

**PUBLIC QUESTIONS TO COUNCIL – 28 September 2012**

**Question from Ms B Mark, Orleton, Herefordshire of Councillor RB Hamilton Cabinet Member Environment, Housing and Planning**

Question 1

**Local action during flooding**

*There is much going on to bring in localism but our Parish Council is frustrated that they are left almost powerless when flooding hits Orleton. Localism is about trusting locals, and when flooding hits the county, county resources are stretched. A partnership between local and county, at these times, would seem to be a sensible thing to work toward. Once an area has been proved to be susceptible to flooding could we ask that Highways gives permission for Parish Councils to protect home owners, and road users, by putting up flood signs or even closing severely flooded roads until the flood subsides? There could be a phone-in centre where all the actions of local PC are collected so Highways can monitor road floods and actions.*

*With all the work the county council is putting into monitoring flooding and ideas of alleviating floods hopefully such actions will be needed less and less. But while flooding persists action has to be fast and local people can do this much better.*

**Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and Planning**

Answer to question 1

We are currently consulting with parish councils on how Herefordshire Council can work better with communities to both assist with the local response to flooding and to help increase local resilience. I very much welcome the suggestions made and will certainly consider them alongside other representations.

As part of the consultation, I have already begun to visit key flood sites throughout the county, and I will ensure that Orleton is included over the coming weeks, in order to better understand the issues faced by local people.

I would also encourage other Parish Councils to get in touch if they would like to meet with me to discuss how we can improve on how we manage the impacts of flooding.

In addition to this the Council offers all Town and Parish Councils assistance in the creation of Town/Parish Community Resilience Plans in line with the Cabinet office's Strategic National Framework on Community Resilience. I am aware that the Council's Resilience team are currently awaiting a reply from Orleton Parish Council for a date to meet with the newly appointed Community Resilience Co-ordinator, in order to create a plan and to validate this with a table top exercise. I would see this as an opportunity for the Parish Council to discuss the specific issues raised in the question.

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### **Question from Mr P Mitchell, Herefordshire of Councillor H Bramer, Cabinet Member Major Contracts**

Question 2

#### **Demonstration of optimum value for money solution for the PFI procurement of the energy from Waste CHP scheme**

*Would the Cabinet Member responsible provide an assessment explaining and demonstrating that the chosen procurement option and chosen technical CHP solution at Hartlebury offers the best value for money to the tax payers of Herefordshire. Specifically addressing -:*

- How he has determined and ensured the optimal technical CHP solution at Hartlebury (against other CHP alternatives considered) to achieve minimum NPV (best value to Council tax payers) for this project within a single tender PFI contract.
- Why he has not considered / adopted commissioning independent technical support to specify, competitively tender and project manage then operate the energy from waste CHP plant on behalf of the Council.
- How within this contractual arrangement he is safeguarding the public purse by independently validating the offered energy from waste CHP technical solution also demonstrating that this delivers lowest NPV or best value for money solution.
- How he has avoided well recognised adverse long term cost implications historically repeatedly delivered under many and varied other public PFI contracts and which are now generally consider as a poor value method of project implementation.

### **Answer from Councillor H Bramer, Cabinet Member Major Contracts**

Answer to Question 2

These matters have not yet been finally determined by this council. Value for money assessments will inform a report to Cabinet expected later this financial year, in accordance with the decision made by Cabinet on 16 February 2012.

#### **Supplementary Question**

Councillor Bramer's response to my concerns and requested clarification of how the Council were to overcome likely difficulties achieving implementation of the optimum solution to ensure best value for money of the preferred energy from waste CHP solution via its stated PFI contract mechanism were simply not addressed.

I am reasonably confident that the Council Waste Strategy document has probably identified and directed the correct best value for money residual waste disposal solution.

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However having reviewed the developers proposal he does not include any CHP application his solution and will not therefore satisfy the specified or preferred solution and will certainly not deliver potential best value for money solution for the Council Tax Payer. In referring to the plant as an energy from waste CHP the developer is misrepresenting the scheme which has no CHP, and in its absence merely exports available generation to the grid at low thermal efficiency. Meaning that nearly 70% of the potential available heat energy from the scheme is simply discarded.

This heat would have otherwise have been significantly recovered had a suitable CHP application been included in the proposal, producing a very beneficial and significant revenue stream to the project which should be available to offset the capital cost of this scheme and produce a better lower cost solution to the Council Tax Payer.

The Council should postpone sanctioning the developers proposed solution until it has ensured that the developer has determined and included the most technically suitable and financially beneficial CHP application available into the scheme. Otherwise it will not ensure the best value for money solution”

**Cabinet Member Response**

Councillor Bramer thanked Mr Mitchell for his question and stated that he would take on board his comments.

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**Question from Mr P Linnell, Eardisland, Herefordshire of Councillor RB Hamilton  
Cabinet Member Environment, Housing and Planning**

Question 3

**Affordable Housing**

*On the evidence base for the LDF, please indicate the likely percentage of the identified affordable housing need which will be met by the implementation of the proposed LDF strategies and policies in full. Please show all data sources and calculations, and indicate estimates of the worst, best and most probable cases along with the assumptions these estimates are based on.*

**Answer from Councillor RB Hamilton Cabinet Member Environment, Housing and  
Planning**

Answer to question 3

The percentage of affordable housing which will be sought through the policies of the LDF is yet to be finally determined and will be established based on evidence of housing need and viability. The evidence base will partly be drawn from the affordable housing viability report available on the Council website; work currently underway on economic viability will inform the development of affordable housing targets to be set out in the Draft Core Strategy which is due to be published in the new year.

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**Question from Mr A Fisher, Hereford of Councillor PD Price Cabinet Member Corporate Services**

Question 4

**Democratic accountability in the contracting out of statutory council services.**

According to the Project Mandate for the Council's 'root and branch reviews' of the services it provides, all services are included in the review, with the aim of shrinking the Council budget by 30% and leading eventually to new governance structures.

*Which are the laws and regulations applying to the contracting out of statutory council services that ensure continued (and improved) democratic accountability both during and in the culmination of this review process? (Please list the laws and regulations and the statutory services to which they apply.)*

**Answer from Councillor PD Price Cabinet Member Corporate Services**

Answer to question 4

The Root and Branch Review programme is designed to fundamentally review everything that the Council does and will, over an 18 month period, set out what services we will deliver over the next decade to meet the priorities for the County.

We also have an obligation to council taxpayers and residents to consider best value and to understand what alternatives there are to direct service provision by the Council. There will be an option appraisal for each Review about which services are provided in the future and how – there is no presumption in favour of outsourcing services, what matters is what solution provides the best outcomes for residents at a price we can afford to pay.

Any recommendations from the Reviews relating to the future provision of services will be consistent with relevant UK and European legislation and this will be included in the report to Cabinet as appropriate.

The general legislative framework for accountability in all decision making process is contained in the Local Government Act 1972, the Local Government Act 2000 and specifically in the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

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**Question from Ms P Mitchell, Hereford of Councillor PD Price Cabinet Member Corporate Services**

Question 5

**Statistically robust opinion surveys of a representative sample of the County's population for the Root and Branch Reviews of services provided by Herefordshire Public Services**

The Council propose to learn residents' views on the provision and contracting out of all services (and on the Interim Local Transport Plan) through a 'community engagement exercise', 'Your community - your say', comprising evening meetings, a web forum, twitter and a facebook page. In addition 'there may be some supplementary locality based consultation on aspects of certain Reviews' (report to Cabinet 5th April 2012).

*Will the Council be undertaking any statistically robust opinion surveys in connection with the Root and Branch Reviews designed both to be properly representative of the county's population (and including 'hard to reach' groups) and capable of being weighted according to the respondents' stake in the service in question?*

**Answer from Councillor PD Price Cabinet Member Corporate Services**

Answer to question 5

The 'Your community your say' exercise, as the question indicates, is being undertaken through a variety of mechanisms which includes the 'Quality of Life Survey'. This was run earlier in the year, is statistically robust and representative of the county's population. It is weighted by age, gender, household size and locality. The headline results are available online ([www.herefordshire.gov.uk/factsandfigures](http://www.herefordshire.gov.uk/factsandfigures)) and further reports will be released in due course. 'Hard to reach' groups are being specifically included in the qualitative part of the 'Your community-your say' engagement in September and October.

**Supplementary Question**

In the 2012 Quality of Life survey, were respondents asked to comment on the quality of the services they received or which ones they would be happy to lose?

**Response by the Cabinet Member**

The Quality of Life Survey is a back stop. The team is engaging and using the Quality of Life Survey as the starting point of consultation and everybody will have the opportunity to input into the survey.