

Minutes of the meeting of Cabinet held at Council Chamber, The Shire Hall, St Peter's Square, Hereford, HR1 2HX on Thursday 18 January 2018 at 2.00 pm

Present: Councillor AW Johnson (Chairman)
Councillor JG Lester (Vice-Chairman)

Councillors H Bramer, BA Durkin, DG Harlow, PD Price, P Rone and NE Shaw

Group leaders in attendance Councillors JM Bartlett, RI Matthews and AJW Powers

Scrutiny chairmen in attendance Councillors PA Andrews, WLS Bowen and CA Gandy

Other councillors in attendance: Councillors J Stone, EJ Swinglehurst, CR Butler, PE Crockett and J Hardwick

Officers in attendance: Geoff Hughes, Chris Baird, Claire Ward, Andrew Lovegrove and Stephen Vickers

81. APOLOGIES FOR ABSENCE

There were no apologies from members of the cabinet.

82. DECLARATIONS OF INTEREST

None.

83. MINUTES

As the minutes of the meeting of 12 January 2018 had not yet been published it was noted that these would be approved at the next available meeting.

84. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 7 - 14)

Questions received and responses given are attached as appendix 1 to the minutes.

85. QUESTIONS FROM COUNCILLORS (Pages 15 - 16)

Questions received and responses given are attached as appendix 2 to the minutes.

86. HEREFORD TRANSPORT PACKAGE (HTP) OPTIONS CONSULTATION & PHASE 2

The cabinet member for infrastructure introduced the report. The key drivers for the Hereford Transport Package (HTP) were the appetite locally and nationally to improve connectivity, facilitate housing growth and create better walking and cycling routes. The single crossing of the River Wye in the city impacted on journey times and restricted business growth. The proposed improvements would benefit major projects such as the

university and the enterprise zone. Moving traffic out of the city centre would create space for green infrastructure and active travel measures. The HTP was a priority for the Marches Local Enterprise Partnership (LEP) and the Midlands Connect regional strategy. The council was working closely with Highways England and other national bodies. Extensive work had taken place to refine the route of the proposed bypass to the west of Hereford. All options had been scored, compared and subjected to national planning policies. Routes which would not be technically viable had been removed. A shortlist of seven routes was now proposed for further consultation.

In response to a questions from cabinet members it was confirmed that there was an appetite to see what complementary transport measures could be delivered alongside the construction of the bypass. Proposals in respect of active travel measures would be presented during the phase 2 consultation.

In response to questions from the leader of the Its Our County group it was stated that:

- data and mapping from the adopted neighbourhood development plan would be incorporated into the forthcoming consultation, along with other sources;
- detailed ecological surveys had been carried out, would continue through the seasons and would inform the planning application environment statement;
- all responses to the consultation had been considered, regardless of whether they were defined as individual responses or petitions;
- further detailed responses would be provided following the meeting.

In response to questions from the leader of the Green group it was stated that:

- current and projected journey times would be included in future consultation information;
- the decision whether to designate the bypass as a trunk road and de-trunk the current A49 through the city would be made by the secretary of state, discussions were taking place regarding this process and Highways England were positive about the likelihood of the bypass becoming the new trunk road.

The leader of the independent group gave the views of his group, stating that:

- council officers had frequently said that the bulk of traffic would still go through the city centre;
- the bypass would be exposed to high westerly winds;
- local growth had stagnated and the council had failed to listen to feedback;
- the independent group had always supported a bypass to the east of Hereford and did not believe that an eastern route was undeliverable;
- there was a strong possibility of the Three Elms housing site not getting permission due to the impact on boreholes in the area and the subsequent difficulties this would cause on certain large employers in the city.

The cabinet member infrastructure responded that the eastern route for a bypass was not a viable alternative and that the enterprise zone was booming. The cabinet member economy and communications stated that unemployment in Herefordshire was at an historic low and that the enterprise zone had been highly successful. The leader of the council acknowledged that many businesses did not have a particular preference on an eastern or western route but did want a bypass delivered. The professional evidence had been considered and a western route had been selected on the basis of that evidence.

That:

- (a) having regard to the feedback to the HTP Phase 1 consultation report and the Hereford Bypass corridor assessment framework report the shortlist of route corridors shown in paragraph 25 below be approved;**
- (b) Phase 2 consultation on the approved shortlist of bypass route options and possible active travel measures be undertaken to gather feedback to inform**

the selection of a preferred route for the bypass and to enable the preferred package of measures to be further developed and

- (c) the assistant director environment and place be authorised to take all operational decisions necessary to inform a decision to determine a preferred route for the bypass and a package of active travel measures within a maximum budget of £1m.**

87. SUSTAINABLE MODES TO SCHOOL STRATEGY

The cabinet member transport and regulatory services introduced the item.

The key points noted were:

- the proposed strategy replaced the one adopted in 2009 and comprised the strategy document and action plan;
- the comments of the general scrutiny committee had been reflected in the documents and responses to the recommendations of the committee were set out in appendix 3;
- the strategy reflected other council policies such as the health and wellbeing strategy;
- there was no longer specific funding for SMOTS projects;
- the action plan set out current activities and those planned for the future, the action plan would be monitored and reviewed during the life of the strategy.

In response to queries from the cabinet member infrastructure it was confirmed that officers would work with various colleagues and bodies to seek grants and expert advice. It was noted that better working with schools was a key aim of the strategy.

In response to a question from the leader of the Independent group it was stated that there were a number of reasons why existing sustainable travel options were not being fully utilised including the impact of weather, safety concerns and a need to join up routes. It was expected that the Hereford Transport Package would offer opportunities to improve connections.

The leader of the It's Our County group welcomed the update and commented on the notable difference in congestion between term time and school holiday periods. In response to queries it was confirmed that the South Wye Transport Package would provide funding for active travel measures and that a school travel plan would be considered up to date if it had been completed within the past three years. The target was to get 80% of school travel plans to this standard.

The chairman of the general scrutiny committee was pleased that the recommendations from the committee had been taken up. He asked that a report go back to the scrutiny committee in due course to report on progress.

The cabinet member finance, housing and corporate services noted that only 16 schools had 20mph limits in their immediate vicinity. He queried if this should be encouraged for all schools and whether this should be a specific action in the action plan? It was agreed that the recommendations in the report be altered to include delegated authority for the director for economy, communities and corporate to make amendments to the action plan to include specific reference to 20mph zones outside schools.

The cabinet member transport and regulatory services commented that ward members were an important part of the strategy due to their local knowledge and contacts. It was hoped they could help and encourage schools to have up to date travel plans.

That:

- (a) The Sustainable Modes of Travel to School Strategy at appendix 1 be adopted;**
- (b) the response to the recommendations of general scrutiny committee at appendix 3 be approved; and**
- (c) the director for economy, communities and corporate, following consultation with the director for children's wellbeing, the cabinet member for young people and children's wellbeing and the cabinet member for transport and regulatory services, be authorised to amend the Action Plan at section 6 of the strategy to include specific reference to 20mph zones outside schools.**

88. 16-19 LOCAL AUTHORITY COMMISSIONED SEN SCHOOL: AGREEMENT TO LEASE FORMER BROADLANDS PRIMARY SCHOOL SITE

The cabinet member young people and children's wellbeing introduced the report. It was noted that it was a priority for the council to develop education and learning opportunities for young people aged 16 plus with learning difficulties.

In response to a question from the leader of the Green group it was confirmed that officers were engaged in discussions with the ESFA about the specification of the new building and had been pleasantly surprised at the standard of accommodation proposed. The council would have its usual powers as the local planning authority to impose conditions on the design and construction of the building.

The leader of the Its Our County group read out comments from the ward member, who was unable to attend the meeting. The ward member had not received any comments from parents objecting to the proposal and supported the objectives. She was aware of the good provision at the nursery currently on the site and had had several discussions with the director regarding the proposals.

The cabinet member young people and children's wellbeing reminded councillors that corporate parenting responsibilities related to children in care, some of whom may benefit from this new provision and not all children who may attend this new school.

That:

- (a) the director for children's wellbeing be authorised to agree heads of terms between the council and the Education and Skills Agency (ESFA) (on behalf of the Secretary of State) for the construction of a building to accommodate the new 16-19 Local Authority Commissioned SEN School**
- (b) subject to the approval of the Secretary of State for Education to the appointment of a provider to:**
 - a. agree that part of the land identified at appendix 1 be approved for use by the appointed provider for a period of up to 125 years,**
 - b. the director for children's wellbeing, following consultation with the solicitor to the council and chief finance officer, be authorised to take all operational decisions necessary to make the site available, including the agreement of a lease of up to 125 years for part of the former Broadlands site (as shown on the plan at appendix 1) of an area sufficient for a special school of 50 pupils to the successful promoter, the area being no less than 1 hectare as recommended in DfE Building**

Bulletin 104 – “Area Guidelines for SEND and Alternative Provision”, the remaining land to remain in the ownership of the council

- (c) the ESFA be requested to deliver the building project at its own risk with funding provided by the Secretary of State.**

89. MARLBROOK PRIMARY EXTENSION, FEASIBILITY AND INTERIM WORKS

The cabinet member young people and children’s wellbeing introduced the report. It was noted that the schools capital investment strategy sought to invest in high performing, well supported schools and that Marlbrook Primary met this definition.

The cabinet member health and wellbeing, who was also the ward member for the school, stated that the school offered exceptional quality. It was confirmed that a separate report would be brought forward to address the accommodation needs of the school in the longer term to take the school fully to three forms of entry. This would also seek to address associated highways and traffic issues.

The cabinet member infrastructure asked that all future reports reference and integrate with the south wye transport package and active travel measures.

That:

- (a) funding of up to £300k be approved from the capital budget allocated to Marlbrook school to fund the works necessary to create an additional classroom for use by the school in September 2018;**
- (b) Greencroft ceases to be used as a Multi-Agency Office (MAO) area from 1 March 2018, and**
- (c) the director for children’s wellbeing be authorised to take all operational decisions necessary to implement the above works, including the appointment of a contractor.**

90. PRE-PAID CARDS TENDER

The cabinet member health and wellbeing introduced the report. The key points noted were the advantages of using new technology, the opportunities for wider use of pre-paid cards across directorates and the benefits of a live and auditable system to track usage and control spending.

That:

- a) a financial pre-paid card service available to adults’ and children’s social care clients, and certain Clinical Commissioning Group clients if required, is awarded through an open procurement and a contract to be issued for a period of up to five years effective from 1 July 2018;**
- b) the Director for Adults and Wellbeing is authorised, following consultation with the Director for Children’s Wellbeing, to take all operational decisions necessary to implement the above recommendation, including award of contract at a total cost of not more than £132k.**

91. SINGLE ENFORCEMENT & PROSECUTION POLICY

The cabinet member transport and regulatory services introduced the report. It was noted that:

- the overarching policy would cover all regulatory activities;
- the policy replaced the one adopted in 2012, taking account of changes in regulations and good practice;
- partner organisations such as Balfour Beatty Living Places would also use this policy;
- the appendices to the policy set out the detailed guidance for each subject area, the policies on parking and environmental enforcement were new and the others were updated versions of existing policies.

In response to a query from the cabinet member infrastructure it was confirmed that all conditions applied needed to be enforceable and that there was a dispensations policy which allowed for exemptions, for example where a tradesman needed to park close to a property to work on it. Enforcement officers had to issue penalty notices if they observed a contravention but there was an appeal process which would consider individual circumstances.

The leader of the Independents asked how many blue badges had been issued. It was clarified that these badges were not issued by the parking team but that the figure would be sought and supplied after the meeting.

The leader of the Its Our County group welcomed the update. He asked that the adopted policies be clearly visible and accessible on the council website. In response to a query it was confirmed that the neighbour noise evening hotline which had run in the summer had been well received. The hotline had been financed by the police and crime commissioner and the council was looking to put in a bid for funding again this year. The bid included a request for additional funds so that the service could be expanded. It was also confirmed that officers were confident the statutory requirements could be delivered, with staff redeployed as necessary to enforce policies.

In response to a query from the cabinet member finance, housing and corporate services it was confirmed that the policy was written in such a way that external changes could be incorporated and that the main focus was on overarching principles, with detail in the appended documents.

The cabinet member contracts and assets left the meeting at 4:18.

That:

- (a) the single overarching enforcement and prosecution policy (attached at appendix 1) and the following policies forming appendices to that policy (attached at appendices A to F) be approved and implemented with immediate effect:**
- Parking Supplementary Enforcement & Appeals Policy,**
 - Building Control Supplementary Enforcement Policy,**
 - Planning Supplementary Enforcement Policy,**
 - Environmental Health (Housing) Supplementary Enforcement Policy,**
 - Code of Conduct for Issuing Penalty Notices for Child Absenteeism, and**
 - Environmental Enforcement – Fixed Penalty Notice Operational Policy.**

PUBLIC QUESTIONS TO CABINET – 18 January 2018**Question 1**

Mr E Morfett, Breinton

To: cabinet member – infrastructure

The majority of the public supporters are expecting a solution to city congestion. Where can I find the Consultant's report on the Hereford bypass, with detailed real-time traffic analysis that shows how much the traffic flows in the City are expected to improve, based on the current modelling to 2032? (I found one which suggests travel time across the city will increase by 8%).

Response

Surveys were carried out in 2016 and 2017; this data will be published shortly. The council's consultants will then progress the modelling of the transport movements in and around Hereford to assess the transport effects and benefits of the proposed scheme. When completed, this work will form part of the business case for the project and further consultation at preferred route stage, which is currently programmed for Autumn 2018.

Supplemental question

How can the public trust this council with respect to the environment and the population's best interests when the very same council has for years ignored the threat to human health and wildlife from the toxic waste that was dumped in its own back yard? I'm referring to the toxic waste that leaks from Sutton Walls waste dump which according to the Environment Agency contains toxic materials and carcinogens this liquid was not contained by any recognised impermeable barriers but left to leach through the gravels and into the ground water of the Lugg valley and down into the river wye from 1971 until the present day. No clean-up was attempted and no reports were issued to warn the public despite the collapse in the salmon migrations that followed and in fact not one mention of it was made in the technical reports discussing the environmental impact of the road building on the eastern corridor. How can we trust a council that failed to address this very real threat to wildlife and our population's health?

Response

Leader: This supplementary question was not strictly related to the original question but I will see if the cabinet member wishes to make a response.

Cabinet member for health and wellbeing: Bearing in mind 1971 I believe it was probably another council rather than Herefordshire. This is the first I know about it. This is news to me and as the leader has just inclined I will make a written response.

Question 2

Mr N Thompson, Hereford

To: cabinet member – infrastructure

Has the council carried out a comprehensive costing exercise, at current prices, for each of the prospective routes for the bypass, without which it will not be possible to make a valid comparison between the routes?

Response

Cost estimates for all of the route corridors are set out in appendix 2 of today's cabinet report. These will be further developed as work progresses.

Question 3

Mr J Shepherd, Hereford

To: cabinet member – contracts and assets

As the Council has stated that the new SEN will only require half of the old Broadlands site and they have also stated that the remaining site could be used for further educational facilities, will the Council not offer some of this space to the outstanding nursery already on site on favourable terms to allow them to remain in the area?

Response

We are working with Bright Sparks to identify and to enable them to continue to provide their valuable service to pre-school children and their families in the area.

Any decision on the future use of the remaining old Broadlands site will have regard both to the council's need to be accountable for how it uses the resources under its stewardship, and to our corporate property strategy which sets out how we will use our property assets to deliver our priorities.

Question 4

Mr J Trimble, Hereford

To: cabinet member – infrastructure

5 of the shortlisted 7 possible bypass routes (Eastern Wye Viaduct Crossing) will cross directly through the site of Hereford Community Farm – the resulting closure of this facility would affect 64 weekly attendees with disabilities and their families, and loss of 20 employees. What guarantee does this cabinet give under its Equality Duty that impact on people will be measured and included as part of the 'detailed consultation process'?

Response

This process of determining a preferred route for the bypass from the shortlist presented in today's report will include further assessment of impacts of each of the shortlisted routes and consultation feedback. I would encourage you to provide a detailed response to the upcoming consultation and I can assure you this will be considered as further assessment work progresses to select a preferred route for the bypass. The decision to select a preferred route will be informed by an equality impact assessment.

Supplemental question

The report on the recs for the proposed shortlist of possible bypass routes (section 5.1.8) states that the future work will identify the merits and challenges of each route corridor in more detail, seeking ways to maximise the benefits and mitigate any adverse impact. Who will be carrying out this future work, who will they be accountable to and is this cabinet prepared to guarantee that it will be a fully inclusive and transparent process in its entirety i.e. that it will include the 64 people, their families, staff and schools who attend Hereford Community Farm and not clearly weighted in its interpretation in favour of delivering the cabinet's preferred outcome?

Response

We will certainly take note of the consultation responses that are put in and I urge you to please put in your full reasons for what you are asking here so that we can take on board exactly what you are saying. I would like you personally if you can to come and have a conversation with me about it so we understand better what it is you are asking of us. We will absolutely be transparent in what we do and the cabinet and the council will take responsibility for making the decision but our consultants and the council officers will together, including us, come to a conclusion as a result of all of the input from the consultation. It is most important to you and your concerns about the Hereford Community Farm that you ensure that we are aware of the impact that will happen to you and your facility if we were to choose one route as against another. Please be aware that we do intend choosing a route and it is up to you at the consultation to make sure that we are aware of your concerns. So please come and have a conversation with us and I will make sure that that is held with officers present so they understand your concern.

Question 5

Ms J Milsom, Hereford

To: cabinet member – infrastructure

5 shortlisted possible bypass routes (Eastern Wye Viaduct Crossing) bisect Hereford Community Farm site, Warham, leading to loss of this crucial facility supporting disabled people. NPPF Core Planning Principles (17) states plan-making and decision-taking should 'take account of and support local strategies to improve health, social and cultural wellbeing for all'. How will the cabinet guard against the loss of this valued service?

Response

I refer you to the response to the question above and hopefully that in that consultation we will deal with your concerns.

Supplemental question

Hereford Community Farm currently provides the equivalent of 6,885 days per year of social care placements for children, young people and adults living with disability, long term health conditions and mental health issues crucially filling the gap left by closure of other services due to funding cuts and provided at no operational cost to the local authority. In its assessment of mitigating any adverse impact and especially in light of the proposed 4.9% increase in council tax already announced to meet the rising cost of adult social care, will this cabinet guarantee that the social and financial cost of loss of this service will be fully measured and documented in its consultation report?

Response

The answer is yes, it follows on to the previous question and supplementary question from Mr Trimble. First of all we would try to mitigate any loss of the service and we need to have more detail and I open it to you as well if you are involved in this project to be part of that feedback with the Assistant Director, officers and myself so that we can understand exactly what you are trying to do and how we can mitigate any impact as a result of a route being chosen. Hopefully we can all get together on this and deal with this in a proper transparent fashion.

Question 6

Ms D Toynbee, Hereford

To: cabinet member – infrastructure

The HTP consultation report suggests greater public support for Park & Ride and improving bus services than for a bypass (Fig 5.5, page 46). Will the next stage of consultation explore this in more depth, and provide estimates of the cost and timing of Park & Ride vs costs of the bypass, so that taxpayers can compare the relative value for money?

Response

It's not a case of either/or. Extensive analysis and studies undertaken identify that a bypass together with other improvements in the city centre are required to meet the objectives of the project. Park & Ride in place of a bypass would not. The upcoming consultation will enable us to gather views on the emerging proposals and will shape the kind of measures that could be delivered with the bypass which could include park & ride, if appropriate.

Question 7

Dr N Geeson, Hereford

To: cabinet member – infrastructure

Is Herefordshire Council aware that all the chosen bypass routes would destroy the iconic landscape of the River Wye at Warham depicted by the internationally-renowned artist Brian Hatton? At particular risk are the London Plane and a Turkey Oak in a painting titled "The Lawns" from 1908, but there are also paintings of a number of adjacent meadow and river scenes that have not changed in over 100 years.

Response

Appendix 2 of today's cabinet report contains a detailed report - corridor assessment framework. This sets out how a long list of routes has been assessed across a range of criteria to develop a short list of routes. This includes impact on the River Wye and Warham amongst others. The results of this will form part of this consultation. Consultation feedback and further detailed assessment work will be undertaken following the consultation to determine a preferred route for the bypass.

Supplemental question

In Breinton's neighbourhood plan, policy B9, green bank meadow at Warham which is the site of the Hatton trees referred to earlier was designated as local green space. This meadow is the Queen Elizabeth II field managed by the Herefordshire Wildlife Trust. Drovers Wood and Green Lane in the path of the black and grey routes are also designated local green space. Does Herefordshire Council believe that its choice of bypass routes should trump policies in neighbourhood plans?

Response

You have to put this in the context that the wider acceptance of a bypass for Hereford, if there was no other way of getting that bypass route selected through an area of landscape I would suspect that many people would say so we must be able to progress for the projects that we are having to deliver. If the neighbourhood plan for Breinton has a very good policy that says we must look at the options available to us we will certainly look at those options. I am not familiar exactly with policy B9 in the neighbourhood plan for Breinton but we will look at it and

I will ask the officers in due course to make sure that that is part of the consultation going ahead as to whether or not it has a major impact on route choice. Thank you for bringing this to our attention and we will make sure that we look at neighbourhood plan B9 for Breinton to see whether or not we can mitigate route choice from that.

Question 8

Mrs L Moss, Hereford

To: cabinet member – contracts and assets

Could you explain what is the risk to the council in respect of Bright Sparks tenancy? Please note that we are an educational establishment and have been on site for over 40 years, and are happy to provide training for all ages, and care and education for children of employees of the proposed new school.

Response

The risk referred to relates to delivery of the special school project rather than a risk to the council itself; until the future accommodation of Bright Sparks nursery is resolved that risk remains. I'm sorry that the description of the risk is unclear.

Question 9

Mrs C Palgrave, How Caple

To: cabinet member – infrastructure

The Bypass consultation report gives cost estimates of £129m to £146m, presumably for a single carriageway road. How much more for a dual carriageway, and how will Council fund the highly likely overruns on these estimates? Norfolk Council for example is paying £28m more for the Norwich Distributor Road on an agreed budget of £179m, with lead councillor Martin Wilby commenting, "on a project this big, unexpected costs are inevitable".

Response

The cost estimates for the shortlist of routes are set out in the Corridor Assessment report in appendix 2 of today's cabinet report in order to provide a basis for comparison. These will be further developed as work progresses and the standard of the carriageway throughout the various route options is specified. I cannot comment on the Norfolk scheme the questioner refers to but would emphasise that in any large project cost estimates will invariably change as the project design develops to inform a decision on a deliverable and costed option.

Question 10

Mr P Hands, Lower Breinton

To: cabinet member – infrastructure

Cabinet Member for Infrastructure is with his colleagues seeking to build a large number of new homes which invariably will increase the number of cars journeys & pollution in the city. When was the last series of air pollution tests carried out on all major roads entering the city

centre and what has been done with traffic light flows to lessen pollution from stationary Vehicles?

Response

Monitoring of air pollution is undertaken monthly at about 15 locations across Hereford and hourly at a continuous monitoring station on Victoria Street. We publish on our website an air quality status report which considers all this monitoring data and assesses this against the national air quality objectives. This report also considers any major changes in the county that may have an impact on air quality and reviews the progress of measures to improve our air quality. An air quality management area is designated along the A49 corridor through the city, from the Belmont Road/Asda roundabout to the Holmer Road/Newtown Road roundabout. Relevant monitoring data is published on our website annually.

Traffic lights within the city centre are controlled by a computerised management system which seeks to smooth traffic flows to minimise congestion. The city centre is at times a severely congested network and the Hereford Transport Package, including a bypass, is a key part of the council's strategy to improve traffic flows and air quality.

Supplemental question

Councillor Price at the last cabinet meeting you stated you would fight for the western bypass relief road, and I would add link road, whilst you still have breath in your body. Did you watch the recent programme on BBC2 'fighting for air' where it was stated 40,000 premature deaths are caused by air pollution, increases to heart attacks and asthma attacks due to air pollution and more importantly the effect on children's arteries and lung function? With the impact on people's health, in particular children Councillor Price, you appear to put your ego, impartiality and desire for the western relief link road above the health of Hereford residents and in particularly more importantly the children and grandchildren of people living in Hereford. Is your conscience clear? As the buck stops with you as you are the cabinet member for the current infrastructure portfolio that children and even their children will not be impacted by your decision and stubbornness to pursue this relief link bypass.

Response

No I did not watch the BBC2 programme that you refer to. However I am fully aware of my stubbornness when I get into something and I appreciate your concerns but we are trying to progress this bypass to alleviate the air quality in central Hereford to address the issues that you are addressing. Furthermore, do you really believe that in 25 years' time there will be anything but electric driven vehicles or some other modes of transport that will not include diesel engines, petrol engines that are spewing out all of the various P10s or whatever you want to call them in the future? My conscience is absolutely clear. The businesses of Hereford are demanding that we do something about another bridge across the river and that we deal with getting the heavy traffic out of the city centre. Every meeting that I have on infrastructure projects, including the Hereford Area Plan, reference time and time and time again from all quarters that if we do not have a bypass we cannot implement any of the traffic measures that we need for sustainable active and public transport in the city to alleviate exactly what we are trying to do. My conscience is absolutely clear and I will stand until I fall over that I believe that this bypass is designed to aid air quality and congestion and traffic flows whether it increases, decreases, whether it's electric or diesel or petrol or any other form. I am not moving on this, I am absolutely committed to this and I am sorry I am so stubborn about it.

Question 11

Mr T Geeson, Hereford

To: cabinet member – infrastructure

Reference today's Hereford Transport Package report. Only one of the seven consultation questions included even mentions a bypass and this question deals solely with factors important when choosing a route. 612 people responded to this question - less than 42% of the total 1467 questionnaires completed. Yet the report says 'there was broad support for the principle of a bypass' How does it justify this statement?

Response

The aim of the Phase 1 consultation was to increase awareness of the Hereford Transport Package proposals, planning and design process. Feedback received demonstrates that overall there is broad agreement (93%) amongst respondents that traffic conditions in Hereford need to be improved, demonstrating the importance of transport infrastructure improvements. Studies have established that the appropriate transport improvements to deliver our objectives are a bypass with a package of walking, cycling, public transport and public space improvements. Further consultation will allow people to provide feedback to confirm if this is supported

Supplemental question

Paragraph 34 of the Hereford Transport Package report in front of you refers to funding. The number of serious road accidents in Herefordshire has risen in the last two years. Already this January an accident at Bridge Sollars resulted in one seriously injured person being helicoptered to Birmingham and another at Dinmore Hill resulted in a death. How can the Cabinet justify using the severe weather reserve to fund further consultations and consultants in the light of local accidents.

Response

I will give you a written answer on that.

Question 12

Mrs Wegg-Prosser, Breinton

To: cabinet member – infrastructure

Why were the relevant HAP Consultation responses reported on by WSP in August 2017 on travel plans (Q19), leisure use of the River Wye (Q33 and Q39), pollution (Q40) and climate change (Q41) excluded from the Appendix 1 Consultation Report and not taken into account in Appendix 2 which details in a partial and highly selective manner the preferred seven route options?

Response

The consultation report included in Appendix 1 of today's cabinet report summarises the responses to the Hereford Transport Package questions of the phase 1 consultation questionnaire. Responses to the Hereford Area Plan questions are available on the council's website, and will inform the further development of the Hereford Area Plan. The assessment which has informed a shortlist of routes set out in the report in appendix 2 has been done in accordance with government guidance. Further consultation will allow people to provide feedback to this shortlist which will inform further assessment to determine a preferred route for the bypass.

Question 13

Mr B Wallace, Breinton

To: cabinet member – contracts and assets

What financial and/or contractual impact will the liquidation of Carillion have on Herefordshire Council as one of its contractors Balfour Beatty who will have an exposure of £45M as a result of being in joint ventures with Carillion?

Response

I do not anticipate any implications for this contract and the council has received assurances to that effect.

Herefordshire's contract for public realm services is with Balfour Beatty Living Places. The Balfour Beatty group has stated that exposure is limited to joint ventures with Carillion on three projects: these are the Aberdeen Western Peripheral Route, the A14 in Cambridgeshire and the M60 Junction 8 to M62 Junction 20 schemes. Whilst there may be some sub-contractors in the supply chain working to Balfour Beatty Living Places which may also have supplied Carillion, the risk associated with this indirect impact is considered to be low we continue to monitor the situation. It is reassuring to note that share prices for Balfour Beatty remain stable, a usually good indicator of the market confidence in them.

Assurance can be given that, should this circumstance change, the payment requirements set by our contract, that subcontractors be paid within 20 days of them having presented a valid invoice, should limit our supply chain's exposure to such financial risks in so far as they relate to our contract.

Supplemental question

As a result of the mismanagement of contracts by government and local authorities, is Herefordshire going to take the lead by appointing a council officer of the right calibre and experience to manage and control the western relief road, or in future if there is another option, to protect the residents of Herefordshire against a Carillion type disaster?

Response

I will provide a written response.

COUNCILLORS QUESTIONS TO CABINET – 18 January 2018

Question 1

From: Councillor Matthews, Credenhill Ward

To: cabinet member – infrastructure

The government announced recently that it is fully committed to ensuring greater protection of the environment, in particular areas of outstanding natural beauty close or adjoining residential areas. The beauty and tranquillity of the Breinton area fully meets that criteria.

Do you agree that it is extremely unlikely that ministers will look favourably on the proposals before us today bearing in mind the above and cheaper options available subject to the other points raised here today?

Response

No I don't. Herefordshire is a beautiful county. We are committed to supporting improvements in the quality of our natural environment while bringing forward quality developments that enable sustainable growth to meet the needs of the county. The council's adopted core strategy recognises this route as the best option available and there is no cheaper deliverable option which would secure the same outcomes. Any decision on a preferred route will be informed by a wide variety of factors including environmental impacts. I am confident that by following the appropriate guidance and using our evidence base our proposals will progress.

Question 2

From: Councillor Crockett, Queenswood Ward

To: cabinet member – infrastructure

I must remind you that the Wye Valley is a Special Area of Conservation, Europe's highest level of environmental significance and importance and protection. The river running through Breinton has the same environmental importance as the Lugg Meadows, which for some reason you appear to have difficulty in accepting.

Why aren't you considering the cheaper option for the bypass, which would fully serve the same purpose? I have raised this question as I was emailed by several of my constituents regarding this.

Response

I fully acknowledge the environmental importance of the river running through Breinton. The facts are that, as demonstrated through the core strategy process, the route corridor identified is the best option available. There is no cheaper, deliverable option that would secure the same the same outcomes.

Supplementary question

Do you think you are taking significant notice of our local businessmen and listening to their concerns?

Response

Absolutely, and I have to say that the majority of businessmen that I speak to or contact me or general conversations over a number of years is that I do not speak to many that do not want us to progress a bypass as quickly and as efficiently as possible and to get on and build it. There is a pent up demand by businesses in this county to get and deal with this issue, it has been ongoing for many, many years. We now have a perfect opportunity to get on and deal with it and if we don't take this opportunity now I don't know where Hereford businesses will be. Every place I go to in meetings businesses are telling us we must have a bypass to resolve the issues that they are having as regards investment, growing their businesses and the day to day running of their businesses. So yes I do take notice of businesses and overwhelmingly they are telling me we must progress.