

## PUBLIC QUESTIONS TO COUNCIL – 22 MAY 2009

### **Question from Mr P McKay, Leominster, Herefordshire.**

In reply to my question of 6 March 2009 regarding the signing of unmetalled unclassified roads shown by Ordnance Survey as “other routes with public access” and referred to in Rights of Way Improvement Plan as Quiet Lanes, Council said that the low cost Quiet Lanes signs would not be appropriate and that other signage would require careful consideration.

- 1.1 *Has Council now had time to consider and what conclusion has it come to, and failing that if they could be signed as “other route with public access” to correspond with the Ordnance Survey designation? Such signs could be low cost similar to footpath signs and abbreviated ORPA, as any signage would be an improvement compared with no signs since some of these roads are not readily identifiable as being open for public use.*

### **Answer from Councillor DB Wilcox Cabinet Member Highways and Transportation**

- 1.1 The signage referred to in my response to your original question dated 6 March 2009, related to those unmetalled, unclassified roads recorded on the List of Streets and not to those roads classified on the Ordnance Survey maps as Other Routes with Public Access or termed as Quiet Lane Network in the Right of Way Improvement Plan. As these roads are classified as highways they would have to follow the requirements of the Department of Transport ‘Traffic Signs Regulations and General Directions’ 2002 and as such this standard of signage would not be appropriate for these more rural lanes. Requests for alternative signage have to be by application for special authorisation to the Department of Transport requiring detailed maps and technical input. As an application would be required for each site this would not be a cost effective solution.

**No supplementary question was asked.**

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### **Question from Ms M Burns, Hereford.**

- 2.1 *What studies have Herefordshire Council undertaken into traffic movements (all modes) in and around Hereford since the Hereford Transport Review Multi-modal Study (pub. Feb 2003), and will the data from any of these studies be included in the report on transport for the Local Development Framework? If so, which ones?*

### **Answer from Councillor DB Wilcox Cabinet Member, Highways and Transportation**

- 2.1 There has been extensive work and studies undertaken to update the 2003 study, and this work is nearing completion, under the working title of "Multi Modal Model". It is hoped that a final version will be published by the end of June 2009 so that it can inform the consultation exercise which the Council's Forward Planning is going to undertake on the emerging Core Strategy for the Council which is a key part of the Local Development Framework. The consultation is due to start later this year.

**No supplementary question was asked.**

## PUBLIC QUESTIONS TO COUNCIL – 22 MAY 2009

### Question from Mr B Clay, Hereford.

- 3.1 *Is the Chief Executive satisfied that the unpublished and unidentified legal opinion that the Cabinet rely on when stating that the Authority has a legal obligation to maintain a cattle market, would be likely to provide a successful defence if subjected to Judicial Review in the High Court?*
- 3.2 *Does the Chief Executive agree that it would be either unlawful or bad practice for the Local Authority to claim that they had a legal obligation to commit to a major capital project if that claim had been challenged and was not supported by independent Counsel's opinion?*
- 3.3 *What were the aggregate salary and related costs of the 20 highest paid officers of the Council in the 2007/8 and 2008/09 financial years?*

### Answer from Assistant Chief Executive, Legal and Democratic

- 3.1 Yes. The Council is advised on matters of law by its in-house senior legal officers. Those legal officers may seek the opinion of Counsel from time to time when formulating their advice to the Authority. External advice was sought in this case which informed the advice provided to Cabinet.
- 3.2 I refer to the answer given to the previous question and confirm that the Council has acted prudently by seeking expert legal opinion with regard to the capital expenditure foreseen by the relocation of the cattle market.

### Answer from Councillor JP French, Cabinet Member Corporate and Customer Services and Human Resources

- 3.3 The gross figures, prior to any contribution towards joint posts, are:

2007/08 - £2,108,427  
2008/09 - £2,196,955

Mr Clay asked a supplementary question in relation to public question 3.3 to the Cabinet Member for Corporate and Customer Services and Human Resources:

'Some people feel that due to the collective salary costs of senior managers and through their experience, skill and knowledge it should be possible to identify the £80,000 required for the bus services. This amount could also be achieved by Cabinet freezing the salary of senior posts and diverting the savings of £88,528 to pay for the cut in bus services, or alternatively by a reduction in the number of senior officer posts.

Answer from Councillor JP French, Cabinet Member for Corporate and Customer Services and Human Resources

The questioner will be aware of the local government market place and the need to ensure that the Council recruits and retains the highest quality of officers to work for the benefit of Herefordshire. The figure presented in the answer to question 3.3 is the gross figure prior to any contribution to joint posts – the arrangements of which are innovative and are now being taken up in other areas. Whilst the bus services

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subsidy falls within another Cabinet Member's portfolio it is important to have clarity regarding bus subsidy as no cuts have been made by the Council; however it is important to recognise that there are challenges where bids have been received.

## PUBLIC QUESTIONS TO COUNCIL – 22 MAY 2009

### Question from Mrs B Evans, Kings Thorn, Hereford.

- 4.1 *Which of the following projects within the Edgar Street Grid are partly or wholly dependent on planning gain from the proposed Retail Quarter.*
- a) *The residential housing.*
  - b) *The public transport hub.*
  - c) *The Herefordshire centre.*
  - d) *University buildings.*

### Answer from Councillor AJM Blackshaw, Cabinet Member Economic Development and Community Services

- 4.1 None of the projects listed are partly or wholly dependent on planning gain from the proposed Retail Quarter.

Ms Evans asked a supplementary question in relation to public question 4.1 to the Cabinet Member Economic Development and Community Services:  
Is there any reason why residential housing and the Herefordshire Centre planned for the ESG areas cannot progress immediately as these would be good assets in the current economic climate?

Answer from Councillor AJM Blackshaw, the Cabinet Member Economic Development and Community Services:  
There will be a minimum allocation of 35% affordable housing within the ESG area. The sequence of development needs to commence with the infrastructure and flood alleviation scheme to then enable the commencement of building of housing and associated schemes.

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### Question from Mr J Barton, Hereford.

The arguments on the route of a bypass for Hereford swung from west to east before finally settling on the western route. In 2008 Cabinet announced they would build the western route, however, recent reports announce a re-opening of the east-west debate.

Conservative and Labour Governments have failed to support a bypass with any route; the concept was finally abandoned by Government in the 1990s.

Successive traffic studies have concluded that as more than 90% of traffic is local a bypass is not required, the bypass was subsequently renamed the outer distributor road (ODR).

Neither central Government nor Government agencies appear to have plans for a bypass or an ODR for Hereford.

The current loan figure for the Council is £115m, soon to rise to £130m, roughly equivalent to the entire annual budget.

The estimated cost has grown from £50m in 2005 for a proposed western route, to £130m, of which £60m has been requested from central Government.

The estimate for the Rotherwas access road was £12m to be paid for by developer contributions; the final cost was £20-25m. Developer contributions were not forthcoming; the road was paid for by local taxpayers and presumably added to the loan, the estimate of £130m for the ODR should be viewed in this context.

5.1 *What is the justification for re-opening the debate on an east v west route and from the many traffic reports that have been undertaken, where will the ODR distribute traffic from/to?*

5.1.2 *With no central Government support or funding available, council finances in a poor state and the current economic climate, where will the funds for this road come from if planning permission and developer contributions cannot be relied on?*

### Answer from Councillor DB Wilcox Cabinet Member Highways and Transportation.

5.1 Whilst it is true that the Council confirmed its commitment to an outer distributor road in 2008 it is not correct that Cabinet announced that the western route would be supported at that time.

Whilst a number of traffic reports have been completed in the past the situation and the context for has significantly changed. Any new route must be informed by the growth point status that Hereford now has and the Local Development Framework process will confirm both housing allocations and the necessary infrastructure including the outer distributor road required to deliver them.

The Council is currently reviewing its strategic land use plan which will consider the development of the County up to the period 2026. This includes consideration of over 16,000 new dwellings with the potential for 50% of these to be located in and around Hereford City, as agreed unanimously by Council last year. The need for

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supporting infrastructure is currently being reviewed and this includes a review of the need for an optimal location of an Outer Distributor Road (ODR). The ODR will be assessed in the context of the preferred location for housing and as this hasn't been determined it would be premature to determine the alignment of the road, assuming the review concludes that a road would be necessary. Distribution of the traffic will be dependent on the preferred distribution of housing and other major land uses. The road would need to enable traffic to bypass the City, avoiding the bottle neck caused by the presence of only one river crossing. The distribution of traffic would also be determined by a range of traffic management proposals which will be developed alongside the ODR.

- 5.1.2 Any new road can be funded through a combination of government grants, approved expenditure and development contributions.

Mr Barton asked a supplementary question in relation to public question 5 to the Cabinet Member Highways and Transportation.

'Where is the clear requirement for an outer distributor or by pass road and what was the routing for it'?

Answer from Councillor DB Wilcox, Cabinet Member Highways and Transportation

'The routing of any road needs to be decided upon and synergies connected with locality of housing. No decision has yet been made as to the location (either East of West) of such housing development which would need to be decided upon to inform the routing issues, this would additionally identify the development contributor costs. This issue was being considered as part of the wider Local Development Framework.'

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### Question from Mr D Phelps, Hereford.

- 6.1 *Do the Council have a contract with recruitment company Pertemps to exclusively provide the authority with all temporary and interim staff?*

### Answer from Councillor JP French, Cabinet Member Corporate and Customer Services and Human Resources

- 6.1 Pertemps is not a key supplier in the field of senior management recruitment and therefore alternative arrangements operate in this area.

On 29 and 30 April and 1 May 2009 the Chief Executive, Deputy Chief Executive and all Directors went to the Priory Hotel, Stretton Sugwas for a three day conference.

- 6.2 *Was this known and approved by the Leader or another Cabinet Member?*
- 6.2.1 *How much total gross salary will be paid to attendees during this event?*
- 6.2.2 *How much will this event cost the council tax payer (inclusive of VAT)?*
- 6.2.3 *Did any of the attendees order or consume alcohol during this event?*
- 6.2.4 *Is there a council policy precluding the consumption of alcohol by officers during the working day?*

### Answer from Councillor RJ Phillips, Leader of the Council

6.2 – 6.2.4

There was no 'conference' held on those days. The senior management team used the venue for three days during part of an ongoing programme of training and development – no members of the senior management team stayed overnight. When in-house venues are not available, the council aims to use local businesses, particularly during the current economic climate. The council has a policy precluding the consumption of alcohol during the working day and this policy was fully complied with.

- 6.3 *How much did it cost to furnish, re-decorate, carpet and structurally complete the Chief Executive's new office at Brockington?*
- 6.3.1 *How much did the new board table cost?*
- 6.3.2 *Is there a policy that all council furniture is purchased from West Mercia Supplies?*
- 6.3.3 *Was the board table purchased from West Mercia Supplies and if not, why not?*

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### Answer from Councillor H Bramer Cabinet Member Resources

6.3 – 6.3.3

The total cost to the council of building works and refurbishment of offices and meeting rooms at Brockington is a matter of public record (Council 17 February 2009). The total cost to the council of office furnishings for the offices of the Chief Executive and his support staff is £4,345. Corporate procurement processes were complied with.

6.4 *Has the new Deputy Chief Executive commissioned a review of the Legal and Democratic Services division of the Council?*

### Answer from Councillor JP French, Cabinet Member Corporate and Customer Services and Human Resources

6.4 Management reviews in relation to a number of services have been undertaken or are planned as part of the council's ongoing commitment to improvement and value for money.

6.5 *A Herefordshire Councillor is standing for election to the European Parliament and, since she is top of the relevant candidate list, is likely to be elected. Has the Councillor resigned from the Council?*

### Answer from CJ Bull, Returning Officer

6.5 This is a matter for the individual Councillor; however there is no legal requirement to resign.

6.6 *Have any Members of the Cabinet been issued with a Herefordshire Council parking contravention enforcement ticket since the last election?*

6.6.1 *If yes, what is the longest period that has elapsed between the issue of the tickets and the payment of the penalty?*

6.6.2 *Have any penalties been withdrawn or waived and are any outstanding?*

### Answer from Councillor JG Jarvis, Cabinet Member Environment and Strategic Housing

6.6 – 6.6.2

The detail of parking tickets issued to any individual is covered by the Data Protection Act. The policy on enforcement of tickets is available on the Council's website.

6.7 *Since the last local government election, how many Herefordshire Council officers have left under the terms of the so-called Compromise Agreements?*

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### **Answer from Councillor JP French, Cabinet Member Corporate and Customer Services and Human Resources**

- 6.7 2007/08 – 4  
2008/09 – 4

The Council's deep partnership with the PCT seeks to achieve cost savings.

- 6.8 *What is the combined total cost of all basic salaries paid to the former Chief Executive and Directors of the Council in the twelve months prior to the appointment of Chris Bull?*
- 6.8.1 *What is the combined total gross cost of all basic salaries paid to the former Chief Executive and Directors of Herefordshire PCT in the twelve months prior to the appointment of Chris Bull?*
- 6.8.2 *In the year ending 31 December 2009, what is the total projected basic gross salary cost (including fees to interim appointees) of the current Chief Executive, Deputy Chief Executive, Assistant Chief Executives and all Directors of the combined organisation?*

### **Answer from Councillor RJ Phillips, Leader of the Council**

6.8 – 6.8.2

The enhanced partnership with NHS Herefordshire focuses on working together to deliver: improved outcomes for local people, excellence in service delivery, quality customers' experience, whilst being efficient and delivering value for money.

The creation of the joint senior management structure across the council and NHS Herefordshire has resulted in the total number of senior management team posts being reduced from 15 to 13. A number of savings have also been achieved through the creation of some joint posts. The joint management structure delivered a net saving of £3,000 per annum, although it should be noted that as further structural changes follow on through the directorates, and resources are directed to support some traditionally under-resourced service areas other costs and savings will be identified.

- 6.9 *Will the Leader confirm that, following the Crookall report, he can reassure us that there will be no repetition of the bullying by senior staff and failure to adhere to council policies identified in the report?*

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### **Answer from Councillor RJ Phillips, Leader of the Council**

- 6.9 The Council has a number of well publicised policies and procedures to protect officers. Periodic assurance reviews are undertaken, including feedback from staff through the annual employee opinion survey.
- 6.10 *At a recent conference at the Courtyard Councillor John Jarvis promised that all staff of the Council would be given an opportunity to see the film "Age of Stupid". What percentage of staff have now seen the film and will they be empowered to make relevant changes to council policy in the light of lessons learnt from the film?*

### **Answer from Councillor JG Jarvis, Cabinet Member Environment and Strategic Housing**

- 6.10 The 'Age of Stupid' film has its official release on 22<sup>nd</sup> May. The right to use the film within the council has been negotiated, and arrangements are in place to ensure that staff are able both to view the film and play an active part in responding to the issues raised.

Mr Phelps asked a supplementary question in relation to public question 6.7 to the Cabinet Member for Corporate and Customer Services and Human Resources.

'What are compromise agreements?'

Councillor JP French, Cabinet Member for Corporate and Customer Services and Human Resources:

'These are where employers and employees arrange an exit strategy'

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### Question from Mr J Cannell, Dilwyn, Hereford

I understand that the Chief Executive, Deputy Chief Executive and all Directors of Herefordshire Council and Herefordshire NHS PCT attended a 72 hour conference at the Priory Hotel, Stretton Sugwas, over the three days April 29 – May 1 inclusive.

- 7.1 *Did the Leader of the Council and the Cabinet approve the conference?*
- 7.1.2 *In terms of salaries alone, how much total gross salary will be paid to those attending the three day event?*
- 7.1.3 *In terms of catering, room hire, accommodation and other facilities, how much did the three day event cost the council taxpayer, inclusive of VAT?*
- 7.1.4 *Do the bills include any provision for alcohol and is there a council policy concerning the consumption of alcohol whilst on council business?*

### Answer from Councillor RJ Phillips, Leader of the Council

7.1 There was no 'conference' held on those days. The senior management team used the venue for three days during part of an ongoing programme of training and development – no members of the senior management team stayed overnight. When in-house venues are not available, the council aims to use local businesses, particularly during the current economic climate. The council has a policy precluding the consumption of alcohol during the working day and this policy was fully complied with.

A stated goal of the Council's 'deep partnership' with the PCT has been cost savings. In ascertaining how successful that has been:

- 7.2 *What was the total combined cost of all basic gross salaries paid to the former Chief Executive and Directors of Herefordshire Council in the twelve month period immediately prior to the appointment of Chris Bull?*
- 7.2.1 *What was the total combined cost of all basic gross salaries paid to the former Chief Executive and Directors of Herefordshire PCT in the twelve month period immediately prior to the appointment of Chris Bull?*
- 7.2.2 *In the year ending December 31 2009, what is the total projected basic gross salaries (including fees paid to interim appointees) of the current Chief Executive, the Deputy Chief Executive, the Assistant Chief Executives and all the Directors of the combined organisation?*

### Answer from Councillor RJ Phillips, Leader of the Council

The enhanced partnership with NHS Herefordshire focuses on working together to deliver: improved outcomes for local people, excellence in service delivery, quality customers' experience, whilst being efficient and delivering value for money.

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The creation of the joint senior management structure across the council and NHS Herefordshire has resulted in the total number of senior management team posts being reduced from 15 to 13. A number of savings have also been achieved through the creation of some joint posts. The joint management structure delivered a net saving of £3,000 per annum, although it should be noted that as further structural changes follow on through the directorates, and resources are directed to support some traditionally under-resourced service areas other costs and savings will be identified.

**No supplementary question was asked.**