Full Business Case.

In response to a question regarding projects in Hereford to address congestion an update would be provided to all members with details of those initiatives contained in the Local Transport Plan.

In response to a question regarding the biochar project to provide a written reply to points raised regarding the assessments/analysis of the initiative and the timelines.

In response to a question regarding modes of transport to school and the impact on congestion an officer update would be provided on school transport schemes.

In response to a question regarding the location of temporary accommodation for homelessness, officers would provide a response to explain the rationale behind the purchase of temporary accommodation to take account of access to infrastructure and services.

In response to a question regarding the purchase of the John Venn building an update would be provided with details of the current situation and timelines for the scheme.

18. NOTICES OF MOTION UNDER STANDING ORDERS

Motion – Building a Strategic Partnership between Herefordshire and Zhytomyr Oblast, Ukraine

Councillor O'Driscoll proposed and introduced the motion.

Councillor Simmons seconded the motion.

Council debated the motion.

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

RESOLVED – that:

Council notes that:

- 1. Herefordshire has demonstrated its solidarity with the people of Ukraine since 2022 through the generosity of residents, voluntary organisations, businesses and public bodies.**
- 2. Ross-on-Wye has signed a Friendship Agreement with the City of Ovruch in Zhytomyr Oblast, Hereford City Council has signed a Friendship Agreement with the City of Zhytomyr and several other Herefordshire communities are exploring similar partnerships.**
- 3. A growing number of English county and unitary authorities have entered into Memoranda of Understanding with Ukrainian regions to foster long-term cooperation in areas including local government, education, culture, economic development, agriculture, healthcare and post-war reconstruction.**
- 4. Zhytomyr Oblast is a natural regional partner for Herefordshire, reflecting shared strengths in rural communities, agriculture, environmental stewardship, heritage, tourism and community resilience.**
- 5. HVOSS, through the Herefordshire Community Network for Ukraine, working in partnership with Herefordshire Council and many voluntary and statutory organisations, has an established and effective county-wide network supporting Ukrainian guests and developing friendship links between communities.**

Council believes that:

- 1. Local government has an important role in fostering international friendship, democratic cooperation and mutual understanding.**
- 2. A county-level Memorandum of Understanding would complement existing town and city friendship agreements by providing a strategic framework for wider collaboration.**

3. Such a partnership should deliver mutual benefit through knowledge sharing, cultural exchange, educational links, economic cooperation and support for long-term recovery.

4. HVOSS is well placed to act as the Council's principal voluntary sector delivery partner, coordinating engagement with communities and partner organisations across Herefordshire, having well-established relationships in Ukraine through its staff team, who are themselves guests here from Ukraine and already making introductions and facilitating relationship-building.

Council resolves to request that the Executive:

1. Open discussions with the leadership of Zhytomyr Oblast with a view to developing a Memorandum of Understanding between Herefordshire Council and Zhytomyr Oblast based upon friendship, cooperation, mutual benefit and long-term partnership.

2. Recognise HVOSS, through the Herefordshire Community Network for Ukraine, as the Council's principal voluntary sector delivery partner in supporting the development of the partnership and coordinating engagement with communities, schools, businesses, cultural organisations, higher education, parish and town councils and the voluntary sector across Herefordshire.

3. Allocate sufficient officer capacity and appropriate financial resources to facilitate the development and implementation of the partnership, including stakeholder engagement, translation and interpretation, exchange visits, partnership development and the pursuit of external funding opportunities.

4. Work with Hereford City Council, Ross-on-Wye Town Council and other town and parish councils developing links with communities in Zhytomyr Oblast to create a coherent county-wide partnership that complements existing Friendship Agreements and encourages further civic, educational, cultural and economic cooperation.

5. Produce a report within six months setting out the proposed Memorandum of Understanding, implementation plan, governance arrangements, resource requirements, opportunities for external funding and recommendations for the long-term development of the Herefordshire-Zhytomyr Partnership.

Motion – Securing Food Resilience in Herefordshire

Councillor Tully proposed and introduced the motion.

Councillor Taylor seconded the motion.

Council debated the motion.

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

RESOLVED – that:

Herefordshire is rooted in food production. The county has shown real joined-up, cross-party, cross-sector working and sits at the forefront of agroecological change. But farmers are under massive pressure - they are disproportionately more likely to be severely depressed than in other trades and facing financial

hardship with 83,000 farming households in the UK estimated to be experiencing absolute poverty. This is still, to a great extent, hidden in our rural setting, though in our county food bank use has not diminished, with many recipients being working families. The national picture of food production is grim, with extreme weather disrupting growing conditions and the added risk of external supply chains for fuel and farm supplies being disrupted by global events. Herefordshire has the assets and the networks to respond positively to ensure a more secure food system and a county that all ages can make home.

This Council therefore resolves to request that the Executive:

1. **Support Sustainable Food and Farming:** to secure food production and access for all in Herefordshire.
2. **Deliver on the carried forward commitment made in the 25/26 delivery plan for a food resilience strategy drawing on the county's existing assets including the Rural Hub, the Food Alliance, and the Climate Adaptation Plan - and support a Food Partnership that has the institutional weight to enact that strategy.**
3. **Write to Government:** Publicly support national measures needed to support both young and old to enter - and stay in - UK farming. Including writing to the Minister for Food Security describing how the 'Basic Income for Farmers' programme would do this here in Herefordshire and proposing our county as a candidate area.

The meeting ended at 10.28 am

Chairperson

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

Question Number	Questioner	Question	Question to
PQ 1	Mr Hassell, Ewyas Harold	We are residents of Monks Retreat in Ewyas Harold by the side of Dulas Brook. As you will be aware, Ewyas Harold was badly affected last November by the flooding caused by Storm Claudia. We understand that a raft of proposals have been drawn up by our local parish council and environmental health and we would like to know if these will be implemented before this coming Autumn?	Cabinet member Local Engagement and Community Resilience.
Response: We appreciate the concerns of residents affected by flooding and understand the desire to see improvements delivered as quickly as possible. A number of potential measures have been identified through discussions involving the Parish Council, the Environment Agency and other relevant organisations. In terms of the measures that will be in place before the autumn: • Herefordshire Council's Flood Risk Management Team has supported Ewyas Harold Parish Council in developing a Community Flood Plan, which has now been completed. • The team has been liaising with the Parish Council on the development of a community flood signage scheme to help improve local resilience. The scheme will enable trained local volunteers to legally close roads in and around Ewyas Harold during flood events. A suitable date needs to be arranged for volunteer training, after which the scheme can be formally implemented. • Herefordshire Council has been working with the Environment Agency to support the planned clearance of the blocked culvert beneath the B4347 during the summer holiday period, helping to restore its capacity to convey high flows more effectively. The following medium- to long-term flood risk management options are currently under consideration. Subject to the necessary consents, permissions and approvals being secured from relevant organisations and stakeholders, we are aiming to deliver these measures by April 2027: • Investigating the ownership of a historic ditch and liaising with the Internal Drainage Board on its reinstatement, with the aim of conveying flood water away from the highway and back into the Dulas Brook. • Undertaking a survey of the accessible sections of the historic culverted watercourse (locally referred to as the "Stinky Ditch"). The survey findings will be shared with the Internal Drainage Board, which has the relevant powers to consider and progress any necessary maintenance or clearance works.			

- Developing a drainage improvement scheme for the area opposite Smith's Garage. This aims to provide a more effective route for floodwater to drain away once river levels recede, reducing the duration of flooding and associated road closures.
- Progressing the installation of a debris catcher upstream of the bridge on the Dulas Brook in response to issues experienced previously when a tree became lodged beneath the bridge. This work also includes investigating the construction of a flood bund adjacent to the playing fields. Delivery will be subject to the completion of a Flood Risk Activity Permit (FRAP) process and associated lead-in times.

In addition to the measures outlined above, the Environment Agency has arranged initial Lot 1 surveys for residents affected by flooding to assess which Property Flood Resilience (PFR) measures may be suitable for their properties. Please note that the implementation of any recommended PFR measures will be subject to securing funding, with potential funding opportunities currently being explored.

Herefordshire Council is also investigating the feasibility of a larger-scale upstream attenuation scheme that would utilise natural flood management measures to reduce peak flows and provide temporary floodwater storage. This project is currently at an early stage of development. Separately, a further flood risk management project is being explored. As discussions on this project remain at a preliminary stage, it is not yet possible to provide further details or confirm a delivery timeline.

PQ 2	Mrs Protherough Hereford	A Transport Hub is for Changing Places. Will Herefordshire Council reconsider their decision not to site at the railway station a so named appropriate facility, with space and the right equipment, to enable disabled people to make themselves clean and comfortable, before continuing their journey?	Cabinet member transport and infrastructure
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Response: A disabled toilet is being provided at the Transport Hub and we can confirm that the design of the new facility meets all building regulations and disabled access legislation requirements. Inclusion of a larger changing facility was not a requirement that was considered at the time of the design of the Hub. The development of the Transport Hub did not include any renovation of facilities at Hereford Railway Station. Placement of such a facility within the railway station would be a matter for Network Rail. Having reflected on your question, however, the council will seek to engage with Network rail and Transport for Wales to explore whether they have any plans to update their facilities.

PQ 3	Mr Milln Hereford	At Cabinet on 25th June I asked about the overdue library and museum projects and was told preconstruction agreements with contractors were being finalised. The response lacked clarity or credibility and was followed up by the Independent resulting in a Council press release on 30th June admitting it had hit the buffers. This was entirely predictable. At planning stage in 2023 and again direct to the CEO in November 2024 we advised against the rooftop terrace and restaurant scheme for Broad Street as unnecessary, costly and damaging to historic fabric . Assurances were given which we now know to have been untrustworthy. With the gross overspends on its City Link Road and Blueschool House Projects in mind what lessons for transparency and prudence has this administration learned from its management of these and other major capital projects?	Leader
Response: The council continues to lead projects in an open and transparent way in accordance with our constitution. Individual governance decisions are taken for all capital spend and Record of Officer Decisions are published to reflect all operational decisions thereafter. Performance is reported at public cabinet meetings on a quarterly basis. Through the council's project management structures, we continue to review and identify lessons learnt at each stage. In terms of the Hereford Museum and Art Gallery project, the previous administration included the proposed additional roof terrace and café in their original proposals. This would have added circa £10m to the overall project cost and, as a result of subsequent detailed cost validation, this has proven not to be affordable. To ensure that we can deliver a new long term outstanding museum and art gallery for residents of the county and visitors, and to retain £12m of external grant funding, we have taken managed and pragmatic decisions to bring the project back within the available budget. Supplementary question: Thank you for your response to my question about lessons learned of the stalled Museum and Library projects, though a little disingenuous to be pointing the finger. After more than three years in office this administration must accept responsibility. After all it promoted and passed the plans and budgets for both projects. With the prospect of further delay even basic maintenance of the old museum/library has stalled. Its cabinets, which might have been brightened with displays while they remain, left empty and covered with years of grime. Its fine ironwork gates, firmly locked trapping litter and corroded for want of a necessary lick of paint. With a facade opposite the Cathedral, it creates a poor impression for our visitors Stitch-in-time care is not costly so what are the reasons for the neglect and how to you propose to address this?			

Response to supplementary question:

Renovating a project like the museum is a huge exercise and we are working through it to deliver the best scheme we can given the constraints and the needs to address some of the key factors in the building. But I take the point about the appearance of the building whilst we're working through these essential plans and strategies to improve the building so that we've got a fantastic museum. I can confirm that all of the litter has been removed from the front by the by the railings that you suggest. Whilst I appreciate it would be great to do a lick of paint, we are close to being in a position where we can firm up what we really need to do to do a really good job. So I wouldn't want to do anything prematurely let's do it right at the right time. But as I say, the the litter that you refer to has been removed. Thank you.

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

Question Number	Questioner	Question	Question to
MQ 1	Cllr Stark, Ross West	In April 2025, Ross Town Council agreed the specification for a new more fitting barrier to replace the temporary concrete safety barrier below Wilton Road cliff face in Ross. Since then, the work has been cancelled twice, first for completion in February and then August 2026. Your administration have trumpeted that this is the year of delivery for major projects. Can you explain why this is not the case here?	Leader
Response: The planned work to Wilton rockface is a priority for the Council and forms part of a £38.6m investment in Highways and Public Realm during 2026/27. Following receipt of original tender returns from contractors, a review of the project was undertaken in February 2026 with Balfour Beatty Living Places as it was identified that it would take the supply chain three months to produce the required materials, which would result in the project not being delivered before the end of May 2026 and the end of the contract with Balfour Beatty. Leadership of the project has since passed to the Council and the same scheme has been put to our own Highways and Public Realm Schemes Framework for delivery. In order to reduce lead times associated with the project, the team have agreed to explore an option to purchase the required materials directly from the relevant supplier, which I hope will be possible. Whilst the Highways and Public Realm team are working to deliver the project as quickly as possible, I am aware that they have recently advised Ross Town Council that works cannot commence in August due to nesting birds occupying the rockface and surrounding vegetation. Due to the nesting birds, and subject to the result of bat surveys that will conclude at the end of July, the earliest that works can begin is <u>from</u> October 2026, which also avoids the peak tourist season in Ross. The Highways and Public Realm team have been clear with me that Wilton rockface remains a high-priority scheme, with funding secured for delivery in financial year 2026/27. I have asked that the project team ensure that Ross Town Council and all Ward Members for Ross is updated on a regular basis as I am aware that there have been concerns about communication previously. Supplementary question: I only found out about this further delay to this key project for Ross only through the associated road closures having disappeared from the weekly street works report. So, how can both myself and Ross Town Council have any assurance that this project will ever be delivered?			

Response to supplementary question:

The highways and public realm team have been clear with me that the rock face remains a real priority for the council. I reiterate that the scheme is going through the relevant procurement process and we will appoint a contractor to undertake the works. It has been explained that there's been a delay due to the timing and the fact that works couldn't be undertaken in August. There's been the problem of the transition from one contractor to another but on the most substantive point it is not acceptable that ward councillors are not kept informed so I apologise and take responsibility for that. I will make sure that ward councillors are updated on any matter.

MQ 2	Cllr Pauline Crockett, Queenswood Ward	Leader, one of the four corporate priorities of this Council is People, your quarterly report makes no reference to the Care Quality Commission's 'Requires Improvement' assessment of Herefordshire Council's Adult Social Care services for people, so, given the significance of that judgement, why was it omitted from your report, and how can members and residents be assured that the council is treating the findings with the transparency and urgency they deserve?	Cabinet member Adults, Health and Wellbeing
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Response: Thank you for pointing this out. It should have been mentioned. However, I wish to stress that this does not mean that important issues raised are not at the forefront of my mind regarding improving certain elements of the service. At the next Cabinet meeting (30 July) we will be approving a full array of measures that will address all improvements that are needed. The improvement plan will go in to further detail as to how this will be achieved. I thank Cllr Crockett and the Health, Care and Wellbeing Scrutiny committee members for their ongoing interest and work in helping to shape and influence this important area of work.

Many of the improvements identified by CQC were already underway during the assessment process, and we are continuing to deliver them at pace. Progress will be reported through established governance and scrutiny arrangements, ensuring ongoing transparency and accountability. Most importantly, we will measure not only whether actions have been completed, but whether they are making a real difference to the experiences and outcomes of people who use our services.

Supplementary question:

Will you commit to including progress against the CQC improvement plan as a standing item in future quarterly reports until the areas identified by this CQC report have been addressed?

Response to supplementary question:

I'm really pleased to note that there's already really positive things to say. We're making huge progress in lots of areas in adult social care and I'm really looking forward to cabinet meeting next week where we will be highlighting the progress that we've made with adult services, the plans that we've have already put in place to address some of the shortfalls that the CQC report highlighted and I am confident that because we're such a robust council who can really make improvements, like we have done with children's services, we will be able to improve and address all of the issues and maintain a good

service. But in answer to your specific question, I think that's a really good idea and I will commit to updating members on the progress in my leader's report.

MQ 3	Cllr Ben Proctor, College Ward	Can the council provide an update on the work being undertaken to reduce the Section 106 backlog and confirm the current level of unspent Section 106 money?	Cabinet member Culture and Environment
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Response:

The Section 106 team is now fully staffed. A new S106 Highways Engineer joined the team in June and has had an immediate impact with a number of schemes being pushed forward for delivery this year. The team have also temporarily engaged one of the engineers that helped establish the team previously for a 4 to 6 month period to ensure a smooth handover with the new Highways Engineer. The current figure for unspent Section 106 is £5.3m for highways and transport projects, £3.7m leisure and sports projects and £5.9m on education projects. In 2025 the team delivered £2.98m of works helping to reduce the backlog and delivery is forecast at over £2m in 2026/27. The spend of section 106 monies has increased year on year with 1.39 million in 2022/23, 1.74 million in 2023/24, 2.79 million in 2024/25 and 2.98 million in 2025/26. The forecast for spend in 2026/27 is over £2m. The levels of unspent S106 money will continue to reduce as our work intensifies.

Supplementary question:

When this administration took charge, the section 106 backlog stood at 13 million pounds. Today, it stands at 14.9 million. The section 106 backlog grows at an average. The income comes in at an average of 2.7 million pounds a year. Based on the answer, the council spends at an average of 2.2 million pounds a year. I think everybody must be able to see that if the money comes in at a faster rate than it is spent, then the backlog will continue to grow. The answer signs off by saying the levels of unspent section 106 money will continue to reduce as our work intensifies. If he were to double the rate at which he is delivering section 106, it would still take 9 years to clear the backlog. But this isn't about the money. It's about the communities waiting for the things they were promised. What can he say to the communities of Herefordshire and the members of this council that would persuade any of us he has a grip on this issue?

Response to supplementary question:

We came into a backlog and officers are working really hard to clear that backlog. Sometimes it's very complicated to get projects delivered and out of the door. So certainly not for want of trying. Capacity has been an issue. We're working on that. But I take your point and we will

continue to try to deliver those projects as quickly as possible so that we actually drive down the total sum and not simply work on the trailing edge whilst more 106 comes in ahead of that. But you're right it's very important to see these infrastructure and mitigation projects delivered in a timely fashion. Thank you.

Chairman of Council report – Council Meeting **9 October 2026**

Chairman of Council Report

I was delighted be at the presentation of the King’s Award for Enterprise to one of the County`s specialist military businesses, who had previously won an award in 2019.



Simon Davies established Spectra Group in Herefordshire in 2002 in Kingstone, following a military service. The business grew from a clear operational need: reliable

communications for people working in remote, demanding or hostile environments.

Spectra designs, engineers and manufactures secure voice, data and satellite communications systems for defence and security users worldwide. SlingShot established Spectra internationally by extending the reach of existing tactical radios through satellite communications.

They are now building on that heritage with other sites in the USA and Australia and new software-defined tactical communications system, designed to evolve as operational requirements and technologies change.

The King’s Award is a great recognition and achievement and the Lord Lieutenancy can arrange support to any company who would be interested in applying for the award.



RAF Cadets from Hereford, Ross, Ledbury, Leominster and Ludlow attended the annual Battle of Britain remembrance service, this year held at St Pauls Church Tupsley hosted by Hereford City Squadron ATC. Following the service I and the High Sheriff joined the Lord Lieutenant who took the salute as the Cadets marched past.

Since our last Council Meeting the Vice Chairman and myself have carried out various duties including Battle of Britain commemorations, Art College graduation, Services for Independent Living AGM, and several Citizenship ceremonies.

Cllr Roger Phillips OBE JP

Chair Herefordshire Council



Chief Executive's Update

Full Council, 9 October 2026

I am pleased to present my latest update to Council, three months after formally taking up the role of Chief Executive and Head of Paid Service. Those first three months have given me the opportunity to get out across Herefordshire. I am grateful to members who have kindly hosted me in their wards, including in Hereford, Ledbury, Leominster, Bromyard, Kington, Ross-on-Wye and the Golden Valley. I look forward to visiting other wards in the months ahead.

Visiting different parts of the county has reinforced that each has its own circumstances, strengths and challenges. At the same time, many of the issues raised with me have been consistent: the importance of strong public services, a thriving local economy, better transport and roads, and safe, healthy places in which to live and work.

Those visits have also shown me at first hand the positive and constructive role members play in their wards. Their local knowledge, engagement with communities and work in representing the interests of residents and businesses provide an important link between the council and the people it serves, and help ensure that local priorities and concerns are understood.

The commitment, professionalism and knowledge of officers across the organisation have also impressed me. Whether they are providing frontline services or enabling delivery behind the scenes, our staff care deeply about Herefordshire and the difference they make.

Another clear strength is the quality of our relationships with partners across health, policing, education, business and the voluntary sector, and I believe there is considerable potential to build on these further.

Good service delivery remains central to my priorities as Chief Executive, which is why I am pleased to have seen continued progress across a wide range of services since my last update. In children's services, the formal revocation of the DfE's statutory direction has brought government intervention to an end, while work continues on SEND and Families First reforms and on improving outcomes for children in care and care leavers. We have approved expanded overnight short breaks and outreach support for children and young people with disabilities and are recommissioning advocacy and independent visitor services so that their voices and rights remain central to decision-making.

We are developing a dedicated homelessness assessment and support hub and strengthening specialist domestic abuse services, with greater emphasis on prevention, early intervention, safe accommodation and whole-family support. In adult social care, our improvement programme is building on the Care Quality Commission's findings, supported by continued home-care arrangements for around 834 residents and a new Care Home Partnership Framework designed to improve capacity, quality, stability and hospital discharge.

The new Public Realm Service has also made a positive start, giving us clearer accountability for roads, public rights of way and open spaces. Alongside this, we have launched the Herefordshire Future Skills Grant and the Big Economic Delivery Plan, continued practical support and national advocacy for our rural economy, and enabled 677 net additional homes in 2025/26. More than £2.3 million in phosphate mitigation income has helped release planning permissions for 1,096 homes, while the adoption of Herefordshire's Local Nature Recovery Strategy will help ensure biodiversity, river health and landscape recovery are embedded in future growth.

We must also maintain momentum across the council's key projects and programmes, alongside the wider programme of investment to support regeneration, infrastructure and service

improvement. In his report to Council, the Leader has set out progress across a wide range of projects, many of which are now completed, nearing completion or well under way. I am grateful to officers for their hard work in delivering these often highly complex programmes.

These projects are important to Herefordshire's future, but they must also remain affordable and deliverable. My role is to support members and officers, maintain a clear focus on the long-term benefits for the county and ensure robust strategic oversight of delivery. As part of this, we have established a Major Projects Board to strengthen assurance, oversight and coordination across our most significant programmes.

Herefordshire must also have a stronger voice outside the county. I am working with the Leader and other members, and neighbouring authorities and government departments to ensure our priorities and circumstances are understood in regional and national decision-making.

We will continue to work collaboratively, for example as part of the Marches Forward Partnership, wherever that is the best way to secure results, but we will not hesitate to pursue Herefordshire's interests unilaterally where a distinct local approach is required.

Our message is clear: Herefordshire should receive fair recognition of the costs of delivering services across a large rural county, together with the investment needed to support economic growth, infrastructure, connectivity and river health. We will continue to make that case directly and consistently.

Alongside delivery and external influence, financial sustainability remains the most significant organisational challenge we face, as it does for many local authorities. At the end of the first quarter of 2026/27, the council was forecasting an £11.6 million overspend against a net revenue budget of £234.1 million. Recovery action is under way across the organisation, with directorate teams and Finance working hard to reduce the forecast overspend and mitigate savings that may not be delivered to schedule. This includes accelerating savings already in progress and identifying expenditure that can be stopped, reduced or deferred.

As you will be aware, Herefordshire has a strong record of setting and delivering balanced budgets. However, the scale of the challenge ahead means we will need to examine how services are delivered, identify further efficiencies and income opportunities, and ensure resources are directed towards the areas where they achieve the greatest benefit for residents.

Members will also have seen that the council's 2025/26 Statement of Accounts received an unqualified audit opinion from our external auditors. This provides independent assurance that the accounts present a true and fair view of the council's financial position and means members, residents, businesses and partners can have confidence in the financial information used to support decision-making. It also reflects the council's commitment to strong governance, transparency and accountability in the stewardship of public funds, particularly at a time when local authorities face significant financial pressures and increasing scrutiny. Since we last met, the latest Employee Survey was carried out to measure colleagues' experience of working for the council and their level of engagement with the organisation. More than 1,000 colleagues responded, representing the strongest level of participation since 2017.

There was much to welcome in the findings. 93% of respondents said their team was committed to quality work, 93% said they demonstrated the council's values, and 91% said they were proud of their work and had the knowledge and skills needed for their roles. Staff also identified clear opportunities for improvement. These include making processes and systems work better, workload and wellbeing, giving colleagues greater influence over change and involving them

more consistently in decisions. The findings also highlight an opportunity to strengthen colleagues' understanding of how their roles contribute to the council's wider priorities.

We must listen carefully to those messages and act on them. The Corporate Leadership Team will use the findings to develop council-wide and directorate action plans, supported by detailed discussions with services and further workforce engagement.

Transformation will be critical to addressing these challenges, and work is under way to develop a refreshed transformation plan. This will sit alongside other important improvement and transformation programmes already under way across the council.

One of those includes a significant transformation of the software and digital processes that support planning and regulatory services. This will provide more effective and reliable systems for planning officers, streamline the way applications and cases are managed, and improve the experience of residents, developers, businesses and other service users.

As Returning Officer, I have been working closely with colleagues as we prepare for the council elections in May 2027, ensuring they are once again well planned, professionally administered and command public confidence. Throughout this period, the organisation must maintain clear political impartiality and continue to serve the current administration and all members effectively.

My first three months have reinforced my confidence in Herefordshire Council and given me a clearer understanding of the challenges and opportunities ahead. We have talented and committed staff, constructive relationships with members and partners, and a clear commitment to public service.

I look forward to continuing to work with members, staff and partners for the benefit of the people of Herefordshire.

I ask members to note this update.

Paul Satoor
Chief Executive
Herefordshire Council



Title of report: Constitutional Updates

Meeting: Council

Meeting date: 09 October 2026

Report by: Monitoring Officer

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

A report to propose amendments to the constitution.

Recommendation(s)

- a. That Council notes the requirements to change the terms of the Planning and Regulatory Committee in response to regulations implementing a National Scheme of Delegation of Planning Functions ('National Scheme of Delegation')
- b. That Council approves changes in the Constitution effective on 31 October 2026:
 - i. in Appendix 1 to reduce the number of councillors on the Planning and Regulatory Committee from 15 to 13; and
 - ii. in Appendix 2, 3 and 4 to make amendments to comply with the National Scheme of Delegation and Statutory Guidance and to permit pre-committee technical briefings.

Alternative options

1. Council may choose not to approve the proposals and agree that functions will remain as currently described in the Constitution. This is not recommended. Statutory guidance has stated that current practices how an application is considered will not be possible from implementation of the National Scheme of Delegation.

Key considerations

2. Section 54 of the Planning and Infrastructure Act 2025 introduced 319ZZC to 319ZZF of the Town and Country Planning Act 1990 and [the Town and Country Planning \(Discharge of Local Planning Authority Functions\) \(England\) Regulations 2026](#) ('the Regulations'). This introduced a national scheme of delegation of planning functions and the size of planning committees in England.
3. On 1st June 2026, the government published [statutory guidance](#) about a new National Scheme of Delegation intended to ensure greater clarity and consistency about the role of planning committees in planning decision making.
4. The recommendations in this report are largely to change the Constitution so that it is consistent with the National Scheme of Delegation. The Regulations will come into force on 31 October 2026, and any decision made after that date (even if the application was submitted prior to that date) will need to be considered in accordance with the National Scheme of Delegation.

Part 2 Article 8 Planning, licensing and other functions (Appendix 1)

5. Regulation 7 provides for the number of members on a planning committee or sub-committee to be no more than 13. This is a maximum figure to accommodate local planning authorities where members are from multiple political parties. The Statutory Guidance says that Local planning authorities should consider whether a smaller number of members would be more appropriate in their area to support effective decision making.
6. The proposed amendment in Appendix 1 reflects the requirement in Regulation 7. Consultation will take place with the Group Leaders for the Green group and Conservative group to agree how the required reduction will be achieved.

Part 3 section 5 Other Functions (Appendix 2)

7. Part 3 Section 5 of the Constitution includes the functions of the Planning and Regulatory committee. The committee's functions will be required to be carried out in accordance with the National Scheme of Delegation of Planning Functions from 31st October 2026. The proposed amendment at Appendix 2 reflects the change this will mean for the committee's functions and that redirection processes are now contained within Part 4 Section 8.

Part 3 Appendix Planning Functions (Appendix 3)

8. The tables in Part 3 Appendix Planning functions set out the delegations and the authority for each delegation. The proposed amendments at Appendix 3 reflect the changes required to comply with the Regulations from 31st October 2026 and/or updated in general duty to previous legislative changes.

Part 4 Section 8 Planning Rules and Code (Appendix 4)

9. The Secretary of State has the power to set out which functions of a local planning authority should be delegated to planning officers for a decision and which should go to a planning committee or sub-committee. The Secretary of State has exercised this power through the Regulations.
10. The Regulations set out the following general approach to decision making:

- where applications fall under Schedule 1 decisions must be delegated to officers under regulation 4;
 - where applications fall under Schedule 2, there is a presumption under regulation 5 that decisions are delegated to officers unless the nominated officer and nominated member agree the application should be referred to a planning committee or sub-committee for determination and that it meets at least one of the criteria in regulation 5(3).
11. Schedule 1 of the Regulations sets out all the functions which must be delegated to officers for a decision (unless it is an own-interest application). These are listed as a Schedule 1 to Part 4 Section 8. Schedule 2 of the Regulations sets out applications that may be determined by a committee or by an officer. These are listed in Schedule 2 to Part 4 Section 8.
 12. The changes proposed relate mainly to what can be redirected. The procedure is unaltered and retains most of the existing process around timing. The changes reflect the limitations on redirections from officers to committee that are in the current regulations.
 13. Part 4 Section 8 of the Constitution describes the rules that apply during consideration of a planning application. The changes include how a matter can be referred to Planning and Regulatory Committee. This involves the Chair of the Planning and Regulatory Committee and Service Manager agreeing that the application falls within Schedule 2 and has sufficient significance. The changes enable guidance and examples to be published (if required) to ensure that applicants have prior notification as to the type of applications that would amount to 'significance'. The guidance and examples can be modified and updated as necessary.
 14. Further there is a second change where an application is made by the Council, a member, officer or any organisation where there is an interest or connection with the Council. Where there is requirement for transparency and accountability to be demonstrated, then such applications (whether Schedule 1 or Schedule 2) can be redirected to the committee. The decision process is the same as above (where the Chair of the Planning and Regulatory Committee and the Service Manager must agree) but there is no requirement for the application to be significant. The drafting has been left sufficiently wide to enable the redirection if it is simply that an openness in decision making should be demonstrated.
 15. Where possible, we have tried to incorporate the current Constitutional requirements insofar as they do not conflict with the National Scheme of Delegation.

Part 4 Section 8 Pre-Committee Technical Briefings (Appendix 4)

16. The procedure used during a public decision meeting of Planning and Regulatory Committee has been authored in accordance with good public sector decision making in mind. They are drafted to ensure that there is a balance within the scheme of democratic representation, objective fairness and the legal planning rules whilst attempting to ensure that matters are considered in an efficient manner as possible.
17. Where a particular agenda item is technically or legally difficult or complex, in the venue of a committee decision meeting, it often does not allow members to adequately satisfy or test all aspects of a particular application. For example, time could be considered a constraint or the technical difficulty of the proposal may mean that members may not fully grasp the extent of the complexities. Officers likewise may not be able to adequately answer a particular technical question. This leaves the committee with the quandary of either deferring the matter (so the question can be answered) or proceeding on the basis an important point may not have been

adequately explained. This is not considered to be conducive to efficient or good decision making.

18. The recommendation is that, if the Chair and Service Manager agree, in very limited applications, that a technical briefing of the committee ahead of the decision meeting could occur. This would be to allow an applicant to explain the intricacies of the proposal and members can ask technical details that officers may not be able to answer at a decision meeting.
19. To ensure openness, all information provided by the applicant including details of the briefing, the questions raised and the answers provided would be published on the planning portal or with the report.
20. The technical briefing will allow a briefing and allow members to ask questions. There is no scope for the applicants to ask questions of members or to allow any discussion on the merits of the application. All outputs will be made public, and no decisions will be made at this meeting.
21. This type of briefing is not unique. Similar processes have been adopted by a number of councils and used in similar circumstances. Examples include [West Berkshire Council](#), [West Northamptonshire Council](#), [Stratford District Council](#), [Cambridge joint planning committee](#), [Spelthorne Borough Council](#), [Wirral Council](#) and [Haringey Council](#).
22. The [Planning Advisory Service](#) considers that it is important that members are involved in pre-application stage where it is subject to strict transparency and reporting. PAS recognises that council's adopting set procedures for pre-committee briefings is best practice. It is considered that the recommendation would therefore align with that view.

Community impact

23. The proposals do not have any direct community impact, nor do they link to other local or national strategies or policies. They are proposals that fall within Council's powers to make local arrangements as stipulated by the new legislative framework.

Environmental Impact

24. The proposals do not have any environmental impact.

Equality duty

25. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation, and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

26. The equalities screening assessment has been completed and could that there is a no/low impact for equalities.

Resource implications

27. There are no direct resource implications to the proposed amendments.

Legal implications

28. Legal implications are referred to in the sections above, where relevant.

Risk management

29. There are no risks arising directly from the report.

Consultees

30. Relevant lead officers are aware of the changes and were consulted on the specific proposals in the Constitution on 19 June, 20 July and 28 July 2026.
31. Planning Officers briefed the Planning and Regulatory Committee on 08 July 2026.
32. Group Leaders were consulted on 25 August 2026.

Appendices

Appendix 1 Part 2 Article 8 Planning, licensing and other functions
Appendix 2 Part 3 Section 5 Other Functions
Appendix 3 Part 3 Appendix Planning Functions
Appendix 4 Part 4 Section 8 Planning Rules and Code

Background papers

None

Useful links:

[The Town and Country Planning \(Discharge of Local Planning Authority Functions\) \(England\) Regulations 2026](#)
[Planning Committees and the National Scheme of Delegation of Planning Functions: Guidance for local planning authorities in England - GOV.UK](#)
[Part 2 Article 8 Planning licensing and other functions.pdf](#)
[Part 3 Section 5 Other Functions.pdf](#)
[Part 3 Section Appendix Planning Functions.pdf](#)
[Part 4 Section 8 Planning Rules.pdf \(herefordshire.gov.uk\)](#)

Appendix 1 – Part 2 Article 8 : Planning, licensing and other functions

Note: strikethrough indicates text removed. Underline indicates new text.

Section	Article 8 – Planning, licensing and other functions
2.8.1	Planning and regulatory committee
2.8.2	Composition
2.8.3	The committee comprises <u>13</u> 15 councillors, one of whom will be appointed by Council to be the standing chairperson of the licensing sub-committee. The committee shall act as the council's Licensing Committee for the purposes of section 6 of the Licensing Act 2003.
2.8.4	Role
2.8.5	The committee determines all policy and guidance in relation to its functions other than for functions which have been reserved to Council (in para 2.a and 3.a of Part 3 Section 1) or delegated to an officer (Part 3 Section Appendix), and:
2.8.6	The committee may establish one or more sub-committees consisting of three members of the planning and regulatory committee to fulfil functions delegated to the licensing sub-committee as set out in the functions scheme at part 3 section 5.

Appendix 2 - Part 3 section 5 Other Functions

Note: strikethrough indicates text removed. Underline indicates new text.

Section	Part 3 section 5 Other Functions
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3.5.1 Planning and regulatory committee

3.5.2 When the committee carries out its planning functions it will follow the Planning Rules and Code (Part 4 Section 8).

3.5.3 The committee functions are detailed in appendix one to the council functions scheme.

3.5.4 The committee will determine applications ~~for planning permission and listed building consent~~ in accordance with the National Scheme of Delegation of Planning Functions. ~~those cases where~~ This means that all applications are delegated to relevant officers in accordance with the officer scheme of delegation unless a redirection has been agreed by the Chairperson of the Committee and the Head of Planning and Building Control (or the officer delegated by such) for certain applications.

~~service director, regulatory, raises issues around the consistency of the proposal, if approved, with the adopted development plan~~

~~(f) the application, in the reasonable opinion of the service director, regulatory, raises issues of a significant and/or strategic nature that a planning committee determination of the matter would represent the most appropriate course of action, or~~

~~(g) in any other circumstances where the service director, regulatory, believes the application is such that it requires a decision by the planning and regulatory committee.~~

~~(a) , or by a close family member such that the council officer has a material interest in the application~~

~~the application is submitted by the council (whether or not jointly with any other person), by others on council land or by or on behalf of an organisation or other partnership of which the council is a member or has a material interest, and where objections on material planning considerations have been received, or where the proposal is contrary to adopted planning policy~~

~~(c) the application is submitted by a council member or a close family member such that a council member has a material interest in the application~~

Appendix 3 - Part 3 Appendix Planning functions

Note: strikethrough indicates text removed. Underline indicates new text.

Section	Part 3 Appendix Planning functions	
Council function	Who has the function been delegated to?	Provision of Act or Statutory Instrument
Town and country planning and development control		
Power to determine application for planning permission.	Chief Executive unless within Terms of Reference of Planning and Regulatory Committee (Part 3 Section 5) or Redirection granted under Part 4 Section 8 <u>redirected to Planning and Regulatory Committee</u>	Sections 70(1)(a) and (b) and 72 of the Town and Country Planning Act 1990
<u>Power to determine application permission in principle.</u>	<u>Chief Executive</u>	<u>Sections 70(1)(A) of the Town and Country Planning Act 1990</u>
<u>Power to determine technical details for a permission in principle.</u>	<u>Chief Executive unless under Part 4 Section 8 redirected to Planning and Regulatory Committee</u>	<u>Sections 70(2)(ZZA) of the Town and Country Planning Act 1990</u>
Power to determine applications to develop land without compliance with conditions previously attached.	Chief Executive unless within Terms of Reference of Planning and Regulatory Committee (Part 3 Section 5) or Redirection granted under Part 4 Section 8 <u>redirected to Planning and Regulatory Committee</u>	Section 73 of the Town and Country Planning Act 1990
Power to grant planning permission for development already carried out.	Chief Executive unless within Terms of Reference of Planning and Regulatory Committee (Part 3 Section 5) or Redirection granted under Part 4 Section 8 <u>redirected to Planning and Regulatory Committee</u>	Section 73A of the Town and Country Planning Act 1990

Power to make determinations, give approval and agree certain other matter relating to the exercise of restrictions on permitted development	Chief Executive unless within Terms of Reference of Planning and Regulatory Committee (Part 3 Section 5) or Redirection granted under Part 4 Section 8 <u>redirected to Planning and Regulatory Committee</u>	Article 4 and Article 5 to the Town and Country Planning (General Permitted Development) (England) Order 2015
Power to decline to determine application for planning permission.	Chief executive	Sections 70A, 70B and 70C and 70D of the Town and Country Planning Act 1990
Duties relating to the making of determinations of planning applications.	Chief executive	Sections 69, 76 and 92 of the Town and Country Planning Act 1990 and Articles 8, 10 to 13, 15 to 22 and 25 and 26 of the Town and Country Planning (General Development Management Procedure) Order 2015 1995 (S.I. 1995/419) and directions made thereunder

Council function	Who has the function been delegated to?	Provision of Act or Statutory Instrument
Power to determine application for planning permission made by a local authority, alone or jointly with another person.	Planning and regulatory committee Chief Executive unless within Terms of Reference of Planning and Regulatory Committee (Part 3 Section 5) or Redirection granted under Part 4 Section 8 <u>redirected to Planning and Regulatory Committee</u>	Section 316 of the Town and Country Planning Act 1990 and the Town and Country Planning General Regulations 1992 (S.I. 1992/1492)
Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights.	Chief executive	Town and Country Planning (General Development Management Procedure) Order <u>2015</u> Parts 6, 7, 11, 17, 19, 20, 21 to 24, 26, 30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418)
Power to enter into agreement regulating development or use of land.	Chief executive	Section 106 of the Town and Country Planning Act 1990
Power to issue a certificate of existing or proposed lawful use or development.	Chief executive	Sections 191(4) and 192(2) of the Town and Country Planning Act 1990

Power to serve a <u>commencement</u> or completion notice.	Chief executive	Section 93G and 93H 94(2) of the Town and Country Planning Act 1990
Power to grant consent for the display of advertisements.	Chief executive	Section 220 of the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (S.I 2007/783)
Power to authorise entry onto land.	Chief executive	Section 196A of the Town and Country Planning Act 1990
Power to require the discontinuance of a use of land.	Chief executive	Section 102 of the Town and Country Planning Act 1990

Council function	Who has the function been delegated to?	Provision of Act or Statutory Instrument
Power to serve a planning contravention notice, breach of condition notice or stop notice.	Chief executive	Sections 171C, 187A and 183(1) of the Town and Country Planning Act 1990
Power to issue a temporary stop notice.	Chief executive	Section 171E of the Town and Country Planning Act 1990
Power to issue an enforcement notice.	Chief executive	Section 172 of the Town and Country Planning Act 1990
Power to apply for an injunction restraining a breach of planning control.	Chief executive	Section 187B of the Town and Country Planning Act 1990
Power to determine applications for hazardous substances consent, and related powers.	Planning and regulatory committee and chief executive	Sections 9(1) and 10 of the Planning (Hazardous Substances) Act 1990

Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites, or mineral permissions relating to mining sites, as the case may be, are to be subject.	Chief executive	Paragraph 2(6)(a) of Schedule 2 to the Planning and Compensation Act 1991 (c. 34), paragraph 9(6) of Schedule 13 to the Environment Act 1995 (c. 25) and paragraph 6(5) of Schedule 14 to that Act
Power to require proper maintenance of land.	Chief executive	Section 215(1) of the Town and Country Planning Act 1990
Power to determine application for listed building consent, and related powers.	Planning and regulatory committee and chief executive Chief Executive unless within Terms of Reference of Planning and Regulatory Committee (Part 3 Section 5) or Redirection granted under Part 4 Section 8 <u>redirected to Planning and Regulatory Committee</u>	Sections 16(1) and (2), 17 and 33(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

Council function	Who has the function been delegated to?	Provision of Act or Statutory Instrument
Duties relating to applications for listed building consent.	Chief executive Chief Executive unless within Terms of Reference of Planning and Regulatory Committee (Part 3 Section 5) or Redirection granted under Part 4 Section 8 <u>redirected to Planning and Regulatory Committee</u>	Sections 13(1) and 14(1) and (4) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and [regulations 3 to 6 and 13 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990 (S.I. 1990/1519)] 9 and paragraphs 8, 15 and 26 of Department of the Environment, Transport and the Regions Circular 01/01 10
Power to serve a building preservation notice, and related powers.	Chief executive	Sections 3(1) and 4(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990



Appendix 4 - Section 8 The Planning Rules and Code

Note: strikethrough indicates text removed. Underline indicates new text. The parts subject to changes have been highlighted in yellow for ease of reference.

Section 8 - The Planning Rules and Code

Contents

	Paragraphs
ROLE OF COUNCILLORS WHO ARE VOTING MEMBERS OF THE COMMITTEE	
Involvement in planning applications	4.8.1 – 4.8.6
Training	4.8.7 – 4.8.8
Discussions with applicants	4.8.9 – 4.8.13
Lobbying	4.8.14 – 4.8.15
Hospitality	4.8.16 – 4.8.17
Substitutes	4.8.18 – 4.8.21
General provisions relating to voting members	4.8.22 – 4.8.25
COUNCILLORS WHO ARE NOT MEMBERS OF THE COMMITTEE (AND NON-VOTING MEMBERS OF THE COMMITTEE)	
General Conduct	4.8.26 – 4.8.29
Hospitality	4.8.30 – 4.8.31
PLANNING OFFICERS	
General Conduct	4.8.32 – 4.8.35
Hospitality	4.8.36 – 4.8.37
SUBMISSION OF A PLANNING APPLICATION	
Discussions on Planning Applications	4.8.38 – 4.8.40
Initial submission of applications	4.8.41 – 4.8.46
SITE INSPECTIONS	
General	4.8.47 – 4.8.55
Conduct of site visits	4.8.56 – 4.8.57
INFORMATION RECEIVED PRE-COMMITTEE MEETING	
Pre-Committee Information & Briefings	4.8.58 – 4.8.66
Material submitted directly to Planning and Regulatory Committee Members	4.8.67 – 4.8.70
REDIRECTION OF DELEGATED PLANNING DECISIONS	
National Scheme of Delegation of Planning Functions	4.8.71 – 4.8.73
General	4.8.74 – 4.8.75
Reasons for redirection	4.8.76 – 4.8.78
Redirections to Committee due to significance	4.8.79 – 4.8.83
Redirection due to Council, officer and member related applications	4.8.84 – 4.8.96

The Redirection timescales	4.8.97 – 4.8.99
Conditional Redirection	4.8.100 – 4.8.101
Other circumstances	4.8.102 – 4.8.103
Referrals requested after the expiry date of the consultation period	4.8.104 – 4.8.105
Procedure	4.8.106 - 4.8.108
DETERMINATION OF APPLICATION AT COMMITTEE	4.8.109 – 4.8.110
Applications in which a member of the councillor or an officer has an interest	4.8.111 – 4.8.114
Declaration of interests in planning applications and at Planning and Regulatory Committee	4.8.115 – 4.8.121
Cabinet members	4.8.122 – 4.8.124
Planning and regulatory committee members who serve on parish and town councils	4.8.125 – 4.8.126
Ward Councillors	4.8.127 – 4.8.131
PUBLIC SPEAKING	
General procedure	4.8.132 – 4.8.133
DECISION MAKING	
Voting	4.8.134 – 4.8.135
Decisions contrary to officer recommendations or to development plan policies	4.8.136 – 4.8.140
Deferrals	4.8.141 – 4.8.146
POST DECISION	
Ward Member notification	4.8.147 – 4.8.148
Action on Decisions Taken Contrary to Professional Advice	4.8.149 – 4.8.150
Conditional Approvals	4.8.151 – 4.8.154
Delegations to planning officers	4.8.155 – 4.8.157
SCHEDULES	
Schedule 1 applications	
Schedule 2 applications	

Background

Herefordshire Council, like all local planning authorities is required to determine planning applications in accordance with local, regional and national policy having regard for all material considerations.

The Planning Rules and Code complement the Councillor Code of Conduct with which Councillors should be familiar.

The obligations and responsibilities set out in the Planning Rules and Code apply to all Councillors of the Planning and Regulatory Committee and in similar ways to all other Councillors.

The Council's planning policies are adopted in the public interest for the benefit of the whole community rather than for any particular individual or interest group. Decisions are required to be taken in accordance with the current development plan and having regard to all material considerations. Each planning application is considered on its merits. However, planning decisions by their very nature are often contentious, with strong contrary views being expressed. Any decision

can be the subject of detailed scrutiny or challenge. Failure to follow the requirements of the Council's Planning Rules and Code may result in sanctions under the Councillor Code of Conduct, or may be regarded by the Local Government Ombudsman as incompatible with good administration.

The Planning Rules and Code covers the whole of the planning process, including policy formulation and development control, and all Councillors and Officers who come into contact with it. The Planning Rules and Code is designed to promote greater mutual support and understanding between Councillors and Officers to the benefit of all involved in the planning process. It is also designed to give the public greater confidence that Herefordshire Council discharges its planning responsibilities fairly and openly

COUNCILLORS WHO ARE VOTING MEMBERS OF THE COMMITTEE

4.8.1 Involvement in planning applications

4.8.2 In making decisions on planning applications, Planning Officers and Councillors will:

- (a) act fairly and openly and without prejudice
- (b) approach each application with an open mind
- (c) carefully weigh up all the material planning considerations
- (d) avoid inappropriate contact with interested parties
- (e) ensure that valid reasons for decisions are clearly stated.

4.8.3 Councillors will be free to vote on planning applications as they consider appropriate (that is, without a Party 'whip'), having proper regard for all the relevant information, evidence and arguments. In accordance with the requirements of the Town and Country Planning Act 1990, decisions **will be** based on the provisions of the Herefordshire Local Plan Core Strategy 2011 – 2031 and all material planning considerations.

4.8.4 Councillors **must not** give instructions to Officers nor place pressure on officers in order to secure a particular recommendation on a planning application.

4.8.5 Councillors **will not** use their position improperly to confer or secure for themselves, or for any other person, an advantage or disadvantage.

4.8.6 A member of the committee who does not intend to take part in any discussion or vote (because they have either predetermined a matter or have an interest) is not a voting member of the committee.

4.8.7 Training

4.8.8 Councillors who are a member of the Planning and Regulatory Committee will be required to undergo mandatory training in planning procedures. This will normally take place within three months of appointment to the committee and at appropriate intervals thereafter. A record will be kept by the Monitoring Officer of the training you undertake. Members of the Planning and Regulatory Committee who have not undertaken the training, may not participate in meetings of the Planning and Regulatory committee until such training has been completed

4.8.9 Discussions with applicants

4.8.10 Pre-application meetings with prospective applicants are encouraged, but to avoid misunderstandings, they require a degree of formality. They will normally involve Planning Officers and will follow the guidance in the following paragraph.

4.8.11 It will be made clear at the start of pre-application meetings that:

- (a) Councillors' or Planning Officers' initial views and advice are given on a without prejudice basis which will be consistent with the provisions of the current Local Plan Core Strategy and other adopted Council policies
- (b) no decisions may be made or advice given which would bind or otherwise compromise any planning decision

- (c) Councillors should not give separate advice on the development plan, material considerations, or planning obligations

4.8.12 A written note must be made of the pre-application meeting and will be made available for public inspection, subject to the usual rules about access to information, if and when an application is submitted.

4.8.13 Councillors may, following discussion with the appropriate Planning Officer, take part in organised post-submission meetings with applicants or other parties. A note of any discussions will be taken and will be made available for public inspection, subject to the usual rules about access to information. It is recommended that at least one Planning Officer be present at all such meetings.

4.8.14 Lobbying

4.8.15 Lobbying can take place by way of an approach to an individual or a group of Councillors, by telephone, or on a chance meeting, or by way of a request to see all or some of the members of the Planning and Regulatory Committee. It is an essential part of the democratic process that members of the public should be able to make their views known to you. However, to avoid Councillors who are members of the Planning and Regulatory Committee compromising their position before they have received all the relevant information, evidence and arguments, they must:

- (a) take care about expressing an opinion that may be taken as indicating that they have already made up their mind on the issue before they have taken into account all relevant considerations.
- (b) direct lobbyists or objectors to the Planning Officer, and
- (c) advise the Head of Planning as soon as possible of the existence of any substantial or abnormal lobbying activity.

4.8.16 Hospitality

4.8.17 Councillors are strongly discouraged from receiving hospitality from people with an interest in any planning proposals. If receipt of hospitality is unavoidable, Councillors will ensure that it is of the minimum level and, if it exceeds the level to which the requirement for declarations of gifts and hospitality applies, Councillors must declare the offer as soon as possible in the register kept by the Monitoring Officer.

4.8.18 Substitutes

4.8.19 Substitute members of the Planning and Regulatory Committee are permitted but any substitute member will be required to undertake mandatory training in planning procedures and be appropriately trained to the same level as the member they are substituting for.

4.8.20 Substitute members have all the powers and duties of an ordinary member of the Planning and Regulatory Committee.

4.8.21 A substitute member must be identified by name as replacing a primary member of the Planning and Regulatory Committee before a committee meeting. A substitute can only replace the primary member for the entire meeting – substitutes cannot be made for an item on the agenda.

4.8.22 General provisions relating to voting members

- 4.8.23 The above rules apply to all decision makers on committee i.e. those who are voting members.
- 4.8.24 A ward member who is a member of the committee is not a voting member of the committee.
- 4.8.25 A member of the committee who does not intend to take part in any discussion or vote (because they have either predetermined a matter or have an interest) is not a voting member of the committee.

COUNCILLORS WHO ARE NOT MEMBERS OF THE COMMITTEE (AND NON-VOTING MEMBERS OF THE COMMITTEE)

4.8.26 General Conduct

- 4.8.27 Councillors who are not members of the Planning and Regulatory Committee who are Ward Councillors affected by a planning application represent their own views or that of their constituents as a consultee and will be consulted on the planning application, will be invited to speak at the Planning and Regulatory Committee and attend any site inspections that take place in their ward.
- 4.8.28 Councillors who are not members of the Planning and Regulatory Committee should not lobby members of the Planning and Regulatory Committee in order to secure the outcome on a planning application that either they or their constituents seek. The Ward Councillor, the appropriate town or parish council and local residents will have the opportunity to present their views to the Planning and Regulatory Committee in accordance with the Council's procedure for public speaking at the Planning and Regulatory Committee as set out in 4.8.100.
- 4.8.29 All Councillors may attend meetings of the Council's Planning and Regulatory Committee even if they are not a member of the Planning and Regulatory Committee. Councillors attending a meeting of the Planning and Regulatory Committee should not sit in the public gallery, but in the place reserved in the committee room for Councillors who are not members of the Planning and Regulatory Committee.

4.8.30 Hospitality

- 4.8.31 Councillors are strongly discouraged from receiving hospitality from people with an interest in any planning proposals. If receipt of hospitality is unavoidable, Councillors will ensure that it is of the minimum level and, if it exceeds the level to which the requirement for declarations of gifts and hospitality applies, Councillors must declare the offer as soon as possible in the register kept by the Monitoring Officer.

PLANNING OFFICERS

4.8.32 General Conduct

- 4.8.33 In reporting to the Planning and Regulatory Committee, Planning Officers will:

- (a) provide professional and impartial advice
- (b) make sure that all information necessary for a decision to be made is given
- (c) set the planning application in the context of the development plan documents and all other material considerations
- (d) include the substance of objections and the views of people who have been consulted
- (e) provide a clear and accurate written analysis of the issues
- (f) give a clear recommendation

4.8.34 Record keeping should be complete and accurate. Every planning application file should contain an accurate account of events throughout its life. Particular care is to be taken with delegated decisions, which should be as well documented and recorded as those taken by members of the Planning and Regulatory Committee. These principles apply equally to enforcement and development plan matters.

4.8.35 Planning Officers are responsible for carrying out the decisions of the Planning and Regulatory Committee, whether or not those decisions are in line with Planning Officer recommendations.

4.8.36 Hospitality

4.8.37 Planning Officers may not receive gifts or hospitality beyond usual refreshment (such as tea or coffee) at a meeting, from people with an interest in a planning application/proposal.

SUBMISSION OF A PLANNING APPLICATION

4.8.38 Discussions on Planning Applications

4.8.39 All Planning Officers taking part in pre-application or post-submission discussions with applicants, supporters or objectors should make it clear that decisions on planning applications are taken either:

- (a) by the members of the Planning and Regulatory Committee in committee, or
- (b) in specific circumstances by the Service Manager or by a Planning Officer to whom they have the power to delegate.

4.8.40 A written note will be made of all such meetings and may be distributed. The meeting note and any follow-up correspondence must be placed on the planning application file, in case a planning application is made following initial discussions.

4.8.41 Initial submission of applications

4.8.42 All Councillors will be informed by email on the submission of a new planning application in their ward.

4.8.43 All applications will proceed and will be determined under delegated powers unless they fall within the category of applications automatically to be referred to committee or are redirected as provided for under the redirection arrangements in these rules. Paragraph

4.8.44 to 4.8.46 below applies only to planning applications which are to be determined under delegated powers.

- 4.8.44 In the case of a major planning application the case officer will identify to the ward member whether an application triggers the need for a section 106 agreement in accordance with the council's adopted Planning Obligations Supplementary Planning Document
- 4.8.45 In the case of major applications requiring a Section 106 agreement the case officer will have a subsequent conversation/meeting with the ward member to ensure the local mitigation measures are appropriately incorporated. As part of this process officers and members will be guided by the councils adopted Supplementary Planning Guidance and the evolving schedule of local needs co-ordinated by the planning obligations manager.
- 4.8.46 The Ward Councillor for the purpose of 4.8.44 and 4.8.45 is/are the Councillor/Councillors in whose ward the application is located, or whose wards are materially affected by the planning application.

SITE INSPECTIONS

4.8.47 General

- 4.8.48 Site Inspections by the Planning and Regulatory Committee can be helpful in reaching a decision on issues where site circumstances are clearly fundamental to the decision. This is true particularly when the issues concern, for example, visual impact, the character of an historic building or the effect of development on local amenity. However, site inspections are costly, cause delay to decisions and are an unsuitable place for holding a reasoned debate.
- 4.8.49 The criteria for holding site inspections are:
 - (a) the character or appearance of the proposed development itself is a fundamental planning consideration; or
 - (b) a judgement is required on visual impact; or
 - (c) the setting and surroundings are fundamental to the determination or to the conditions being considered, and cannot reasonably be made without visiting the site in question.
- 4.8.50 The Chairperson of the Planning and Regulatory Committee and the Service Manager will determine which planning applications will be the subject of a prior site inspection. This does not prevent any member of the Planning and Regulatory Committee requesting a site inspection at the Planning and Regulatory Committee meeting when it has not already been visited by this procedure.
- 4.8.51 Site Inspections should not be held when inspection of the site is irrelevant to the material planning considerations. Any member of the Planning and Regulatory Committee may request a site inspection, but reasons based on the above criteria must be stated. Where a motion for a site visit is moved at a meeting of the Planning and Regulatory Committee it will be put to the vote immediately; if the motion is carried there will be no further discussion of the planning application which will be deferred to a later meeting date after a site visit has taken place.

- 4.8.52 The purpose of the site visit is fact finding and familiarisation of the site of a planning application. Planning Officers will be able to point out relevant features of the site and surroundings. Members of the Planning and Regulatory Committee will be able to see the physical features of the site and ask questions through the Chairperson or the Planning Officers to seek clarification. Neither the applicant/agent nor third parties will be allowed to participate in the site inspection. The input of these parties is made at the Planning and Regulatory Committee meeting itself.
- 4.8.53 At the discretion of the Chairperson of the Planning and Regulatory Committee the appropriate parish or town council may be invited to observe the inspection. Where a parish or town council is invited to a site visit it will be made clear that any access onto the application site will be subject to permission from the owner/applicant. Where permission is not granted the parish or town council should view the site from public vantage points only. On a site visit a parish or town council may not contribute to the opportunity to ask questions of Planning Officers on site.
- 4.8.54 No discussion of the merits of the planning application is permitted at site inspections and all questions from Councillors will be put through the Chairperson. The site inspection party will stay together as a group. Wherever possible the party should arrive at and leave the site together.
- 4.8.55 As a member of the Planning and Regulatory Committee when on-site visits Councillors should not make any comments that could create an impression that they have already formed a view on the merits of the planning application. No decision on the planning application should be made until the meeting of the Planning and Regulatory Committee at which the planning application is to be considered, when members of the Planning and Regulatory Committee will have before them all necessary information to be able to make an informed decision, including any material facts arising from the site visit which the Service Manager considers should be reported to the Planning and Regulatory Committee.

4.8.56 Conduct of site visits

- (a) visits will be conducted in a formal manner.
 - (b) the Chairperson or Vice-Chairperson will open the visit and remind members of its purpose and conduct.
 - (c) Planning Officers will highlight issues relevant to site inspection. If issues are raised which necessitate consultation with the applicant or his agent, this should be done after the close of the visit and the outcome reported to the subsequent Planning and Regulatory Committee.
 - (d) Ward councillors will be invited to site inspections in their wards and asked to highlight local issues relevant to the site inspection.
 - (e) the Chairperson or Vice-Chairperson will close the visit.
 - (f) no decision will be made concerning the planning application on site.
 - (g) no formal notes will be made.
 - (h) no hospitality will be accepted.
- 4.8.57 If a member of the Planning and Regulatory Committee finds it necessary to visit a site alone (perhaps because it was not possible for them to attend a Planning and Regulatory Committee site visit), the Councillor should view the site only from public vantage points, seek to avoid any discussion with interested parties, and, if there is such discussion, make it clear that no decision on the planning application will be taken until it has been discussed at the relevant Planning and Regulatory Committee.

INFORMATION RECEIVED PRE-COMMITTEE MEETING

4.8.58 Pre-Committee information and briefings

4.8.59 No member of the Planning and Regulatory Committee shall engage or discuss any application with either applicants or objectors. In the event that a member is contacted directly then member should direct the applicant or objector either to the Service Manager or another councillor in the ward.

4.8.60 For certain applications, information and briefings from an applicant to the members of the committee prior to determination can be of considerable benefit to for the members in their capacity as decision makers. Such information and briefings should not, however, be used for an applicant to lobbying members to support an application. Any such discussions should take place within clear guidelines.

4.8.61 Where the Chairperson of the Planning and Regulatory Committee and Service Manager agree that it would be beneficial for the members of the committee, the applicant will be invited to address the committee. This is ordinarily where the application is considered to be large, complex or have significant material considerations. The Chairperson and Service Manager will determine whether relevant ward councillors should also be invited to the meeting.

4.8.62 This meeting with the applicant must be before any agenda is published for the relevant committee. Any meeting will be co-ordinated by the Service Manager (or delegated officer). The officer must be provided with a copy of any presentation in advance and agree with its contents. The applicant (or their agent) must agree in writing to the Council's standard undertaking that they understand the meeting is not confidential, the outcomes will be published, the meeting is solely for the purpose of information gathering by the Committee, it is not an opportunity for anyone to discuss the merits of the application and that they cannot use the meeting to lobby support for the application.

4.8.63 It should always be made clear at the outset that any questions or views expressed will not bind a Council to making a particular decision when considering the full merits of the applicant and that any views expressed are personal and provisional. Advice and observations should be based on the adopted plan and material considerations.

4.8.64 The meeting is not a public meeting or a meeting in public – no decisions will be made at this meeting. However, the officers will minute the meeting, and this will be published on the application portal or if that is not possible then included with the officer report within the agenda. A copy of any presentation to the committee will be published on the application portal.

4.8.65 The information and briefings to the members of the committee shall be limited to:

- (a) the applicant providing information on the development proposal and answering any questions raised on factual matters. The understanding must be that the engagement is in order to improve understanding.
- (b) members should maintain an impartial listening and questioning role and avoid expressing an opinion or giving advice. Questions to clarify aspects of a proposal, or the expressions of policy concerns are legitimate as long as they do not develop into negotiations. It should be made clear at the outset of the meeting that discussions are not binding, and that views expressed are not part of the determination process. It should be made clear in introductory remarks that any statements should be categorised as 'without prejudice'.

(c) If the applicant requests the views of the council, these will be communicated subsequently and in writing by officers. In such communication, officers will make it clear that any views expressed prior to formal determination of an application are preliminary.

4.8.66 At all times members of the committee should be mindful of predetermination.

4.8.67 Material submitted directly to Planning and Regulatory Committee Members

4.8.68 If a member of the Planning and Regulatory Committee receives material from or on behalf of an applicant or third party in connection with a planning application before a Planning and Regulatory Committee the Councillor should establish from the Planning Officers whether the material has been received by them. If it has not, Councillors should make it available as soon as possible to the Service Manager.

4.8.69 Documents in connection with an application should all be dealt with in the Planning Officer's written report to Planning and Regulatory committee. Any additional information received after the preparation of that report up to noon on the day before the Planning and Regulatory Committee meeting will also be brought to the attention of the Planning and Regulatory Committee if it raises new and relevant material planning matters. Papers received after that time will normally be discounted, since time will not be available to check their accuracy or to give consideration to their implications. A printed Planning and Regulatory Committee update will be published to Herefordshire Council's website the evening before the Planning and Regulatory Committee meeting.

4.8.70 Any material planning information which is received after the written report has been prepared and before the cut-off time specified in 4.8.69 above will be presented orally to the Planning and Regulatory Committee by Planning Officers provided that the officer considers that the information raises new and relevant material planning matters.

REDIRECTION OF DELEGATED PLANNING DECISIONS

4.8.71 National Scheme of Delegation of Planning Functions

4.8.72 A national scheme for decision making for planning was introduced under the Planning and Infrastructure Act 2025 and the Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulation 2026. This provides that all Schedule 1 applications must be decided by officers and Schedule 2 applications there is a presumption that they will be determined by officers. The Regulations allow applications to be redirected to committee in certain circumstances.

4.8.73 The references to Schedule 1 applications and Schedule 2 applications are those as set out in the regulations (as amended from time to time) and reproduced in the schedule to this Part 4 Section 8. The schedule to this Part shall be updated to reflect legislative changes to Schedule 1 or Schedule 2.

4.8.74 General

4.8.75 The majority of decisions on planning applications are delegated to the Chief Executive and determined by Planning Officers acting under National Scheme of Delegation of Planning Functions and the Chief Executive's Scheme of Delegation in accordance with the

Functions Scheme (Part 3). However, a redirection to committee can be made by agreement of Chairperson of the Committee and the Service Manager either:

- (a) by their own decision; or
- (b) if they are requested to do so by Ward Councillors

4.8.75 Ward Councillors may choose to ask that a particular planning application is redirected for decision by the Planning and Regulatory Committee. A Ward Councillor for the purpose of this redirection procedure is the Ward Councillor in whose area the planning application lies and any councillor whose ward is materially affected by the planning application.

4.8.76 Reasons for redirection

4.8.77 A request for redirection should be made in writing to the Planning Officer assigned to the planning application. The Ward Councillor will need to ensure that the request for redirection is made on legitimate planning grounds as the reasons for the redirection request will be placed on the planning application file and will be accessible to view on Herefordshire Council's website. A redirection request will only need to be considered if it relates to an application that falls within the criteria in 4.8.80.

4.8.78 A redirection will only occur where the Chairperson of the Committee and Service Manager agree.

4.8.79 Redirections to Committee due to significance

4.8.80 Where both the Chairperson of the Committee and the Service Manager agree that the application meets the qualification criteria, then the following applications shall be determined by the committee:

- (a) an application falls within Schedule 2 and has been called in for committee determination by the relevant ward member in accordance with this redirection procedure
- (b) the application does not fall within either Schedule 1 or Schedule 2
- (c) the application is a Schedule 2 application and in the view of the Chairperson of the Committee and the Service Manager should be considered by the Committee

4.8.81 The qualification criteria required is either where (a) or (b) below are satisfied:

- (a) where the application raises an economic, social or environmental issue of significance to the local area. Note: examples of such include:
 - i an application for outline planning permission for a large multi-phase residential development allocated in the local plan
 - ii an application for planning permission for change of use of a community shop in a rural area
 - iii an application for planning permission or listed building consent for changes to a notable listed building in a town centre

OR

(b) where the application raises a significant planning matter having regard to the development plan and any other material considerations. Note: it is unlikely that the following would amount to a significant planning matter:

- i where the application for development broadly complies with a detailed site allocation and other relevant policies set out in a local or neighbourhood plan and national decision making policies set out in the National Planning Policy Framework. Significant planning matters may arise if new material considerations are raised by the application
- ii where a specific planning matter (e.g. highways or flood risk) was initially raised by a statutory consultee as a concern, but the development proposal has been modified to make it acceptable in the view of the statutory consultee (unless the nominated officer has compelling reasons to consider otherwise)

4.8.82 When considering reserved matters approval applications which fall into Schedule 2 against the qualifying criteria the Chairperson of the Committee and the Service Manager only have regard to matters which are directly relevant to the reserved matters application before them.

4.8.83 The Chairperson of the Committee and the Service Manager may agree to jointly maintain further guidance and examples of matters that they consider would fall within 4.8.81 (a) or (b) and may update and modify such examples and guidance as they agree. There is no requirement for guidance and examples to be created or maintained by the Chairperson of the Committee and the Service Manager should they choose.

4.8.84 **Redirection due to Council, officer and member related applications**

4.8.85. Where both the Chairperson of the Committee and the Service Manager agree, then any Schedule 1 or Schedule 2 applications where (i) the Council, an officer or a member (ii) has an interest and (iii) a requirement for transparency and accountability, it shall be determined by the committee.

4.8.86 An interest for the purpose of paragraph 4.8.85 includes:

- (a) where there is a wellbeing or financial interest in the outcome of the application; or
- (b) any other interest which is personal to the Council, an officer or a member or gained through their relationship with another individual or organisation (including any entity influenced, owned or controlled (whether wholly or partly) by the Council, an officer or members)

4.8.87 A requirement for public transparency and accountability includes where the Chairperson of the Committee and the Service Manager agree that there is a desire to demonstrate openness by the Council by taking a decision in a public meeting.

4.8.88 Transparency and accountability isn't a requirement where:

- (a) the application relates to an interest of an officer who is NOT a council officer who is employed in the planning service or works closely with it, or is not a senior manager as defined in the council's pay policy statement; or
- (b) the application relates to a Council application (whether made by the Council or a third party) and no objections on material planning considerations have been received and the proposal is consistent with the adopted development plan.

4.8.89 If the Chairperson of the Committee and the Service Manager decide that an application under paragraph 4.8.85 shall not be determined by committee, then this shall not prevent any Schedule 2 application been considered under paragraph 4.8.85 providing that the qualifying criteria are met.

4.8.90 Where the interest relates to the Chairperson of the Committee or the Service Manager, then the decision in 4.8.85 shall be made by their respective delegated deputy officers or member.

Other applications

4.8.91 There is no requirement that any other Schedule 2 applications must be considered by the Chairperson of the Committee and the Service Manager under paragraph 4.8.80 or 4.8.85.

4.8.92 Where there is no agreement between the Chairperson and Service Manager then the application will be determined by officers in accordance with the scheme of delegation.

the in the following circumstances:

- (a) the application raises unusual or sensitive planning issues which would benefit from the consideration of the Committee, or
- (b) the application has attracted an unusually high level of public interest and /or objections
- (c) there has been a recent and significant change of planning policy (either at national or local level) which would result in a different recommendation being made in respect of an application than would previously have been the case.

4.8.93 All requests for redirection will be discussed by the Service Manager (or their delegate) and the Chairperson of the Planning and Regulatory Committee. A decision whether to accept the redirection will be made by the Service Manager (or their delegate). The decision will be confirmed in writing. In the Chairperson's absence, the Vice-Chairperson will be consulted.

4.8.94 Whether or not the request for redirection is agreed the request will be published as a representation alongside the reason why the request was agreed or refused on the planning application on Herefordshire Council's website. The Planning Officer's written report will also give the name of the Ward Councillor making the request for redirection and the reasons for the redirection.

4.8.95 Ward Councillors must as part of the request for redirection state why the matters raised in the request for redirection amount to qualification criteria to warrant scrutiny by the Planning and Regulatory Committee.

4.8.96 There will be circumstances in which an application is amended in order to respond to issues raised in the normal processing of the planning application by the Planning Officer, statutory consultees or local residents. In the event that the reasons for redirection are resolved through the amendments made to the planning application the Ward Councillor will be at liberty to withdraw their request for redirection, or the Chairperson of Planning and Regulatory Committee and Service Manager may decision not to progress a Planning and Regulatory Committee determination. Thereafter the decision will revert to a delegated decision.

4.8.97 The Redirection timescales

4.8.98 A request for redirection needs to be made as soon as possible after the date a valid planning application is submitted to avoid unnecessary delays in determining planning applications.

4.8.99 Redirections should normally be made by the relevant ward members before the expiry date of the consultation period, subject to 4.8.105 below.

4.8.100 Conditional Redirection

4.8.101 In some cases, a Ward Councillor may be content that the application be re-directed only if planning officers are intending to grant or refuse planning permission. In that case a Ward Councillor can ask that the matter only be redirected in accordance with this procedure if it is either the intention of the planning officer to grant or refuse the application.

4.8.102 Other circumstances

4.8.103 Any other reasons for requesting a redirection other than those set out above will be considered on their individual merits and circumstances.

4.8.104 Referrals requested after the expiry date of the consultation period

4.8.105 Any of the circumstances set out above could justify a late redirection provided the reasons for the lateness of the request are explained when the request is made. In these circumstances, the Service Manager will make a judgement based on the issues raised, and the stage reached in the processing of the application.

4.8.106 Procedure

4.8.107 A planning application which has been re-directed to the Planning and Regulatory Committee for determination will be considered in accordance with these rules and code.

4.8.108 The Ward Councillor who made the request for redirection will be notified of the date of the relevant Planning and Regulatory Committee meeting and will be invited to speak at that Planning and Regulatory Committee meeting in accordance with 4.8.132.

DETERMINATION OF APPLICATION AT COMMITTEE

4.8.109 Members of the Planning and Regulatory Committee have the power to determine applications for planning permission and applications for listed building consent which are not decided by an Officer which including those matters redirected to the Planning and

Regulatory Committee for determination under the Redirection Arrangements set out in 4.8.71 – 4.8.108.

- 4.8.110 The Head of Planning in discussion with the Chairperson of the Planning and Regulatory Committee, may withdraw any item from the agenda of the Planning and Regulatory Committee after the preparation of the written report but before discussion by the Planning and Regulatory Committee if the circumstances of the consideration of a planning application change within that period.

4.8.111 Applications in which a member of the councillor or an officer has an interest

- 4.8.112 All applications which are submitted ~~by or on behalf of where~~ a member of the council has an interest in their private capacity, by their partner, a member of their family or a close association must be drawn to the attention of the Service Manager by the member in writing. If the member has an material interest in the outcome of the application or if the application is submitted by their partner, it will be determined by the Planning and Regulatory committee if there is a requirement for transparency and accountability. If the member is a member of that committee then they must take no part in the determination of the application. The member must declare a disclosable pecuniary interest and may only speak as the applicant or appoint an agent to speak on your behalf in accordance with the Planning Rules (paragraph 4.8.132 (Public Speaking at Planning and Regulatory Committees)). The Councillor cannot speak as a ward member if the application is in their Ward.

- 4.8.113 ~~If the application is from a member with an interest of a councillor's family or a close association, or the councillor has a conflict of interest~~, then the chairperson of the Planning and Regulatory Committee will appoint another member of the council to provide procedural and other advice and information to the applicant, and to the town or parish council concerned. If the application is also in the councillor's Ward then this other member may speak at committee as Ward member.

- 4.8.114 All planning applications submitted from officers who have an interest ~~are employed in the planning service or work closely with it or who are a senior manager as defined in the Council's pay policy statement, or by a close family member such that the officer has a material interest in the planning application~~, must be re-directed to the Planning and Regulatory Committee for a decision if there is a requirement for transparency and accountability, rather than being dealt with in accordance with the scheme of delegation to Planning Officers. If the officer concerned is present at the meeting of the Planning and Regulatory Committee at which such an application is determined, the officer must leave the room during consideration of the planning application.

4.8.115 Declaration of interests in planning applications and at Planning and Regulatory Committee

- 4.8.116 Interests need to be considered and declared as necessary in accordance with the Code of Conduct.
- 4.8.117 If a member of the Planning and Regulatory Committee has a Table 1, Table 2 or an "other interest which relates to a financial or wellbeing interest then under the Code of Conduct, the Councillor cannot participate in the meeting or vote on any item at the meeting and does have to leave the meeting. The Councillor may attend a Planning and Regulatory Committee meeting only as a member of the public, for the purposes only of making

representations, provided that the public are also allowed to attend the meeting for the same purpose. The Councillor must declare they are attending the meeting as a member of the public at the start of the meeting. If a Councillor has such an interest, they should notify the Monitoring Officer before the Planning and Regulatory Committee meeting that they wish to speak.

4.8.118 If a member of the Planning and Regulatory Committee has such an interest the procedure in Planning and Regulatory Committee will be as follows. The Planning Officer will present the report. If the Councillor wants to make representations, they will take their place in the space allocated to public participation. The Councillor will not be acting in their capacity as a Councillor and may make representations for no longer than three minutes (the time allocated to public participants at Planning and Regulatory Committee). Thereafter, the Councillor may take no further part in the debate or decision-making of the Planning and Regulatory Committee and must immediately leave the meeting. Such a Councillor may not stay in the meeting or listen to any other public participation in respect of the application.

4.8.119 Withdrawal from the Planning and Regulatory Committee meeting involves physically leaving the committee meeting room. The Chairperson of the Planning and Regulatory Committee should suspend the proceedings of the Planning and Regulatory Committee briefly while the Councillor leaves the committee meeting room.

4.8.120 Where a Councillor has a dispensation granted the Councillor may be granted the ability to speak and or vote by the by the Monitoring Officer and/or Audit and Governance Committee. The Councillor will still need to declare the interest.

4.8.121 Planning officers must play no part in the processing of any planning application in circumstances where there is, or would be perceived to be, a conflict between their personal or financial interests, those of their families or friends, and their professional duty. They must openly declare the existence of any such conflict in writing to the Service Manager. Any interest the Service Manager has in an application must be declared to the Monitoring Officer.

4.8.122 Cabinet members

4.8.123 There will be occasions when a cabinet member will wish to express comments on a particular planning application. This may include where the council is the applicant. Cabinet members are permitted to speak at the Planning and Regulatory Committee meeting for the item but must then withdraw from the meeting while the planning application is discussed and determined. Retiring to the public gallery is not sufficient and physical withdrawal from the room is required.

4.8.124 Where a cabinet member has a ward representation role, they may, at the discretion of the Chairperson, also speak as a Ward Councillor.

4.8.125 Planning and regulatory committee members who serve on parish and town councils

4.8.126 Some Councillors will be members of parish or town councils as well as Herefordshire councillors. In such circumstances Councillors may express their views and vote at the respective meetings of both councils having regard to the information available to them at that time. Having voiced a view and/or voted at a parish council meeting will not of itself prevent a member of the Planning and Regulatory Committee being involved in decision making at Planning and Regulatory Committee. Prior indication of a view on a planning application does not amount to predetermination. Similarly, members on the Planning and

Regulatory Committee can attend parish meetings in their ward and speak about planning applications. Talking to constituents be they applicants or objectors is permitted; it does not mean the Councillor has a closed mind. A member of the Planning and Regulatory Committee will not be taken to have a closed mind just because they may previously have done anything that directly or indirectly indicated what view they had, would have or might take so long as they have an open mind to the debate on the application.

4.8.127 Ward Councillors

4.8.128 At Planning and Regulatory Committee a Ward Councillor will have an automatic right to start and close the member debate on the planning application concerned, subject to the provisions on the declaration of interests as reflected in 4.8.115 (Declaration of interests). Ward Councillors will be allocated a maximum of 10 minutes to speak at the beginning of the debate on the planning application and a maximum of 5 minutes at the close of the debate on the planning application. In some circumstances it is advisable for a substitute to be used for the planning committee meeting so that the ward councillor role is distinct.

4.8.129 A ward member who is a member of the committee is not a voting member of the committee.

4.8.130 In the case of the ward member who **isn't** a member of the Committee, they would be invited to address the Committee for that item. They are not a decision maker and cannot vote.

4.8.131 In the case of the ward member who **is** a member of the Committee, they can act as the ward councillor as set out above but, as a decision maker, cannot vote on that item.

PUBLIC SPEAKING

4.8.132 General procedure

4.8.133 At Planning and Regulatory Committee the public will be permitted to speak at meetings when the following criteria are met:

- (a) the planning application on which they wish to speak is for decision at the Planning and Regulatory Committee
- (b) the person wishing to speak has already submitted written representations within the time allowed for comment
- (c) once an item is on an agenda for Planning and Regulatory Committee all those who have submitted written representations will be notified and any person wishing to speak must then register that intention with the Monitoring Officer at least 48 hours before the meeting of the Planning and Regulatory Committee
- (d) if consideration of the planning application is deferred at the meeting of the Planning and Regulatory Committee, only those who registered to speak at that meeting of the Planning and Regulatory Committee will be permitted to do so when the deferred planning application is considered at a subsequent or later meeting of the Planning and Regulatory Committee (unless there is a full rehearing of the application at the later meeting).
- (e) at the meeting a maximum of three minutes (at the Chairperson's discretion) will be allocated to each speaker from a parish council, objectors and supporters and only nine minutes in total will be allowed for public speaking
- (f) speakers may not distribute any written or other material of any kind at the Public and Regulatory committee meeting

- (g) speakers' comments must be restricted to the planning application under consideration and must relate directly to planning issues
- (h) on completion of public speaking, members of the Planning and Regulatory Committee will proceed to determine the planning application
- (i) in relation to Major planning applications only, the Chairperson will in exceptional circumstances allow additional speakers and/or time for public speaking and may hold special meetings at local venues if appropriate.

DECISION MAKING

4.8.134 Voting

4.8.135 Members of the Planning and Regulatory Committee will only be able to vote on an application before a Planning and Regulatory Committee if the member has been present for the whole of the presentation of and discussion on the planning application.

4.8.136 Decisions contrary to officer recommendations or to development plan policies

4.8.137 From time to time, there will be occasions when a member of the Planning and Regulatory Committee or the Planning and Regulatory Committee disagrees with the professional advice on a planning application given by Planning Officers.

4.8.138 The law requires that decisions on planning applications should be taken in accordance with the development plans unless material considerations indicate otherwise (S38A Planning and Compulsory Purchase Act 2004)

4.8.139 If the Planning and Regulatory Committee makes a decision contrary to the Planning Officer's recommendation (whether for approval or refusal) a detailed minute of the Planning and Regulatory Committee's reasons will be made and a copy placed on the application file. In this context members of the Planning and Regulatory Committee should be prepared to explain in full their reason for not agreeing with the Planning Officer's recommendation. In so doing, members of the Planning and Regulatory Committee should observe the 'Wednesbury principle' which requires all relevant information (i.e. material considerations) to be taken into account and all irrelevant information (i.e. non-material matters) to be ignored.

4.8.140 The Planning and Regulatory Committee may occasionally defer consideration of an application at a meeting to allow for a site visit to take place or to request additional information before reaching a decision. Where a motion for a deferral of an application is moved it will be put to the vote immediately. Clear reasons for the deferral must be stated when the motion is proposed. If the motion for deferral is carried there will be no further discussion of the application. Consideration and determination of the application will take place a later meeting date to be advised by the Service Manager.

4.8.141 Deferrals

4.8.142 In this section a 'deferral' means where a planning application is considered at a meeting ('deferral meeting') but then deferred or adjourned before a decision is made. The final decision on the planning application is made at a later meeting of the planning committee ('decision meeting'). The reasons for the deferral or adjournment are usually where the committee is seeking further information from officers or where the members of the committee determine that a site visit is appropriate.

4.8.143 If a planning application is deferred, the members present at the decision meeting may decide on it.

4.8.144 At the decision meeting all information shall be presented and made available to the members of the committee including that presented at the deferral meeting and that available from the site visit. The full merits of a planning application and all relevant considerations will be presented to the planning committee at the decision meeting. The public shall be notified of any deferral and opportunity to address the committee (irrespective if they had done so at the deferral meeting).

4.8.145 The members present shall not be prevented from taking part in the vote at the decision meeting simply because they did not attend either a deferral meeting or site visit. However, the members present at the decision meeting must satisfy themselves that that have all relevant information to them to enable a fully informed decision to be made on the planning application.

4.8.146 Where a planning application has been part decided (for example, the committee has resolved to grant planning permission conditional on the heads of terms of a section 106 agreement being approved), then at the deferred meeting, the members of the planning committee would only consider the part of the planning application that has yet to be decided (in this example, the committee would only consider the terms of the section 106 agreement and not the merits of the decision to grant permission. If the section 106 terms are agreed, then the full decision would have been made to grant permission subject to the s106 agreement. If the terms are not agreed, then the application would be refused due to lack of suitable mitigation in the s106 agreement).

POST DECISION

4.8.147 Ward Member notification

4.8.148 Ward Councillors will be advised where appropriate by the Planning Officer, the planning enforcement team, or the planning obligations manager of the following events:

- (a) any evolving inconsistencies between a planning permission and development taking place
- (b) any appeal against the refusal of planning permission
- (c) the receipt/apportionment of Section 106 Agreement monies
- (d) any proposed variations to the Section 106 Agreement.

4.8.149 Action on Decisions Taken Contrary to Professional Advice

4.8.150 In cases where a Planning Officer recommendation for approval has been overturned by the Planning and Regulatory Committee and an appeal or that decision is lodged:

- (a) Planning Officers will give full support to members of the Planning and Regulatory Committee and any external witnesses in preparing evidence for any public inquiry, short of giving evidence themselves; and
- (b) Planning Officers will give evidence themselves only in exceptional circumstances, where their Code of Professional Conduct is not breached; and
- (c) where a hearing is to be held, with no cross-examination, Planning Officers may give evidence themselves, but this will normally be only if the Planning Officer concerned has not been involved in formulating the original recommendation; and

- (d) Planning Officers must give full support to members of the Planning and Regulatory Committee where a decision is appealed using the written representations procedures.

4.8.151 Conditional Approvals

4.8.152 In this section a 'conditional approval' means where a planning committee approves a planning application, but the issue of the planning permission is only granted when the condition is satisfied. The decision to determine if the condition is satisfied is delegated by the planning committee to the Planning Development Management Service Manager.

4.8.153 If the condition relates to the completion of a s106 planning agreement or section 278 highways agreement then the planning permission shall only be granted where a copy of the proposed agreement has been placed on Part 1 of the local planning authority planning register for a minimum of 5 working days.

4.8.154 If the condition relates to any other matter that amounts to a material consideration, then the terms of the delegation to officers shall include full details of how the condition is to be discharged and the period of publication on Part 1 of the register (if any) required.

4.8.155 Delegations to planning officers

4.8.156 The Head of Planning or the Service Manager may delegate functions in this Section to a substitute officer to exercise the functions on their behalf. Any functions reserved to the Service Manager can be exercised by the Head of Planning.

4.8.157 In this Section, references to Head of Planning shall mean the Head of Planning and Building Control and Service Manager shall mean the Service Manager Development Manager.



Schedule to Section 8 - The Planning Rules and Code

Schedule 1 applications – that must be determined by an officer

The following are the applications that must be determined by an officer as determined by The Town and Country Planning (Discharge of Local Planning Authority Functions)(England) Regulations 2026. However, the application will fall within Schedule 2 where:

- a local authority considers that a Schedule 1 application for planning permission is connected to a Schedule 2 application for listed building consent or for the variation or discharge of a condition on a listed building consent
- an application would otherwise fall under Schedule 1 but is made under section 73A of the Town and Country Planning Act 1990
- an application would otherwise fall under Schedule 1 but is a Council, officer or member application

<u>No</u>	<u>Type of Application</u>
<u>1.1</u>	<u>Certificate of appropriate alternative development</u> means an application made under section 17(1) of the Land Compensation Act 1961
<u>1.2</u>	<u>Listed Building certificate of lawfulness of proposed works</u> means an application made under section 26H(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990
<u>1.3</u>	<u>A householder application.</u> householder application” means: <u>(a)</u> an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or

	(b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development, but does not include an application for change of use or an application to change the number of dwellings in a building
1.4	A minor commercial application. minor commercial application” means: (a) an application for planning permission for development of an existing building or part of a building currently in use for any of the purposes falling within Part A of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or (b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development, where such an application does not include a change of use, a change to the number of units in a building, or development that is not wholly at ground floor level or that would increase the gross internal area of a building,
1.5	A minor residential application. This includes: (a) planning permission for development that: (i) includes only dwellings and development for purposes incidental to the enjoyment of dwellings, (ii) comprises at least one but not more than nine dwellings, and (iii) is to be carried out on a site having an area smaller than 0.5 hectares; (b) an application for planning permission for development (other than excluded flat development) of a building containing flats, or development within the curtilage of such a building, for any purpose incidental to the enjoyment of the flats or any of the flats; or (c) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order for development within paragraph (a) or (b):

	<u>“dwelling” means a house or a flat;</u> <u>“excluded flat development” means development in respect of a building containing flats, or development within the curtilage of such a building, that involves either or both of (a) a change of use; (b) a change to the number of flats;</u> <u>“flat” means a separate and self-contained set of premises constructed or adapted for use for the purpose of a dwelling and forming part of a building from some other part of which it is divided horizontally;</u>
<u>1.6</u>	<u>Permission in principle application.</u> <u>“permission in principle” as referred to in section 58A of the Town and Country Planning Act 1990)</u>
<u>1.7</u>	<u>Section 73 applications for proposed changes to a Schedule 1 planning permission</u> <u>means an application made under section 73(1) of TCPA 1990 (application to develop land without compliance with conditions previously attached) in respect of which the original planning permission was a Schedule 1 planning permission.</u> <u>“Schedule 1 planning permission” means a planning permission granted pursuant to an application which is of a kind specified in this Schedule.</u> <u>“original planning permission” means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions were granted under section 73(1) of TCPA 1990; “</u>
<u>1.8</u>	<u>Non-material changes to planning permission or permission in principle</u> <u>means an application made under section 96A(4) of TCPA 1990</u>
<u>1.9</u>	<u>Planning Obligations – modification or discharge of agreements connected with a Schedule 2 approval</u> <u>Means in respect of a planning obligation that the authority concerned considers is connected with a Schedule 1 approval:</u> <u>(a) a request to agree to modify or discharge that obligation under section 106A(1)(a) of TCPA 1990 (modification and discharge of planning obligations);</u> <u>(b) an application to modify or discharge that obligation under section 106A(3) of TCPA 1990 (modification and discharge of planning obligations).</u>

	"Schedule 1 approval" means any permission, agreement, consent or approval (other than a planning obligation) pursuant to an application which is of a kind specified in this Schedule.
1.10	Certificate of lawfulness of existing use or development means an application made under section 191(1) of TCPA 1990
1.11	Certificate of lawfulness of proposed use or development means an application made under section 192(1) of TCPA 1990
1.12	Biodiversity Gain Plan applications means the submission of a biodiversity gain plan under paragraph 13(2)(a) of Schedule 7A to TCPA 1990.
1.13	Reserve Matters applications for outline planning permission (not large outline permission) means reserved matters approval application in respect of an outline planning permission other than a large outline permission. "large outline permission" means an outline planning permission which permits development involving either or both of (a) the provision of 500 or more dwellings; (b) the provision of a building or buildings where the floorspace to be created by the development is 50,000 square metres or more
1.14	Planning Condition applications means an application made under article 27(1) of Article 27(1) of Town and Country Planning (Development Management Procedure) (England) Order 2015) to discharge conditions
1.15	Prior Approval applications means an application pursuant to provision in Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 for: (a) prior approval, or

	<u>(b) a determination as to whether prior approval is required.</u>
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Schedule 2 applications – that may be determined by a committee or by an officer

<u>No.</u>	<u>Type of Application</u>
<u>2.1</u>	<u>Application for Listed Building Consent</u> <u>meaning an application for listed building consent made under section 10(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.</u>
<u>2.2</u>	<u>Variation or discharge of conditions of Listed Building Consent.</u> <u>meaning an application made under section 19(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.</u>
<u>2.3</u>	<u>Planning Permissions concerned with Schedule 2 Listed Building Consents</u> <u>meaning an application for planning permission that the authority concerned considers is connected with a Schedule 2 application specified in 2.1 or 2.2 above.</u>
<u>2.4</u>	<u>Planning Permissions</u> <u>Meaning an application for planning permission that is not:</u> <u>(a)a householder application.</u>

(b) a minor commercial application, or

(c) a minor residential application.

“householder application” means:

(a) an application for planning permission for development for an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, or

(b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development.

but does not include an application for change of use or an application to change the number of dwellings in a building (which in each case is a Schedule 2 application)

“minor commercial application” means:

(a) an application for planning permission for development of an existing building or part of a building currently in use for any of the purposes falling within [Part A](#) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or

(b) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order in relation to such development.

where such an application does not include a change of use, a change to the number of units in a building, or development that is not wholly at ground floor level or that would increase the gross internal area of a building (which in each case is a Schedule 2 application).

“minor residential application” means:

(a) planning permission for development that:

(i) includes only dwellings and development for purposes incidental to the enjoyment of dwellings,

(ii) comprises at least one but not more than nine dwellings, and

(iii) is to be carried out on a site having an area smaller than 0.5 hectares;

(b) an application for planning permission for development (other than excluded flat development) of a building containing flats, or development within the curtilage of such a building, for any purpose incidental to the enjoyment of the flats or any of the flats; or

	(c) an application for any consent, agreement or approval required by or under a planning permission, development order or local development order for development within paragraph (a) or (b); “dwelling” means a house or a flat; “excluded flat development” means development in respect of a building containing flats, or development within the curtilage of such a building, that involves either or both of (a) a change of use; (b) a change to the number of flats (which in each case is a Schedule 2 application); “flat” means a separate and self-contained set of premises constructed or adapted for use for the purpose of a dwelling and forming part of a building from some other part of which it is divided horizontally;
2.5	Section 73 applications for proposed changes to a Schedule 2 planning permission meaning an application made under section 73(1) of TCPA 1990 (application to develop land without compliance with conditions previously attached) in respect of which the original planning permission was a Schedule 2 planning permission. “original planning permission” means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions were granted under section 73(1) of TCPA 1990; “Schedule 2 planning permission” means a planning permission granted pursuant to an application which is of a kind specified in this Schedule.
2.6	Section 73 applications for existing changes to a Schedule 2 planning permission meaning an application made under section 73A(1) of TCPA 1990 (planning permission for development already carried out). “original planning permission” means a planning permission which is the first in a sequence of two or more planning permissions, where the second and any subsequent planning permissions were granted under section 73(1) of TCPA 1990; “Schedule 2 planning permission” means a planning permission granted pursuant to an application which is of a kind specified in this Schedule.
2.7	Planning Obligations – modification or discharge of agreements connected with a Schedule 2 approval meaning in respect of a planning obligation that the authority concerned considers is connected with a Schedule 2 approval;

	(a)a request to agree to modify or discharge that obligation under section 106A(1)(a) of TCPA 1990 (modification and discharge of planning obligations); (b)an application to modify or discharge that obligation under section 106A(3) of TCPA 1990 (modification and discharge of planning obligations). “Schedule 2 approval” means any permission, agreement, consent or approval (other than a planning obligation) pursuant to an application which is of a kind specified in this Schedule 2.
<u>2.8</u>	<u>Reserve Matters applications for large outline permission</u> means reserved matters approval application in respect of a large outline permission. “large outline permission” means an outline planning permission which permits development involving either or both of (a) the provision of 500 or more dwellings; (b) the provision of a building or buildings where the floorspace to be created by the development is 50,000 square metres or more;
<u>2.9</u>	<u>Advertisement applications</u> means a application for consent made under regulation 9 (1) of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007
<u>2.10</u>	<u>Tree Preservation Order applications</u> means an application for consent made under regulation 16 (1) of the Town and Country Planning (Tree Preservation) (England) Regulations 2012



Title of report: Leader's report to Council

Meeting: Council

Meeting date: Friday 9 October, 2026

Report by: The Leader of the Council

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

To provide an update on the work of the Cabinet since the meeting of Council held on 24 July, 2026.

Recommendation(s)

That:

- (a) the report be noted.

Alternative options

1. There are no alternative options; the constitution requires the Leader to provide Council with reports on the activities of the executive.

Key considerations

2. It is a constitutional requirement for the Leader of the Council to provide a report to the council meeting, other than the budget and annual meeting, on the work of cabinet since the last meeting. The leader's report is set out in appendix 1.
3. The report includes a summary of the matters decided by the cabinet and the cabinet members, any decisions taken under the urgency provisions and those subject to call in.
4. All decisions taken since the previous report (in July) are listed in appendix 2. These decisions have been made available on the council's website.

Further information on the subject of this report is available from
John Coleman

5. All councillors and members of the public have the opportunity to review all of the executives fully open decisions for five clear working days prior them being taken.
6. Of the decisions taken since my last report two decisions have been taken under the urgency provisions (the first of those decisions giving less than five days' notice). This was the 'Award of contract for the provision of overnight short breaks and outreach service for children and young people'. The second of those decisions needing to be implemented before the call-in period had concluded. This was Renewal of Access Group contract for Mosaic, Synergy and associated systems.
7. Included in my report is a summary of what I consider the most significant priorities, as well as some additional subjects that I hope will be of interest.

Community impact

8. The decision taken by the Cabinet and Cabinet Members are guided by the objectives set out in the adopted [Council Plan, 2024 to 2028](#).
 - a. **People** - enabling residents to realise their potential, to be healthy and benefit from communities that help people to feel safe and supported.
 - b. **Place** - Protecting and enhancing our environment and ensure that Herefordshire remains a great place to live. We will support the right housing in the right place and do everything we can to improve the health of our rivers.
 - c. **Growth** - Creating the conditions to deliver sustainable growth across the county; attracting inward investment, building business confidence, creating jobs, enabling housing development along with providing the right infrastructure.
 - d. **Transformation** – an efficient council that embraces best practice, delivers innovation through technology and demonstrates value for money.
9. [The Delivery Plan 2026-2027](#) outlines how the council's priorities and objectives will be achieved and what will be delivered in this municipal year. The Delivery Plan will be reviewed annually and progress will be reported on a regular basis through each directorate's service delivery plans.
10. The community impact of any decisions of the executive have been set out within the relevant decision report and taken into consideration at the time the decision was taken. Reporting to Council the activities of the executive demonstrates the council's commitment to the code of corporate governance principle of implementing good practices in transparency, reporting and audit to deliver effective accountability.

Environmental Impact

11. The environmental impacts of any decisions of the executive have been set out within the relevant decision report and taken into consideration at the time the decision was taken. Reporting to Council the activities of the executive demonstrates the council's commitment to the council's [environmental policy commitments](#) and aligns to the objectives set out in the Council Plan (2024 to 2028) which includes:
 - a) Valuing nature and upholding environmental standards to minimise pollution and maximise biodiversity;
 - b) Reducing waste, increasing reuse and recycling;
 - c) Working towards reducing county and council carbon emissions, aiming for net zero by 2030/31, and
 - d) Working with partners and communities to make the county more resilient to the effects of climate change.

Equality duty

12. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
13. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. As this report provides a summary of activity undertaken, the equality impacts of each decision can be viewed in each of the decision reports.

Resource implications

14. There are no new resource implications arising from the recommendations of this report. The resource implications of any decisions of the executive listed at appendix 1 and 2 have been set out within the relevant decision report and considered at the time the decision was taken and will inform any future decision making.

Legal implications

15. The council and committee, and cabinet rules within the constitution require the Leader to provide a report to Council on the work of the cabinet since the last meeting of Council and, at the first meeting to follow the annual meeting of Council (except in a year when there are ordinary elections), on the priorities of the cabinet and progress made in meeting those priorities. This report ensures these requirements are met.
16. There are no legal implications arising from the recommendations of this report. The legal implications of any decisions of the executive listed at appendix 1 and 2 have been set out within the relevant decision report and taken into consideration at the time the decision was taken.

Risk management

17. There are no risks arising from the recommendations of this report. The risks of any decisions of the executive listed at appendix 1 and 2 have been set out within the relevant decision report. They have been taken into account at the time the decisions were taken and will inform future monitoring of risk as part of the council's risk management reporting.

Consultees

None

Appendices:

Appendix 1: Leaders report to Council 9 October, 2026

Appendix 2: Executive decisions taken since 17 July to 1 October, 2026

Appendix 3: Cabinet member portfolios

Background papers:

None Identified

Foreword

I am pleased to present my report, covering a period of continued delivery and progress since my last update in July. While local government continues to operate in a challenging financial environment, our focus remains firmly on delivering the priorities set out in the Herefordshire Council Plan and ensuring that residents see tangible benefits from the decisions we make.

We are continuing to respond to significant housing pressures by investing in prevention and increasing the supply of temporary and transitional accommodation. We have now begun the redevelopment of the John Venn building, while additional accommodation is being brought into use. We are also developing plans for a dedicated homelessness assessment and support hub, bringing services together to help people earlier, provide better-quality accommodation and reduce reliance on costly emergency and bed-and-breakfast placements.

We are strengthening support for people affected by domestic abuse through the recommissioning of specialist services, with a greater focus on prevention and early intervention, safe accommodation, housing advocacy and whole-family support. This will help ensure that victims and their children can access the right support at the right time, while recognising children as victims in their own right.

Since my last report was published, the Department for Education (DfE) has formally confirmed the revocation of the statutory direction relating to children's services, bringing government intervention to an end. The improvement plan has been replaced with the business plan and Children's Services is progressing the major national reforms in SEND and Families First.

We continue to provide help and support to keep children at home with families. However, where staying with families is not possible, we always provide the right care and support to help those children and care leavers achieve good outcomes. In my report you will also see we have approved a new overnight short breaks and outreach service for children and young people with disabilities. The new service will expand local provision, enabling more children and young people to receive support closer to home while providing valuable respite and additional support for their families and carers.

We are also recommissioning the Children's Rights and Advocacy and Independent Visitor Service, helping to ensure that children and young people can express their views, participate in decisions affecting their lives and have their rights promoted and upheld. These updates reinforce our commitment to children and families in Herefordshire, and to ensure their needs, voices and outcomes are understood.

We are also helping more local people access higher education through the new Herefordshire Futures Bursary. Backed by the council and delivered with Hereford College of Arts and Herefordshire, Ludlow & North Shropshire College, the scheme will provide eligible students with up to £3,000 towards undergraduate study in the county. By prioritising people facing financial barriers, the bursary will create clearer routes into higher-skilled employment, support rewarding careers and help ensure local employers can access the talent and skills they need.

In adult social care, we are continuing our improvement programme following the Care Quality Commission inspection. The findings broadly reflected our own assessment, and improvement work was already under way at the time of the inspection. We are building on these firm

foundations through a focused plan to deliver further progress, alongside more sustainable home care and care home arrangements and closer integration with health services.

To maintain continuity of home care for around 834 residents, we have extended the existing commissioned frameworks while the new Care in Your Home model is developed, procured and introduced. This will provide stability for residents, carers and providers while supporting a safe transition to a more sustainable, outcomes-focused approach that promotes independence and wellbeing.

We have also approved a new Care Home Partnership Framework to respond to rising demand for residential and nursing care and the increasing complexity of need. The framework is intended to improve capacity, quality and provider stability, strengthen partnership working and support more effective hospital discharge arrangements and better outcomes for residents.

The new Public Realm Service has made a positive start as the arrangements become established. This gives us a more direct approach to improving and maintaining our roads, public rights of way and other open spaces, with clearer accountability for the condition of the places residents use every day.

Supporting sustainable growth across the county remains a key priority. We have launched the Herefordshire Future Skills Grant programme, helping local people and businesses develop the skills needed for future employment opportunities, while the new Big Economic Delivery Plan provides a clear framework for driving investment, productivity and business growth across the county.

I was pleased to attend the launch of the Herefordshire Apprenticeship Awards 2027 last month, which will recognise and celebrate the achievements of apprentices and the employers and training providers who support them. At the time of writing, I am also looking forward to attending the skills conference being organised by the council's Growth Hub. The event will bring businesses, education providers and other partners together to explore how we can develop the skills our economy needs, help employers recruit and retain talent, and create more opportunities for local people to build rewarding careers in Herefordshire.

At the time of writing, I am also looking forward to attending the opening of the new Elevate Business Lounge in Hereford. Its co-working areas, flexible workspaces and meeting and conference facilities will provide local businesses and professionals with a place to connect, collaborate and grow.

Together, these initiatives will help create jobs, strengthen our economy and ensure Herefordshire is well placed to compete for future investment.

Supporting our rural communities remains equally important. I recently visited Green Farm in Felton as part of the National Farmers' Union's Back British Farming campaign, where I met the Simcock family and saw how the business is producing high-quality food, maintaining strong animal welfare standards, creating local jobs and supplying locally sourced school meals.

Our Invest in Herefordshire team also represented the county's rural economy at the World Agri-Tech Innovation Summit in London, alongside local business S&A Produce. We have continued the farm mentoring programme, providing practical support to local farming businesses. Alongside our fellow councils in the Marches Forward Partnership (MFP), we have also continued to champion the industry regionally. As part of this work, the Chief Executive and I were delighted to visit the Senedd (Welsh Parliament) with the MFP. The visit provided an opportunity to raise the profile of the region and its rural priorities with Welsh parliamentarians and government officials.

We are also making progress in enabling housing development, with 677 net additional dwellings completed during 2025/26, despite a challenging planning and development environment. Meanwhile, more than £2.3 million in phosphate mitigation income has now been received, helping to release planning permissions for 1,096 homes while supporting our wider environmental responsibilities.

Following extensive engagement with partners and stakeholders, we have adopted Herefordshire's Local Nature Recovery Strategy. This represents an important step in protecting biodiversity, improving river and landscape health, and ensuring nature recovery is embedded within our plans for future growth.

I was proud to attend the Hereford Military History Festival, where I joined a packed audience in Hereford Cathedral for a discussion on the past, present and future of the SAS. The strength of the turnout was testament to the deep bond Herefordshire shares with its Armed Forces communities and the enormous pride felt across the county in those who serve and have served. It is a commitment the council is proud to share, reflected in the recent revalidation of our Gold Award under the Ministry of Defence's Defence Employer Recognition Scheme - the highest level of recognition for organisations that demonstrate sustained and outstanding support for the Armed Forces community.

Moving away from core services, a number of major projects are now reaching important milestones. At Merton Meadow, the flood alleviation works are nearing completion, creating the conditions to unlock future housing, enhance biodiversity and improve public access to green space.

Significant progress has also been made on the Hereford Transport Hub, which is nearing completion and is expected to provide a modern gateway with new facilities and improved access. The Holme Lacy Road active travel scheme is also approaching completion, improving safety and more travel choices for residents. Ross-on-Wye Enterprise Park is progressing well and moving closer to becoming one of the county's most significant employment sites.

Preparatory work has begun along the route of Hereford Bypass Phase One, including site preparation, fencing, ground investigations, trial holes and drainage and pavement surveys. Detailed design work, land negotiations and engagement with National Highways, Network Rail and other stakeholders are helping to move the scheme towards its next decision point, with final design work and associated costings expected during the autumn.

Construction works at the new Peterchurch School have now been completed, delivering modern facilities that will benefit pupils and the wider community for generations to come. We are also preparing to begin work to increase capacity at Aylestone School in Hereford, seeking public views on proposals to establish a new special school at the Ryefield Centre in Ross-on-Wye, and using the opportunity presented by the Department for Education's (DFE) School Rebuilding Programme to develop options for increasing capacity at Westfield School. Together, these projects form part of our wider work to create more local school places and strengthen support for children and young people with SEND.

While this has been another period of significant delivery and progress, it is important that we acknowledge the challenges we continue to face. At Quarter 1, the council is forecasting an £11.6 million overspend against its £234.1 million net revenue budget. The main pressures arise from growing demand in adult social care, temporary accommodation, SEND and home-to-school transport budgets. We are taking action to mitigate the forecast overspend: delivery of outstanding savings plans, identifying mitigations and maintaining robust expenditure controls to deliver services within the approved budget.

It is incredibly important that those and future decisions are well-informed and transparent. This is why I am very proud that Herefordshire Council continues to demonstrate its commitment to strong governance, transparency and sound financial management. On 29 September, the council published its audited accounts for the year ended 31 March 2026, one of only seven local authorities in the country to achieve this milestone by this date. This achievement reflects the dedication of members and officers and the council's ongoing commitment to accountability and responsible stewardship of public funds on behalf of the residents of Herefordshire.

Following a period of four months of audit testing, the external auditors have confirmed that the accounts are free from error and we have followed proper accounting standards. This provides valuable, and timely, external assurance to all members and residents that the accounts can be relied upon to support decision making and financial planning.

Through their work to assess the council's arrangements to secure Value for Money, I am thrilled to report that the auditors have raised a 'Good Practice Insight' highlighting the transformation and improvement in children's services as 'notable practice'. This finding reinforces assessments made by other regulators this year: the Ofsted 'Good' with 'Outstanding' leadership of services rating in January and the removal of the statutory direction in July.

My Cabinet and I remain committed to doing the very best for Herefordshire and to ensuring that our actions and decisions continue to support stronger communities, sustainable growth and improved outcomes for everyone who lives, works and invests in our county.

*Councillor Jonathan Lester
Leader of Herefordshire Council*

My Report to Council:

Herefordshire Council Plan – 2024 to 2028. Through the development of the Herefordshire Council Plan, four corporate priorities have been identified. These are:

- I. **People** – We will enable residents to realise their potential, to be healthy and to be part of great communities who support each other. We want all children to have the best start in life.
- II. **Place** – We will protect and enhance our environment and ensure that Herefordshire is a great place to live. We will support the right housing in the right place, we will support access to green spaces and we will do everything we can to recover the health of our rivers.
- III. **Growth** – We will create the conditions to deliver sustainable growth across the county; attracting inward investment, building business confidence, creating jobs, enabling housing development along with providing the right infrastructure, and
- IV. **Transformation** – We will be an efficient council that embraces best practice, delivers innovation through technology and demonstrates value for money.

The Herefordshire Council Plan, alongside the Medium-Term Financial Strategy, provides the overarching policy framework within which decisions will be taken and resources allocated over the next 4 years.

Delivery Plan 2026 to 2027 – turning the strategic vision in to delivery

Central to the realisation of the Council Plan is the Delivery Plan 2026-27, which sets out the milestones and progress against our priorities of People, Place, Growth and Transformation. As members of this council you will be able to mark our progress through quarterly reporting into Cabinet and routine financial monitoring against the approved revenue budget and capital programme. Alongside this we are developing annual service plans within each of the directorates which will be reporting progress monthly to the corporate leadership team.

In my report below, I have outlined where the cabinet and cabinet members decisions begin the delivery of those stated objectives.

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Theme 1 - People: We will enable residents to realise their potential, to be healthy and to be part of great communities that support each other. We want all children to have the best start in life.

1: Extension of the council's current commissioned home care frameworks

Stated Delivery Plan Objective: Enable people to support themselves and each other by providing the right help at the right time

This year we will: Review all Supported Living services

In September, the Cabinet Member for Adults health and Wellbeing approved the extension of the existing home care framework arrangements from 31 October 2026 to 30 April 2027, with the option to extend for a further period of up to four months, ending no later than 31 August 2027. Delegated authority is also sought for the Corporate Director for Community Wellbeing to implement the extension and complete all associated contractual arrangements required to support the transition to the new Care in Your Home (CIYH) commissioning approach.

The proposed extension will ensure continuity of care for approximately 834 residents currently receiving home care services, equating to around 11,600 hours of support each week. Maintaining the existing arrangements will provide stability for service users, carers and providers while the council develops, procures and mobilises the CIYH model, which is intended to deliver a more sustainable, outcomes-focused approach that promotes independence and wellbeing.

Extending the frameworks is considered the most appropriate option as it supports the council in meeting its statutory duties under the Care Act 2014, minimises the risk of disruption to vulnerable residents and maintains market stability during a period of increasing demand and complexity of need. The extension also provides sufficient time to complete the development and implementation of CIYH in a safe and controlled manner, while continuing to achieve value for money through existing contractual arrangements.

Alternative options, including allowing the frameworks to expire, proceeding directly to implementation of CIYH without an extension, or extending the frameworks for a longer period, were considered but are not recommended. These options would either create unacceptable risks to service continuity and market stability, provide insufficient time to develop the new commissioning model, or unnecessarily delay the implementation of the long-term Care in Your Home approach

2: Domestic Abuse Commissioning - 2026

Stated Delivery Plan Objective: Support people to feel safe and respected in their communities

This year we will: Work with partners to prevent serious violence, organised crime, and domestic abuse/ Violence Against Women and Girls (VAWG) by strengthening early identification and promoting bystander intervention training across communities and frontline services

In August, the Cabinet Member approved the recommissioning of domestic abuse support services through an open procurement process using a two-lot model comprising Safe Accommodation Services and Whole-Family Community-Based Support, Safe Accommodation and Housing Advocacy. Contracts were approved for an initial two-year period from 1 April 2027 to 31 March 2029, with provision for extensions of up to four further years, subject to funding availability. Delegated authority was granted to the Corporate Director for Community Wellbeing to award and manage the contracts and approve any future extensions in accordance with the contract terms.

The decision was taken to ensure the council continued to meet its statutory responsibilities under the Domestic Abuse Act 2021, including the provision of support for victims of domestic abuse and their children and access to appropriate safe accommodation. It also enabled services to be aligned with confirmed funding arrangements and responded to evidence of increasing demand, pressures on accommodation provision and the need to reduce reliance on unsuitable temporary accommodation.

The approved commissioning approach built upon existing specialist domestic abuse services while creating a more integrated and sustainable support system. It strengthened the focus on prevention, early intervention, housing advocacy and whole-family support, with particular emphasis on improving outcomes for children as victims in their own right. The lot-based structure was intended to promote partnership working, encourage innovation and ensure flexibility to respond to changing levels of need and available funding.

3: Herefordshire Care Home Partnerships Framework

Stated Delivery Plan Objective: Enable people to support themselves and each other by providing the right help at the right time

This year we will: Increase the number of Care homes that we work in Partnership with

The Cabinet Member approved the procurement of a new Care Home Partnership Framework for adults in Herefordshire, with an estimated value of up to £484.3 million over a maximum eight-year period. Delegated authority was granted to the Corporate Director for Community Wellbeing to award contracts to successful providers, enter into contractual arrangements and approve operational decisions, extensions and variations in accordance with the council's Contract Procedure Rules.

The decision was taken in response to rising demand for residential and nursing care, increasing complexity of need and growing expenditure on care home placements. The existing commissioning model relied heavily on reactive spot purchasing arrangements, which provided limited opportunities for strategic planning, demand forecasting, market development and quality improvement. The new framework was intended to replace this approach with longer-term partnership arrangements that would provide greater certainty for providers, improve visibility of available capacity and support more effective commissioning of care home services.

The approved framework was designed to support the council's Care Act market-shaping responsibilities, improve provider sustainability and strengthen collaboration between the council and care home providers. Through an Open Framework model under the Procurement Act 2023, the council sought to establish a more sustainable and transparent care market, improve hospital discharge pathways, enhance quality assurance and support better outcomes for residents through a stronger focus on partnership working, performance and person-centred care.

4: Recommissioning of Children's Rights & Advocacy and Independent Visitors Services

Stated Delivery Plan Objective: Support people to feel safe and respected in their communities

In August, the Cabinet member – Children and Young People took a decision to approve an open procurement exercise for the provision of a Children's Rights and Advocacy Service and an Independent Visitor Service. The procurement will enable the council to continue meeting its statutory responsibilities to provide independent advocacy, representation and support for vulnerable children and young people across Herefordshire.

The procurement also supports the transition of the Children's Rights and Advocacy Service from an in-house model to an externally commissioned service. This approach will strengthen the operational independence of advocacy provision in line with national guidance and recognised best practice, while maintaining continuity of support for children and young people. An initial five-year contract term was approved, with the option to extend for up to a further 24 months, subject to performance, ongoing need and available funding.

Independent advocacy and independent visitor services play a vital role in ensuring that children and young people are able to express their views, participate in decisions affecting their lives and have their rights promoted and upheld. Recommissioning the services through a single procurement exercise will provide a coordinated commissioning approach, support effective contract management and help ensure continued delivery of high-quality services that meet statutory requirements.

The decision also recognised that the proposed commissioning model supports the council's wider improvement journey and commitment to listening to the voices of children and young people. Provision was made for phased mobilisation of the services and for the management of any Transfer of Undertakings Protection of Employment (TUPE) regulation implications arising from the transfer of the advocacy service. This decision ensures the smooth transition and continuity of support for children and young people.

5: Award of contract for the provision of overnight short breaks and outreach service for children and young people

Stated Delivery Plan Objective: Enable people to support themselves and each other by providing the right help at the right time

This year we will: Deliver our Child Friendly Herefordshire and Improve services for carers of all ages

Also in August, the Cabinet member children and young people took the decision to award a contract to PCA Dom 1 Ltd to develop and deliver a registered overnight short breaks and outreach support service for children and young people with disabilities from a council-owned property. The contract will be awarded for an initial period of five years, with the option to extend for a further 24 months, at an anticipated value of £2.1 million over the full seven-year term.

The service will support the council in meeting its statutory responsibilities to provide support for disabled children and their families. It will secure a guaranteed minimum of 2,520 overnight short break bed nights and 14,000 outreach support hours over the lifetime of the contract, while retaining flexibility to increase provision in response to changing demand and assessed need. The service is intended to develop sustainable local capacity and improve access to support for children and families across Herefordshire.

The procurement was undertaken through a competitive process under the Procurement Act 2023 and that the contract has been designed to provide both certainty of provision and the ability to commission additional support where required. Authority was therefore delegated to the Corporate Director for Children and Young People to purchase additional services during the contract term, up to a maximum total contract value of £7.6 million, subject to available approved funding.

The decision also delegated authority to the Corporate Director for Children and Young People to take all operational decisions necessary to implement, manage, vary, extend or terminate the contract in accordance with the approved budget and contract terms. The service will form part of the council's wider short breaks offer, helping to improve outcomes for children and young people with disabilities and providing greater support and respite opportunities for families and carers.

6: High Needs Capital Spend

Stated Delivery Plan Objective: Support all children to have the best start in life

This year we will: Work with appointed DfE Advisers to ensure readiness for the SEND Reforms

This decision, taken by the Cabinet Member for Community Services and Assets, approved the expenditure of up to £9.162 million of Department for Education capital grant funding, comprising £5.362 million of High Needs Provision Capital Grant and £3.8 million of Special and Alternative Provision Free School Alternative Places Grant, to increase local Special Educational Needs and Disabilities (SEND) capacity across Herefordshire. Authority was also delegated to the Service Director for Education, Learning and Skills to take the operational decisions necessary to deliver the programme and utilise any future related capital grant funding added to the council's capital programme.

The funding will support the council's statutory duty to ensure sufficient school places are available for children and young people with SEND. The programme has been developed in response to increasing demand for specialist provision and aims to improve local capacity, strengthen inclusion within mainstream schools and reduce reliance on higher-cost independent, non-maintained and out-of-county placements.

A key element of the programme is the proposed expansion of Westfield School, which is currently included within the Department for Education's School Rebuilding Programme. Subject to further feasibility, design development and affordability assessments, the expansion would increase specialist provision within the county and support more children and young people to access education closer to home.

The programme will also invest in the development of support bases within mainstream schools, initially focusing on secondary schools. These facilities are intended to strengthen inclusive education, provide earlier intervention and enable more children and young people with SEND to remain in mainstream settings where this is appropriate to their needs. Opportunities to expand support base provision within primary schools will also be considered where there is identified need and a viable delivery model.

In addition, the programme will provide flexibility to acquire, adapt or refurbish suitable council-owned or purchased assets to create additional SEND capacity. This approach recognises that adapting existing buildings may, in some cases, provide a more cost-effective and deliverable solution than new-build provision, enabling additional places to be created more quickly and within the available funding envelope.

The programme will operate as a flexible capital investment programme, allowing individual schemes to be prioritised according to need, affordability, deliverability and value for money. All projects will remain subject to appropriate feasibility work, governance arrangements, procurement requirements and statutory approvals, with the overall objective of improving SEND sufficiency, strengthening inclusion and delivering better educational outcomes for children and young people across Herefordshire.

7: Active Travel Capital Fund 2026/27

Stated Delivery Plan Objective: Support all residents to live healthy lives within their communities

This year we will: Deliver active travel programmes to encourage more walking and cycling

In September, the Cabinet Member for Transport and Infrastructure approved the allocation and expenditure of the 2026/27 Active Travel Grant, totalling £234,354, to support the delivery of active travel infrastructure projects across Herefordshire. The funding forms part of the council's wider active travel capital programme and will be used to progress priorities identified within the adopted Local Cycling, Walking and Wheeling Infrastructure Plan (LCWWIP).

The grant is provided annually by Active Travel England and supports the delivery of infrastructure that encourages walking, wheeling and cycling. The approved programme will assist the council in implementing its integrated transport objectives and delivering improvements that support safer and more sustainable travel choices for residents.

The LCWWIP, previously approved by Cabinet, establishes the council's strategic priorities for active travel investment. The proposed allocation for 2026/27 will give effect to those agreed priorities and enable the progression of schemes identified within the plan. The principal project identified for delivery during 2026/27 is the Ledbury Safer Routes to School scheme, which has been allocated the full grant funding of £234,354 to improve active travel opportunities and support safer journeys for pupils travelling to and from school.

Herefordshire Council is currently assessed by Active Travel England at Capability Level 2 and is seeking to strengthen its position through delivery of the LCWWIP programme. Continued investment and successful delivery of active travel projects may support future funding opportunities and contribute to the council's longer-term transport and sustainability objectives.

Authority was delegated to the Chief Operating Officer, in consultation with the Cabinet Member for Transport and Infrastructure, to take all operational decisions necessary to implement and vary the approved programme within the available funding and in accordance with the council's governance, financial and procurement requirements.

8: Care Quality Commission (CQC) Assessment report and Improvement plan

Stated Delivery Plan Objective: Enable people to support themselves and each other by providing the right help at the right time

This year we will: Improve services for carers of all ages

In July, Cabinet noted the outcome of Herefordshire Council's Care Quality Commission (CQC) assessment and approve the CQC Assurance Improvement Plan 2026-2027. Authority was delegated to the Corporate Director for Community Wellbeing to lead delivery of the improvement plan and take the operational decisions necessary to implement the identified actions.

The assessment was undertaken under the framework established by the Health and Care Act 2022, which requires the CQC to evaluate how local authorities fulfil their adult social care responsibilities under the Care Act 2014. Following the assessment process, Herefordshire Council received an overall rating of Requires Improvement, achieving a score of 56%, seven percentage points below the threshold for a Good rating.

The assessment recognised a number of significant strengths within adult social care services. Areas identified as performing well included partnership working, safeguarding arrangements, prevention services, hospital discharge arrangements, workforce engagement, equality and diversity initiatives, innovation through technology, strong governance arrangements and effective collaboration with providers and community organisations. The assessment also confirmed that no adults at risk requiring safeguarding intervention were identified during the inspection process.

The findings broadly reflected the council's own self-assessment and provided assurance that the authority had a clear understanding of both its strengths and areas requiring further development. Improvement activity is already underway at the time of the inspection, although some initiatives had not yet been fully implemented or embedded.

The approved plan sets out a programme of work across seven key areas, including strengthening the front door offer, improving reablement services, enhancing support for unpaid carers, developing occupational therapy services, increasing capacity to manage demand and waiting lists, progressing innovation in services for working-age adults, and improving the use of data to support service planning and performance improvement.

This assessment as an important milestone in the council's improvement journey and established a structured framework for driving progress during 2026-2027. Delivery of the improvement plan will be overseen through established governance arrangements, with regular reporting to the Corporate Improvement Board, Cabinet Member, Directorate Leadership Team and the Health, Care and Wellbeing Scrutiny Committee.

Theme: Place - We will protect and enhance our environment and ensure that Herefordshire is a great place to live. We will support the right housing in the right place and do everything we can to improve the health of our rivers.

9: Adoption of Herefordshire Local Nature Recovery Strategy

Stated Delivery Plan Objective: Value nature and uphold environmental standards to minimise pollution and maximise biodiversity

This year we will: Lead and be responsible for the delivery of the Local Nature Recovery Strategy

In August, the Cabinet Member for Culture and Environment approved the submission, adoption and publication of Herefordshire's Local Nature Recovery Strategy (LNRS) and authorised its submission to the Secretary of State for Environment, Food and Rural Affairs. Delegated authority was granted to the Head of Environment to approve any modifications required by the Secretary of State and to manage the allocation of the £135,500 LNRS delivery body transition grant, together with any future funding received to support delivery of the strategy.

The decision was taken to fulfil the council's statutory responsibilities under the Environment Act 2021, which requires designated responsible authorities to prepare and maintain a Local Nature Recovery Strategy. The LNRS was developed through extensive engagement with stakeholders, environmental partners, landowners, farmers, community organisations and residents, and identifies locally agreed priorities, actions and locations for nature recovery across Herefordshire.

The adopted strategy established a framework for restoring and enhancing biodiversity by identifying priority habitats, species and areas where nature recovery action would have the greatest impact. It was intended to guide future investment, partnership working and environmental decision-making, while supporting the targeting of funding opportunities such as agri-environment schemes and Biodiversity Net Gain initiatives. The strategy also sought to improve habitat connectivity, support nature recovery across urban and rural settings, and contribute to wider environmental, social and economic benefits.

The decision also enabled the council to transition from its role as the responsible authority for preparing the strategy to a delivery and coordination role, working with partners to develop and support projects that contribute to the strategy's objectives. This approach was intended to strengthen collaboration, unlock external funding opportunities and support the delivery of nature recovery outcomes across the county over the coming years.

10: Western Bypass Phase One – Update report (formerly known as Hereford Bypass Phase One - Assessment Report)

Stated Delivery Plan Objective: Expand and maintain the transport infrastructure network in a sustainable way and improve connectivity across the county

This year we will: Complete the necessary work to tender for the design and construction of Phase 1 of the Hereford Western Bypass

In September, Cabinet noted progress made on the Western Bypass Phase One following the award of the Pre-Construction Services Agreement (PCSA) in April 2026 and to delegate authority to the Corporate Director for Economy and Environment to take the actions necessary to progress the scheme. This includes concluding the corrective action process within the PCSA and determining the most appropriate route to achieving a construction contract within the approved governance framework and budget.

Significant progress has been made during the design phase, with the contractor working alongside council officers and key stakeholders, including National Highways and Network Rail, to develop the scheme. As the design work progressed, amendments were required to reflect updated road and bridge standards, resulting in revisions to elements of the proposed scheme. Final design work and associated costings are expected to be completed during the autumn.

Negotiations with landowners have continued, with substantial progress made towards securing the land required for the scheme through voluntary agreement. However, as not all land can be acquired through negotiation, the Compulsory Purchase Order and Side Road Order processes will continue to ensure that all necessary land interests and rights can be secured to enable delivery of the project.

There have been a number of factors that have increased estimated construction costs, including design changes required to meet revised national standards, limitations on value-engineering opportunities and rising construction costs linked to wider economic pressures and global supply chain disruption. The existing PCSA includes mechanisms to address these challenges through a corrective action process designed to bring the scheme within the approved governance and budget parameters.

Authority was delegated to the Corporate Director for Economy and Environment to review the outcome of that corrective action process. Should the review conclude that a construction contract can be delivered within the agreed governance and budget, a full business case and assessment against the previously approved criteria will be brought back to Cabinet for consideration. If this cannot be achieved, the Corporate Director will be authorised either to commence a new procurement process for the construction phase or return to Cabinet with alternative proposals for the delivery of the scheme.

11: Phosphate Income: Housing delivery update

Stated Delivery Plan Objective: Value nature and uphold environmental standards to minimise pollution and maximise biodiversity

As at the point of drafting, £2,331,168 (up by £140,678 since my last report in July) in phosphate income has been received. To date these actions have released planning permissions for 1,096 dwellings (an increase of 116 dwellings).

Theme: Growth - We will create the conditions to deliver sustainable growth across the county; attracting inward investment, building business confidence, creating jobs, enabling housing development along with providing the right infrastructure.

12: Herefordshire County Business Improvement District (HCBID) - Second Term Ballot

Stated Delivery Plan Objective: Work with our partners and businesses to facilitate growth across the county

This year we will: Support the growth and resilience of Herefordshire's business community

In July, the Cabinet member economy and growth approved the continuation of the Herefordshire County Business Improvement District (HCBID) by authorising the Director for Growth to vote in favour of the BID in the ballot for its second five-year term. Subject to a successful ballot outcome, approval was also given for the council to pay the BID levy on eligible properties within its ownership, estimated at £21,398.13 per annum for five years.

Business Improvement Districts are business-led partnerships funded through a levy on business ratepayers, with the Herefordshire County BID covering areas outside Hereford city centre. The proposed levy for the 2027 to 2031 term has been reduced from 2% to 1.75% of rateable value, and is expected to generate approximately £537,888 of levy income to support economic development activity across the county.

The BID will continue to focus on supporting the tourism and retail sectors, complementing the work of the existing Hereford City Centre BID. Through its first term, the organisation delivered a range of marketing, business support and tourism initiatives that helped raise the profile of Herefordshire regionally, nationally and internationally, while supporting local businesses and attracting visitors to the county.

For its second term, the BID has developed a programme centred on four themes: Attracting Visitors and New Audiences, Growth for Local Businesses and Producers, Rural Life as an Economic Engine for Tourism, and Investing in Tourism. These themes are intended to strengthen the visitor economy, support rural and town-based businesses, encourage investment and improve tourism infrastructure across Herefordshire.

The council does not operate a dedicated tourism function, however a number of council services contribute to the county's visitor economy. Continued support for the BID is expected to complement the council's wider economic growth objectives and help deliver long-term benefits for businesses, communities and visitors across Herefordshire.

13: Big Economic Plan

Stated Delivery Plan Objective: Work with our partners and businesses to facilitate growth across the county

This year we will: Support the growth and resilience of Herefordshire's business community

In July, Cabinet approved the Big Economic Delivery Plan as the county's delivery framework for implementing the long-term ambitions set out in the Herefordshire Economic Plan 2050. Authority was delegated to the Director for Growth, in consultation with the Cabinet Member for Economy and Growth, to make any final minor amendments prior to publication and to take the operational decisions necessary to implement the plan.

The Herefordshire Economic Plan, approved in 2023, established a vision for the county to become an exemplar 21st-century rural economy. A key recommendation of that plan was the creation of an Economy and Place Partnership Board to provide strategic oversight and develop a delivery plan that would identify the actions, timescales and lead organisations required to achieve the county's economic ambitions.

The Economy and Place Partnership Board, established in 2024 and chaired by the Leader of the Council, led the development of the Big Economic Delivery Plan with input from a wide range of partners and stakeholders. The plan reflects progress made since 2023 and responds to changes in national and local priorities, including the National Industrial Strategy, the Defence Industrial Strategy, housing growth targets and the council's updated strategic priorities.

The Big Economic Delivery Plan is structured around four core themes: Place, People and Communities, Business Growth, and Infrastructure. These themes are supported by cross-cutting principles focused on sustainability, maximising investment and partnership working. Each theme includes a series of priority actions designed to support economic growth, improve skills, strengthen communities, encourage business development and deliver the infrastructure needed to support future prosperity.

The plan is intended to be a partnership-led document for the county, with responsibility for delivery shared across a range of public, private and voluntary sector organisations. The council's adoption of the plan demonstrates its commitment to playing a leading role in delivering the identified actions and supporting sustainable economic growth across Herefordshire.

14: Housing Delivery Update Stated

Delivery Plan Objective: Work with partners to provide high quality and affordable housing to meet all needs

This year we will: Enable the delivery of affordable properties in the county, including council owned land, through registered providers and developers

Since my last report the housing service has continued to respond to significant housing pressures whilst also progressing a number of initiatives to increase housing supply and reduce reliance on expensive temporary accommodation.

Demand for housing and homelessness services remains high with more households applying to register on Home Point and the number of households requiring temporary accommodation

continues to increase. Despite these pressures, the Housing Service remains focused on prevention, helping residents resolve housing difficulties before they reach crisis point through housing advice, mediation, financial assistance and tenancy sustainment support. This preventative approach remains the most effective way of reducing homelessness and protecting public funds.

Through the Local Authority Housing Fund Round 4 funding and other government grant allocations, additional temporary accommodation and transitional accommodation has been delivered across the county. Recent acquisitions have resulted in additional larger family accommodation, and one-bedroom flats in Hereford and Ross-on-Wye. The accommodation will provide much-needed self contained accommodation for local people and help reduce reliance on costly bed and breakfast provision.

The housing team are also developing plans to bring council-owned buildings back into use. The vision is for a dedicated homelessness assessment and support hub, bringing housing, health and support services together to provide a coordinated response for rough sleepers and people facing homelessness. The proposal would make better use of an existing council asset while improving outcomes for some of the county's most vulnerable residents. Alongside this, business cases have been developed to convert vacant council-owned buildings into self-contained temporary accommodation. These schemes are designed to provide better quality accommodation, reduce expenditure on emergency placements and create long-term savings for the council while meeting statutory homelessness duties.

The council continues to work closely with Registered Providers, Homes England and other partners to bring forward social and affordable housing. Stakeholder engagement has also supported the development of a new Supported Housing Strategy, which will help ensure that accommodation and support services meet the needs of older people, people with disabilities, those experiencing homelessness and other vulnerable groups.

While challenges remain significant, we continue to work with partners, government and housing providers to increase housing supply, improve the quality of available accommodation and ensure that residents receive support as early as possible to prevent homelessness wherever we can.

Other Decisions Taken by Cabinet and Cabinet Members

15: Renewal of Access Group contract for Mosaic, Synergy and associated systems

The Cabinet Member for Adults, Health and Wellbeing approved the award of a new five-year contract with The Access Group for the provision of the Mosaic, Synergy, Abacus and Core+ systems, at a total cost of £3.4 million for the period from 1 October 2026 to 30 September 2031. Delegated authority was granted to the Corporate Director for Community Wellbeing to finalise and execute the contract, including hosting arrangements, implementation planning and associated operational decisions.

The decision was taken to ensure the continued provision of business-critical systems that support statutory functions across adult social care, children's services, education and youth services. The existing contract was due to expire in September 2026 and the current hosting arrangements would no longer be supported. The new contract provided for the migration of the

systems to a cloud-hosted environment, improving resilience, functionality, system integration and long-term support arrangements.

Market testing demonstrated that The Access Group offered the most cost-effective solution and that replacing the systems would involve significant financial cost, operational disruption and delivery risk. The council considered that retaining the existing platform represented the best value-for-money option while maintaining continuity of service, protecting critical data and avoiding disruption to services supporting some of the county's most vulnerable residents. The contract also included enhanced functionality and improved integration of financial and provider payment processes, supporting more efficient service delivery and future system development.

16: Herefordshire Parking Strategy 2026 - 2041

In July, cabinet adopted the Herefordshire Parking Strategy 2026-2041 as the council's long-term framework for the management, enforcement and development of parking across the county. Authority was delegated to the Chief Operating Officer for Economy and Environment, in consultation with the Cabinet Member for Roads and Regulatory Services, to take the operational decisions necessary to implement the strategy and its associated delivery plan.

The strategy establishes a coherent approach to parking management and is intended to support wider transport, economic and place-based objectives. It provides a framework for future policy, investment and operational decisions, ensuring that parking is managed consistently across Herefordshire and aligned with the council's broader priorities.

Increasing demand for parking, changing travel behaviours and evolving national policy as key drivers for the strategy. Public consultation responses demonstrated strong support for measures that improve road safety, tackle obstructive and inconsiderate parking, strengthen enforcement arrangements and improve accessibility for all users, particularly disabled residents and visitors.

The strategy places a particular emphasis on improving safety around schools, junctions and other high-risk locations, while supporting accessibility, inclusion and access to town centres and local businesses. It also seeks to improve the efficiency and effectiveness of parking services through clearer policy direction, better prioritisation of resources and a more coordinated approach to enforcement and infrastructure investment.

The strategy will provide a clear basis for future parking management across the county and help ensure that parking services contribute positively to transport objectives, economic growth and the vitality of local communities. Progress and outcomes will be monitored through existing performance measures, including enforcement activity, compliance rates and customer feedback.

17: National Parking Platform

In July, the Cabinet Member Roads and Regulatory Services approved Herefordshire Council joining the National Parking Platform (NPP) and entering into the necessary contractual arrangements to enable its implementation. Authority was delegated to the Chief Operating Officer for Resident Services to take all operational and financial decisions required to progress the council's participation in the platform.

The National Parking Platform is a not-for-profit national digital infrastructure that allows multiple approved parking payment applications to operate across the same council parking locations. Rather than relying on a single cashless parking provider, motorists will be able to use a range of approved applications, including services such as JustPark, RingGo and PayByPhone, while existing cash and card payment options will remain available.

Joining the platform will increase customer choice, improve service resilience and reduce dependency on a single supplier. The approach will allow residents and visitors to use their preferred parking application across participating local authority areas, creating a more consistent and convenient user experience while reducing the risks associated with provider outages or future contract changes.

Participation in the platform is expected to cost approximately £71,000 over the initial three-year period, including an estimated annual platform commission of around £48,000 based on current transaction levels. However, the arrangement removes the need for future procurements of individual parking app providers, reduces contract management requirements and supports a more flexible and competitive parking payments market.

The National Parking Platform represents a strategic shift from managing individual parking payment contracts to participating in shared national infrastructure. This approach is intended to support long-term service resilience, cost transparency, risk management and improved customer experience, with implementation anticipated during December 2026.

18: Herefordshire's 2026-27 Section 75 agreement

In September, Cabinet approves a new Section 75 Partnership Agreement between Herefordshire Council and NHS Herefordshire and Worcestershire Integrated Care Board for the period 1 April 2025 to 31 March 2030, providing the legal framework for the continued delivery of integrated health and adult social care services through the Better Care Fund. Authority was delegated to the Corporate Director for Community Wellbeing to finalise, implement and manage the agreement.

This agreement enables the council and the Integrated Care Board to pool resources and jointly commission services under Section 75 of the NHS Act 2006. It underpins the delivery of Better Care Fund programmes and supports integrated approaches to adult social care, community support, prevention services, hospital discharge arrangements and interventions designed to promote independence and wellbeing.

The new arrangement replaces previous annual variation agreements with a single five-year framework. This approach is intended to provide greater stability for strategic planning, commissioning and service delivery, strengthen partnership working, and reduce the administrative burden associated with securing annual approval of overarching agreements.

Approval was also sought for the pooled budget arrangements and partner contributions for the 2025/26 and 2026/27 financial years. While the framework agreement covers a five-year period, annual financial schedules, budget contributions and service arrangements will continue to be reviewed and approved through each organisation's governance processes and appended to the agreement each year.

The integrated working arrangements between the council and NHS partners have continued throughout previous years, ensuring that Better Care Fund requirements remained compliant and services were delivered without interruption while detailed financial schedules were being agreed. The new agreement provides a strengthened governance framework for future partnership working and continued delivery of integrated services for Herefordshire residents.

Delivery of the agreement and associated Better Care Fund schemes will continue to be monitored through established partnership governance arrangements, including the Better Care Partnership Board, Joint Commissioning Board and Health and Wellbeing Board, with performance and outcomes reviewed through regular reporting mechanisms.

19: Q1 2026/27 Budget Report

Also at the September Cabinet meeting, the Quarter 1 2026/27 budget monitoring position was reviewed. This provided the forecast financial outlook and sets out the management actions aimed at reducing the projected overspend during the remainder of the financial year.

A forecast overspend of £11.6 million against the council's net revenue budget of £234.1 million at the end of June 2026. Following planned management interventions, the forecast overspend is expected to reduce to £10.7 million. The principal financial pressures arise from increasing demand within adult social care, temporary accommodation, Special Educational Needs and Disabilities (SEND) services, and home to school transport.

Adult social care continues to experience significant budget pressures despite measures to manage demand, increase the use of technology-enabled care and strengthen community-based support. Additional pressures have also arisen from rising demand for temporary accommodation, while ongoing increases in SEND placements and transport requirements continue to place pressure on council budgets. Approved savings remain at risk of delivery, contributing significantly to the forecast overspend.

To address these challenges, the cabinet will continue to implement recovery measures including the delivery of outstanding savings plans, identification of additional mitigations within directorates, and the operation of expenditure control panels to scrutinise and challenge spending decisions. Existing expenditure controls introduced in previous years will remain in place to support financial recovery and strengthen budget management throughout 2026/27.

The Dedicated Schools Grant (DSG) deficit, which stood at £36.3 million at the start of the financial year and is forecast to rise further. However, the council has submitted its Local SEND Reform Plan to the Department for Education and expects to receive a High Needs Stability Grant that could offset approximately 90% of the historic DSG deficit, subject to government approval.

Cabinet also received an update on the capital programme, which has increased to £169.3 million following the carry forward of budgets and the receipt of additional grant funding. While forecast expenditure is currently below the approved budget due to project slippage and rephasing, a number of capital projects are expected to help address key revenue pressures over the longer term, particularly through increasing local SEND provision, reducing reliance on temporary

accommodation and investing in infrastructure that supports service efficiency and demand management.

20: Q1 Performance Report

Cabinet has reviewed the Quarter 1 2026/27 performance position and approved updates to the Delivery Plan 2026/27. This will ensure that it remains aligned to current priorities and delivery timescales. Amendments included the carry forward of milestones from 2025/26, the addition of new priority activities and a number of minor revisions to improve clarity, without changing the council's overall strategic objectives.

There has been strong overall performance against the Delivery Plan, with 104 of 124 milestones (83.9%) either completed or on track for delivery by the end of the financial year. Performance against the council's key indicators is positive, with targets being achieved or exceeded in areas including children's social care assessments, children in care reviews and planning application performance. Overall, the Quarter 1 demonstrates that Cabinet are largely on track to meet the Council Plan and annual Delivery Plan objectives.

21: Risk Management Update Q1 2026/27

The council's Risk Management Strategy and Risk Appetite Statement provides the framework for identifying, assessing and managing risk across the organisation. The Corporate Leadership Team undertook a review of the Corporate Risk Register at 30 June 2026, considering risk scores, existing controls and mitigating actions, as well as any emerging threats or opportunities that could affect delivery of corporate objectives.

Cabinet have approved the Corporate Risk Register at Quarter 1 2026/27 and approved the updated register and the Risk Appetite Statement for 2026/27. Cabinet have given assurances that strategic risks are being actively managed and that appropriate controls and mitigation measures remain in place to support delivery of the Council Plan.

No new corporate risks were required to be added to the register and no changes to the scores of the existing nine corporate risks were proposed. The Corporate Leadership Team have considered the effectiveness of current mitigation measures and was satisfied that the risks continue to be appropriately managed within the council's governance framework.

Particular attention was drawn to the impact of recent extreme weather events both locally and nationally. Although no changes are proposed to corporate risk scores, work is underway with partner organisations and key stakeholders to strengthen preparedness and response arrangements relating to flooding, wildfires and other severe weather incidents, helping to improve resilience across the county. Regular monitoring and review of corporate risks will continue through established governance processes, including the Annual Governance Statement and Audit and Governance Committee oversight.

Appendix 2: Decisions – taken between 17 July to 1 October 2026		Date Taken	Effective From
Cabinet Decisions			
Care Quality Commission (CQC) Assessment report and Improvement plan		30/07/2026	06/08/2026
Big Economic Plan - Delivery Plan		30/07/2026	06/08/2026
Herefordshire Parking Strategy 2026 - 2041		30/07/2026	06/08/2026
Western Bypass Phase One – Update report (formerly known as Hereford Bypass Phase One - Assessment Report)		24/09/2026	01/10/2026
Herefordshire's 2026-27 Section 75 agreement		24/09/2026	01/10/2026
Q1 Performance Report		24/09/2026	01/10/2026
Risk Management Update Q1 2026/27		24/09/2026	01/10/2026
Q1 2026/27 Budget Report		24/09/2026	01/10/2026
Cabinet Member Decisions			
Cabinet Member: Adult Health and Wellbeing			
To extend the council's current commissioned home care frameworks		01/09/2026	08/09/2026
Domestic Abuse Commissioning - 2026		11/08/2026	18/08/2026
Herefordshire Care Home Partnerships Framework		28/09/2026	05/10/2026
Renewal of Access Group contract for Mosaic, Synergy and associated systems		25/09/2026	02/10/2026
		Decision taken as Reg. 11 - Special Urgency	
Cabinet Member: Culture and Environment			
Adoption of Herefordshire Local Nature Recovery Strategy		14/08/2026	21/08/2026
Cabinet Member: Children and Young people			
Recommissioning of Children's Rights & Advocacy and Independent Visitors Services		28/08/2026	05/09/2026
Award of contract for the provision of overnight short breaks and outreach service for children and young people		26/08/2026	26/08/2026
		Decision taken as Reg. 11 - Special Urgency	
Cabinet Member: Community Services and Assets			
High Needs Capital Spend		27/08/2026	04/09/2026
Cabinet Member: Transport and Infrastructure			
Active Travel Capital Fund 2026/27		01/09/2026	08/09/2026
Cabinet Member: Economy and Growth			
Herefordshire County Business Improvement District (HCBID) - Second Term Ballot		30/07/2026	06/08/2026
Cabinet Member: Roads and Regulatory Services			
National Parking Platform (NPP)		24/07/2026	31/07/2026

Section1 - Cabinet member portfolios

Leader (corporate strategy and budget): Councillor Jonathan Lester

- Corporate policy and strategy
- Corporate budget
- Represent the Council on various business and economy organisations. Working with the Portfolio holder for the Economy.
- Governance of external arrangements with companies, outside bodies and partnerships
- Member of the Council's Shareholder Committee
- External liaison and relationships
 - Local Government Association (LGA)/County Councils' Network (CCN)
 - European and national matters
 - Regional matters
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any initiative not specifically allocated to any other portfolio

Culture and Environment (Deputy Leader): Councillor Elissa Swinglehurst

- Deputise for the Leader in their absence.
- Cultural services which include:
 - Engagement with the Cultural Partnership
 - Implementation of the new Cultural Strategy
 - Interaction of culture with economic development and tourism
- Waste Management Strategy
- Waste collection and disposal
- Cabinet Commission on Phosphates
- Planning services, land use strategies including Core Strategy
- Environmental and conservation promotion, protection and sustainability including response to climate emergency.
- Policy development, quality assurance, external liaison, performance improvement

and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council

- Any other specific responsibilities as allocated by the leader

Community Services and Assets: Councillor Harry Bramer

- Council asset, investment property strategies and property strategies
Council property services including facilities management
- Major Contracts
- Commissioning and procurement strategy and policy
- Community and Cultural services:
 - Parks and countryside
 - Leisure Services
 - Libraries and learning centre
 - Museum redevelopment
 - Heritage Services
 - Archives
 - Public conveniences
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader

Children and Young People : Councillor Ivan Powell

- To provide leadership and ensure coordination across the range of council children's services, and through engagement with partners, with a particular focus on children and young people's health & wellbeing and safeguarding
- Services for vulnerable young people/children/families
- Lead member for children's services in accordance with the Children's Act 2004
- Corporate parenting
- Children and young people's education and attainment
- Post 16 education, training and skills development, including NMiTE
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader

Finance and Corporate Services: Councillor Pete Stoddart

- Agreeing and leading the process for developing revenue and capital budgets, medium term financial strategy, council tax and NNDR
- Financial policy, fees and charging policy, financial control and reporting
- Council tax benefits
- Council ICT services and digital strategy
- Human Resources
- Health and safety
- Performance, improvement, risk management, research and intelligence
- Services under Governance and Legal Services
- Registrars and Coroner Services
- Communications, and social media including website
- Digital Connectivity
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader

Adults, Health and Wellbeing: Councillor Carole Gandy

- Provide leadership and ensure coordination across the range of council adult social care services, and through engagement with partners
- Services for vulnerable adults

- Adult safeguarding
- Homelessness, housing allocation and condition
- Leadership of Health and Wellbeing Board and partnership working with health
- Co-chair of the Integrated Care Partnership Assembly
- Member of the Council's Shareholder Committee for Hoople
- Public Health Strategy
- Emergency planning and business continuity
- Community engagement and development, encompassing Talk Community, Talk Parish Summits and Parish Shared Services
- Customer services
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Community Safety including the Community Safety Partnership
- Bereavement services
- Any other specific responsibilities as allocated by the leader

Economy and Growth: Councillor Graham Biggs

- Economic development and regeneration
- Strategic Housing
- Tourism strategy
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader.

Local Engagement & Community Resilience: Councillor Dan Hurcomb

- Future Public Realm Contract.
- Land Drainage, flood alleviation.
- Public Rights of Way.
- Highways Act Enforcement.
- Parish Council Grant Schemes.
- Communications and Social Media.
- Any other specific responsibilities as allocated by the Leader.

Roads and Regulatory Services: Cllr Barry Durkin

- Animal health and welfare
- Environmental health and trading standards
- Markets and fairs
- Licensing
- Car parking policy and services
- Public realm contract management
- Gypsy and traveller services
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader

Transport and Infrastructure: Councillor Philip Price

- Transport and highways policy and strategy
- Public Transport and active travel measures
- Rivers and waterways
- Street scene design, policy and delivery
- Traffic Management
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader



Title of report: Motions on notice

Meeting: Council

Meeting date: Friday 9 October 2026

Report by: Director of Governance and Law

Classification

Open

Decision type

This is not an executive decision.

Wards affected

Countywide

Purpose

To consider motions received on notice.

Recommendation

THAT: the motions listed at paragraph 6 are debated and determined by Council.

Alternative options

- 1 There are no alternative options to the recommendation; the constitution makes provision for motions on notice to be debated and decided by Council.

Key considerations

- 2 The constitution provides that members of Council may submit written notice of motions for debate at Council. A motion must be signed by the proposer and seconder and submitted not later than midday on the seventh working day before the date of the meeting. A member cannot propose more than one motion on notice per meeting and a maximum of three motions will be debated at meetings of full Council.
- 3 Motions must be about matters for which the council has a responsibility or which affect Herefordshire.
- 4 Motions for which notice has been given will be listed on the agenda in the order in which notice was received unless the member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

Further information on the subject of this report is available from
Matthew Evans, democratic services officer on Tel (01432) 383690

- 5 Up to one and a half hours will be allocated to debate motions on notice but that time may be varied at the discretion of the chairman.
- 6 Two motions have been received and will be debated at the meeting. The motions for debate are set out below:

Motion 1 – Evening Meetings

(Proposed by Councillor David Hitchiner, Seconded by Councillor *tbc*)

Introduction

Statutory Council meetings to which the public have access are held during the normal working day. This limits the ability of members of the public who are in full time employment to attend in person. It is also a discouragement for members of the public who may consider standing for election as they must take time off from their work to attend these meetings.

During the previous administration some Cabinet meetings were held outside Hereford (in Leominster and Ewyas Harold) and on one occasion in the evening. This was discontinued because Covid made it so difficult and it does indicate that making such arrangements is practical.

This motion is intended to be one small step towards opening up meetings to more members of the public and enable younger councillors to come forward for election.

This notice of motion proposes that:

The Executive be asked to consider how practical, and review the cost implications, of holding statutory Council meetings (including Full Council meetings) in the evenings and also in Market Towns and report back to Full Council.

In broad terms the request is that one or two Full Council meetings each year should be held in the evenings and the times and locations of Cabinet meetings shall ensure that at least one third are held at locations other than Hereford (but in Herefordshire) and at least one third are held in the evening.

The times and locations of all meetings of the Planning and Regulatory Committee, Scrutiny Committees and the Audit and Governance Committee be considered by each Committee.

Motion 2 – Agricultural Water Security in Herefordshire

(Proposed by Councillor Ed O'Driscoll, Seconded by Councillor Terry James)

Council notes the significant challenges faced by Herefordshire farmers and growers following the prolonged periods of extreme heat and dry weather this summer, highlighting the importance of reliable access to water for the resilience of our farming sector and the food it produces. Council recognises that increasing on-farm water storage can improve resilience, but that the cost and complexity of planning, regulation and construction can present significant barriers.

Council therefore resolves to request the Executive:

1. Convene a Herefordshire Agricultural Water Security Roundtable, bringing together a representative group of local farmers and growers, the NFU, CLA, Herefordshire Rural Hub, the Environment Agency, water companies and relevant Council services, to identify the principal barriers to improving agricultural water resilience and where the Council and its partners can most effectively assist.
2. Review recent agricultural reservoir and water-storage applications in Herefordshire to

identify unnecessary costs, delays, uncertainty or complexity and learn from schemes which have successfully progressed through the planning system.

3. Explore the creation of a clearly signposted farm-reservoir planning pathway, providing farmers with greater clarity about planning and environmental requirements at an early stage and helping appropriate schemes navigate the process as efficiently as possible.
4. Explore opportunities to reduce the financial barriers faced by farmers developing water-storage schemes, including identifying available national or external funding, grants and support, and considering whether earlier or better coordinated planning advice and other practical assistance could help reduce the costs associated with bringing appropriate schemes forward.
5. Ensure agricultural water resilience informs the emerging Herefordshire Local Plan, taking account of the evidence and recommendations arising from this work.
6. Report the findings and recommendations of this work to Full Council no later than 5 March 2027, including actions that can reasonably be taken locally and any changes which require representations to Government, regulators or other bodies.

Updates – outstanding resolutions

- 7 The constitution provides that the report to Council, containing notices of motion on hand, will also include detail of progress of all outstanding resolutions. There are outstanding resolutions with respect to motions considered at earlier meetings of full Council; updates of progress against these resolutions are provided below:

Date of meeting	Motion	Current Status
24 July 2026	Building a Strategic Partnership between Herefordshire and Zhytomyr Oblast, Ukraine	The Leader of the Council has responded to the Ukrainian Ambassador who had written to him following the council motion. The Leader has indicated that he is exploring how best to build on the strong connections that have already been established with the region. Work on a draft Memorandum of Understanding is underway, including discussions with other local authorities who already have these in place with other regions. Work to develop the specification for the work to be delivered by the voluntary sector to support the development of the partnership is also underway.
RESOLVED: Council resolves to request that the Executive: 1. Open discussions with the leadership of Zhytomyr Oblast with a view to developing a Memorandum of Understanding between Herefordshire Council and Zhytomyr Oblast based upon friendship, cooperation, mutual benefit and long-term partnership.		

2. Recognise HVOSS, through the Herefordshire Community Network for Ukraine, as the Council's principal voluntary sector delivery partner in supporting the development of the partnership and coordinating engagement with communities, schools, businesses, cultural organisations, higher education, parish and town councils and the voluntary sector across Herefordshire.
3. Allocate sufficient officer capacity and appropriate financial resources to facilitate the development and implementation of the partnership, including stakeholder engagement, translation and interpretation, exchange visits, partnership development and the pursuit of external funding opportunities.
4. Work with Hereford City Council, Ross-on-Wye Town Council and other town and parish councils developing links with communities in Zhytomyr Oblast to create a coherent county-wide partnership that complements existing Friendship Agreements and encourages further civic, educational, cultural and economic cooperation.
5. Produce a report within six months setting out the proposed Memorandum of Understanding, implementation plan, governance arrangements, resource requirements, opportunities for external funding and recommendations for the long-term development of the Herefordshire-Zhytomyr Partnership.

Date of meeting	Motion	Current Status
24 July 2026	Securing Food Resilience in Herefordshire	A letter has been drafted and will be provided following consultation with Group Leaders.
RESOLVED: This Council therefore resolves to request that the Executive: 1. Support Sustainable Food and Farming: to secure food production and access for all in Herefordshire. 2. Deliver on the carried forward commitment made in the 25/26 delivery plan for a food resilience strategy drawing on the county's existing assets including the Rural Hub, the Food Alliance, and the Climate Adaptation Plan - and support a Food Partnership that has the institutional weight to enact that strategy. 3. Write to Government: Publicly support national measures needed to support both young and old to enter - and stay in - UK farming. Including writing to the Minister for Food Security describing how the 'Basic Income for Farmers' programme would do this here in Herefordshire and proposing our county as a candidate area.		

Community impact

- 8 Herefordshire Council's adopted code of corporate governance provides the framework for maintaining high standards of corporate governance in order to achieve the council's vision of "people, organisations and businesses working together to bring sustainable prosperity and well-being for all, in the outstanding natural environment of Herefordshire."

- 9 In accordance with the code, the long-term nature of many of Herefordshire Council's responsibilities mean that we should define and plan outcomes and that these should be sustainable. Decisions should further the council's purpose, contribute to intended benefits and outcomes, and remain within the limits of authority and resources. Input from all groups of stakeholders is vital to the success of this process and in balancing competing demands when determining priorities for the finite resources available.

Equality duty

- 10 Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 11 The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. If any motion results in a request that the executive (cabinet) consider taking some action, the cabinet will have regard to the equality duty when determining its response to the request.

Resource implications

- 12 None arising from the recommendation; if any motion results in a request that the executive (cabinet) consider taking some action the implications of such action will inform any decision by cabinet.

Legal implications

- 13 None arising from the recommendation; if any motion results in a request that the executive (cabinet) consider taking some action the implications of such action will inform any decision by cabinet.

Risk management

- 14 None arising from the recommendation; if any motion results in a request that the executive (cabinet) take some action the risks associated with such action will inform any decision by cabinet.

Consultees

- 15 None.

Appendices – None

Background papers – none identified

