

## Minutes of meeting on 11 October 2019 – Appendix 1

Question Number	Questioner	Question	Question to
PQ 1	Mr Murray, Ross-on-Wye	Could the council consider organising a (Battery electric vehicles) BEV event in Hightown in summer 2020 for taxi owners and members of the public to examine and experience electric cars and small vans; providing the overarching management and working with local car sales companies to supply vehicles and answer questions?	Cabinet member infrastructure and transport
<b>Response:</b> Yes. I will ask officers to explore further with local car companies as part of our wider sustainable and active travel programme, Destination Hereford.			
PQ 2	Ms Stanley, Ross-on-Wye	At present you expect us to pay £80 for 50 PLASTIC bags that contain many items that can be recycled - but we cannot recycle it at recycling centres because we are businesses. It should not matter if recycling is produced by a business - it should still be able to go to the recycling centre. As we are all become more aware of the need to recycle and cut back on plastic, what is going to be done to help small businesses to help meet climate change objectives?	Cabinet member commissioning, procurement and assets
<b>Response:</b> Thank you for raising this matter.  Household Recycling Centres, such as the one in Ross on Wye, are funded by domestic rate payers and, as such, for use by householders to take their own household waste only.  All businesses have a legal requirement to make appropriate arrangements for the collection and disposal of the waste they produce. This means using a licensed person or organisation to collect it and take it to a permitted waste management facility.  The council does provide a recycling service to its trade waste customers; a business may pay to have up to 5 x 240L green wheeled bins collected fortnightly. A business may recycle clean and dry paper, cardboard, metal tins & cans, glass bottles & jars, plastic bottles and plastic pots, tubs & trays through this service. However, using the council's trade waste service is one option but there are also a number of other providers in Herefordshire.  The council is exploring options on how it can make its trade recycling collection service more accessible to small businesses in the short term and it is probable that longer term changes will be brought about by the government's proposed waste and resource strategy. It is as important to reduce waste in the first place rather than just recycle and any ideas businesses may have on how to achieve that would be welcomed.  For further details on the council trade waste service please visit <a href="http://www.herefordshire.gov.uk/tradewaste">www.herefordshire.gov.uk/tradewaste</a> .			

PQ 3	Mr Adams, Ross-on-Wye	Why is Herefordshire council not using plastic roads, made with recycled plastic as an additive to bitumen? Gloucestershire and many other counties are now utilising this method, available through a company called Macrebur, based near Carlisle. The roads are not only stronger, but last longer and are 10 times more resistant to potholes. The road mix is also cheaper than conventional tarmac.	Cabinet member infrastructure and transport
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**Response:**

Herefordshire council is aware of the company Macrebur which has been manufacturing plastic comprising materials for Highways use for approximately 3 years. As traditional roads are expected to last 30 years with much of the initial service life being defect or pothole free, we need to be cautious in accepting longevity claims relating to a product in existence for only 3 years.

Central government through the Department of Transport champions innovation and has commissioned a £1.6 million trial of this experimental material which will take place in Cumbria. The Department for Transport wishes to ensure public safety and environmental safety before endorsing any new material or technology. A key objective of the trial will be to understand whether the longevity and durability of the material is as claimed and also to understand whether there are any unexpected adverse effects such as the release of micro-plastics during the wearing cycle which will not break down in the same way as the components of traditional treatments. Herefordshire council looks forward to reviewing the results of the Department of Transport's trial once future publication is available, and is open to supporting this trial should the DfT wish to trial sites in the county. The results of the DfT trial will inform any decision by this council to specify this material for its road network.

PQ 4	Mr Harper-Smith, Credenhill	Why does Herefordshire Council support the Government's decision to only fund transport to nearest school in cases where that is not their catchment school when it could either make a discretionary decision to fund to both catchment and closest or give all pupils a travel contribution equivalent to that of the cost to the closest school? The current policy removes choice from low income families, which is contrary to Herefordshire Councils own policy on education choice and where families pay for their own transport the Council makes 100% saving on transport but also increases traffic outside schools contributing to higher emissions, congestion and road safety issues.	Cabinet member infrastructure and transport
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**Response:**

Whilst we are always keen to support people on low incomes, we also need to be mindful of the budget implications of decisions. The council's home to school transport policy meets the requirement to provide free transport to the nearest suitable school if a pupil lives more than 2 or 3 miles away (depending on the age of the pupil). This policy adopted in 2014 provides a level of provision that meets our statutory responsibilities to all families within the current funding available.

There is additional support for students of families with low incomes available through the extended rights scheme which does support choice:

- For secondary-aged children aged 11-16, the entitlement to free transport is increased to any one of three nearest schools, where these are between 2 and 6 miles from home.
- Primary aged children of 8 and above (years 4 to 6) attending their nearest suitable school that is more than 2 miles from home are entitled to free transport.
- Where a parent or carer expresses a preference for a school based on religion or belief, then a child aged 11-16 is eligible for free transport to the nearest suitable school if they live between 2 and 15 miles of the school.

Support is also provided to schools and the council is aware that a number of schools arrange their own transport provision for pupils not entitled to free transport.			
PQ 5	Mrs Morawiecka, Breinton	The last Audit & Governance meeting were told by the External Auditor that if the South Wye Transport Project had not been put on “pause & review” that there would have been a significant loss to the local taxpayer. The External auditor also stated that they would not have been able to provide an opinion that the Council achieved Value for Money in 2018/19 without the “Pause & Review”. Can the Cabinet member confirm that processes are now in place to minimise the risk of yet more significant losses to the local taxpayer on capital projects to ensure that only those that deliver the best Value for Money are progressed by Herefordshire Council?	Cabinet member finance and corporate services
<p><b>Response:</b> Grant Thornton, the council's external auditors have issued an unqualified opinion at the September Audit &amp; Governance meeting in respect of value for money for 2018/2019. The 'Pause and Review' decision has no link to the Value for Money conclusion reached by Grant Thornton following a short delay during which it was necessary for them to consider the substance of the SWAP report into the issues identified on the South Wye Transport Package (SWTP).</p> <p>Grant Thornton brought to the attention of the Audit and Governance committee in September that as, as a consequence of those issues, the contract for construction of the SWTP had not yet been awarded and that therefore there was no loss to the council.</p> <p>I welcome the recommendation from Grant Thornton that a review is carried out in respect of the governance processes for capital projects. This is underway, and I can confirm that processes are in place to further address the risks around capital projects.</p>			
<p><b>Supplementary Question:</b> Why were the risks of the tender process with potential for additional costs to the tax payer, if the SLR went ahead, and the risks of the external auditor not being able to confirm a value for money opinion because of the capital project tender process not reported to the scrutiny committee meeting or all elected members?</p>			
<p><b>Cabinet Member Response:</b> The cabinet member had provided her apologies to the meeting and a written response would be provided to the question.</p> <p><i>Response sent on 28 October 2019:</i></p> <p>The risks associated with procurement in relation to the South Wye Transport Package were identified within the report considered by General Scrutiny Committee at its meeting of 9<sup>th</sup> September within the appendices (3,5 and 7) setting out the implications of the different options being considered by the Cabinet Member.</p>			
PQ 6	Mrs Protherough, Clehonger	Could the Cabinet member for Infrastructure please give further details of the work to be done during the Pause and Review of plans for the Western Bypass and Southern Link Road, in particular what consultation with the general public and relevant organisations is planned?	Cabinet member infrastructure and transport
<b>Response:</b>			

Following the General Scrutiny Committee's meeting on the 9 September where my decision to pause and review the bypass and southern link road scheme was discussed I have considered the recommendations made by the committee. I will very shortly be publishing my final decision having regard to the four recommendations.

**Supplementary Question:**

Could the cabinet member provide an update on progress made with the LEP to reallocate funding received to sustainable transport measures?

**Cabinet Member Response:**

The Leader would make a report on the matter towards the end of the meeting.

PQ 7	Dr Geeson, Breinton	On 30th September the Government announced a major package of measures to boost bus services, including a new low-fare, high-frequency 'Superbus' network; with Cornwall the first county to benefit. Buses are disproportionately used by people on lower incomes and Cornwall has been chosen as a county with significant deprivation and social exclusion. The "Superbus" service will provide an important and reliable connection to jobs, education, health services, evenings out, etc. Other "Superbus" networks are expected soon, with the focus on places that suffer similar problems and where better (clean energy) cheaper, efficient public transport networks could significantly improve people's lives. Arguably Herefordshire has similarities with Cornwall in this respect. What are the implications for Herefordshire Council's Transport Policy of the Government's commitment to this long-term bus strategy and funding settlement?	Cabinet member infrastructure and transport
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**Response:**

I am very encouraged by the government's recent announcements to provide further support for buses and the development of a national bus strategy. The announcements include a number of elements which I will be keen to look at in more detail when the government publishes its detailed prospectus. We monitor funding opportunities that arise for the council to bid on and we most certainly will be applying for any relating to public transport, including buses and will be actively lobbying for this kind of investment in Herefordshire in line with the administration's objectives. We will be examining the feasibility of City and Countywide bus system, similar to the Hereford Hopper bus system that we had in the late 80s/early 90s, ensuring that, if possible, these buses are electric or hydrogen fuelled and used not just in the City but our market towns and villages.

**Supplementary Question:**

Have there been any approaches to local providers of bus services to consider improvements locally and government funding?

**Cabinet Member Response:**

Yes in relation to the administrations focus on sustainable public transport and the announcement of central government funding.

PQ 8	Mrs Wegg-Prosser, Breinton	Updated costings for the South Wye Transport Package dated April 2019 show that the professional fees for the Southern Link Road are now budgeted at £7.9 million, on a road cost of £29.252million, 27% of the road construction cost. In comparison the professional fees on the Active Travel Measures are budgeted to cost £258K on a project cost of £4.95million, just 5%. In view of this level of SLR cost of professional fees being so much higher than originally anticipated, would the cabinet member confirm that professional fees for any major infrastructure scheme should go out to competitive tender?	Cabinet member infrastructure and transport
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**Response:**

The £29.252m figure referred to in the question is the Southern Link Road overall scheme cost and is not the estimated construction cost of the SLR as the question suggests. The SLR professional fees quoted relate to the design and development costs of a large infrastructure project from route selection, planning and statutory processes, development of a DfT full business case and procurement. The estimated budget for the professional fees associated with the design of active travel measures is an estimate based on the kind of schemes identified and due to the nature of these schemes this reflects an appropriate estimate.

The professional design services for the SWTP were procured through the public realm contract which was subject to a competitive tendering process in 2013. The procurement options for securing professional services in future will be considered in determining the most appropriate procurement route and the options for open tender will be considered.

PQ 9	Ms Shore, Breinton	Herefordshire Council's 2018 Equality Analysis reported that the median gender pay gap is 12.8% lower for women than men. This means that a woman employed by the Council earns, on average, 87p for every £1 earned by her male colleagues. The report commented that further analysis was needed to better understand the reasons for this gender gap. In March this year, I asked a question at the Council meeting and received a helpful written response. HR informed me that they would be conducting this analysis in Quarter 2. What were the outcomes of this analysis, in particular actions taken or planned as a result?	Cabinet member finance and corporate services
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**Response:**  
As previously advised, the annual equality in employment report and action plan will go through the relevant governance process before being published, once approved, next year, reflecting key themes and sharing the analysis on which plans are based.

The council takes equality in the workplace seriously and the council and has a range of measures in place to support staff who have family, caring and other commitments including flexible working hours, annualised hours, compressed hours, part time working etc. Council policies are based on flexibility for all employees subject to the needs of the service and are widely used by staff of all levels. The council also offers good paid maternity leave, paternity leave, shared parental leave, emergency special leave and career breaks.

As a council we have a strong agile working ethos which means we are focused on output and actively encourage working from home, multi-agency offices or any other suitable location which gets the work done. We also ensure that staff have the right IT equipment to enable agile working. These options and behaviours are role modelled at the highest level throughout the council and give employees the flexibility they need to manage work and home commitments.

**Supplementary Question:**  
Can the results of the analysis of the gender pay gap be made open now? If this analysis was to be made open before the publication of the annual equality report then comments and input from women in the County would provide an invaluable resource to the Council when considering the analysis and possible actions arising from this. This could be incorporated into the next equality report as a great example of local democracy in action.

**Cabinet Member Response:**  
The cabinet member had provided her apologies to the meeting and a written response would be provided to the question.

*Response sent on 25 October 2019:*

This information is being compiled now with the aim of publishing the analysis as soon as possible.

PQ 10	Ms Siloko,	Why is the county failing to make reasonable adjustments to accommodate Unaccompanied Asylum Seeking Children's (UASC) educational needs?	Cabinet member children and families
<b>Response:</b> When we have refugee/asylum seeking young people of school age they are enrolled in school and access a varied curriculum. The colleges and training providers are working with the council to ensure that all asylum seeking young people and refugees (aged 16-19) have an offer of learning of at least 15 hours per week which the DfE considers full-time learning in further education (DfE guidance 'Funding guidance for young people 2019 to 2020'). This can be supplemented by two sessions of additional ESOL for asylum seeking young people funded by a short-term grant and we look at reasonable adjustments on a case by case basis. If there are any concerns relating to individuals please can you raise this directly with <a href="mailto:hilary.jones@herefordshire.gov.uk">hilary.jones@herefordshire.gov.uk</a> .			
PQ 11	Mr Stow, Rowlestone	<p>The Minutes for the Council Meeting on 12th July 2019 state that:</p> <p>"The leader explained that the new administration had been elected on a commitment to be more open and would be more outward looking".</p> <p>The new administration has been in office for over five months now.</p> <p>In order to deliver on their election commitment, what specific steps will the new administration take to change the secretive and inward-looking culture at the Council, the culture which they inherited when they took control in May 2019?</p>	Leader
<b>Response:</b> This administration is indeed committed to being open and outward looking, making as much information available as possible. There will be times when this may not be possible and in those circumstances an explanation will be given as to why this is the case. I am aware that the Audit and Governance Committee keeps a close eye on the effectiveness of our governance arrangements and the degree to which we are upholding the principles within our Code of Corporate Governance, and I very much welcome their support in ensuring that we continue to uphold these principles. If the motion before Council regarding a review of future governance models is passed, this will also be an opportunity to review whether our arrangements are best suited to achieve this end.			
PQ 12	Ms Sharp, Hereford	At the Southern Link Road Public Inquiry in November 2018 people were told that the farm land owned by Herefordshire Council needed to deliver the road scheme was given no value in the benefit cost ratio calculations prepared for the Department for Transport. Would the Cabinet member confirm if this accounting treatment for valuing Council owned land at zero value for major infrastructure projects is consistent with the way in which land is valued in the Council's annual accounts, particularly those for 2018/19?	Cabinet member infrastructure and transport
<b>Response:</b> The treatment of land values is consistent. The council does not pay itself for the land needed for the Southern Link Road scheme, which is in line with DfT requirements. As there is no cost associated with the land owned by the council required for the scheme it is not valued as part of the total land costs for the delivery of the scheme and does not form part of the scheme costs within the business case benefit cost ratio.			

The council's annual statement of accounts includes the value of the Council assets in each class, where a smallholding was retained as a smallholding it will be valued as EUV (existing use value) and reported within land and buildings. Where an asset is held for sale it will be valued at FV (fair value), each asset is reviewed annually and a valuation requested when needed dependent on the asset class.

PQ 13	Dr Lennane, Ross-on-Wye	<p>Active travel such as cycling improves the health of our population and reduces our carbon footprint. Cycling infrastructure within the city is improving, but travel to Hereford from market towns is still via fast roads which are dangerous for cyclists. We won't be able to encourage more people to cycle intermediate distances, such as Ross to Hereford, until we provide safe routes.</p> <p>Are there any plans to look at the feasibility of opening the old railway lines to make safe routes for cyclists? This would utilise existing, flat routes, facilitating access to active travel and benefiting tourism. While this is an ambitious project, it would create local employment and provide a transport system fit for the future. It would also be a much better use of transport infrastructure funds than the ecologically damaging Hereford bypass, proposed by the previous council.</p>	Cabinet member infrastructure and transport
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**Response:**  
Herefordshire Council has developed former railway lines in the county for walking and cycling schemes. We have invested in the Ledbury town trail, Hereford Great Western Way and the Ross-on-Wye town and country trail, all of which were former railway lines. The Hereford Greenway which opened in 2013 also utilised a former railway for part of its length.

This administration is keen to promote cycling and walking through infrastructure investment and the use of former railway lines for this purpose will be a focus for our assessments and plans. Giving people options to travel in different and more sustainable ways, whilst increasing healthier lifestyles and promoting tourism, is something we are determined to pursue.

PQ 14	Mr Geeson, Hereford	The Option Assessment Report dated November 2018 indicates that more land will be needed to deliver the redesign of the Southern Link Road and the bridge over the railway needs to be increased in height. What is the timescale of taking these amendments to another planning committee and public enquiry for the possible compulsory purchase of yet more land needed for road building?	Cabinet member infrastructure and transport
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**Response:**  
The SLR design has developed since the scheme gained planning consent in 2016. Some of these changes have already been considered and determined by the planning authority as supplementary planning matters and these can be viewed on the council's planning website. Other scheme design changes would be considered by planners should the scheme progress following the pause and review of the southern link road.

The SLR CPO inquiry was advised of the supplementary planning matters and the scheme design that had developed following planning consent in 2016. The report refers to these design developments but does not suggest more land outside of the planning redline boundary or CPO boundary for the scheme is required.

**Supplementary Question:**

When were these amendments considered by the Major Infrastructure Delivery Board and drawn to the attention of councillors?

**Cabinet Member Response:**

A written response will be provided.

*Response sent on 28 October:*

The detailed design of the SLR following the original planning consent in July 2016 has been undertaken and as is often the case the detailed design process has meant that some amendments have been made to the scheme for which planning consent was secured in 2016 and these amendments are required due a better understanding of the existing conditions and requirements of standards. The process is for these changes to be agreed with the Local Planning Authority.

It is not for the MIDB to confirm these changes – they are reported to Local Planning authority. Changes to the design of a scheme following planning consent as the detailed design of the scheme is progressed is not unusual. Some of the changes to the consented SLR scheme have already been approved by the LPA in a supplementary planning consent and others will be considered by planners if the scheme proceeds following the pause and review.

The CPO Inquiry was presented with the detail of the scheme design and the land required to deliver it. The scheme extents remain within the red line boundary of the original application and the compulsory purchase order and no additional land would be required so no further CPO will be required. However as set out above some changes to the design have already been approved by planners as part of a supplementary planning application process and others will be submitted to planners should the scheme proceed following the review of the scheme.

PQ 15	Mrs Steel, Hereford	<p>Two public questions about child sexual abuse were submitted to the Children and Young People Scrutiny Committee for their meeting on 16<sup>th</sup> September 2019. Both were initially rejected on the grounds they were defamatory, frivolous or offensive.</p> <p>Both questioners challenged the rejection; no explanation or justification for the ruling was offered and both questions were accepted. The written answers to both questions were identical, contained no substantive response and suggested that each question would be addressed at the committee meeting. Neither question was even discussed.</p> <p>In summary, the Council has so far not offered any attempt at a substantive response to two very serious questions about the welfare of child victims of sexual assault.</p> <p>Can the Council explain why the questions were initially rejected when neither was defamatory, frivolous or offensive, and/or give a substantive response to both questions now?</p>	Chairperson of the children and young people scrutiny committee
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**Response:**

The monitoring officer has advised me that questions are considered for acceptance by the monitoring officer in accordance with the constitution. The constitution provides that questions that could disclose confidential information or contain defamatory information can be rejected. On this occasion the questions were considered to be within this category but after further information being provided the monitoring officer reconsidered the questions and



accepted them. The responses to the published questions explained that the committee would be exploring the issues raised in the questions during its work programming agenda item. During the work programme item the committee agreed to establish a peer on peer abuse in schools spotlight review. The spotlight review would focus on the issue of peer on peer abuse in schools, as raised in the two questions, and respond to public concern of reports of its increasing incidence. Consistent with the criteria concerning the scope of public questions (paragraph 4.1.49 of the Council's constitution) the monitoring officer is authorised to reject a question if it requires the disclosure of confidential or exempt information or relates to an identifiable individual.

**Supplementary Question:**

There was concern about the process followed with respect to two questions to scrutiny and over the terms of reference for the spotlight review concerning peer on peer abuse in schools.

How long is it reasonable for the Council to delay taking action to protect children after being alerted to potential risk of harm?

**Response:**

**The cabinet member children and families:** We have a review into this and an additional review is taking place. There is a range of good practice being rolled out across the county's schools and sessions are being arranged at staff conferences.

**The Chairperson children and young people scrutiny committee:** The process followed in respect of the questions to scrutiny has been outlined in the response provided, both questioners had the right to ask a supplementary question but were not present at the meeting. The scoping document for the peer on peer abuse in schools spotlight review has been updated and will be brought back to the scrutiny committee in November for approval. The issues raised in the questions would be addressed during the spotlight review.

**Monitoring Officer:** A review has been undertaken which will be concluded shortly.

PQ 16	Mrs Morris, Hereford	In many other parts of the Country, councils have turned redundant railway lines into popular, safe cycle routes which are attractive not just for residents but for tourists and visitors. In the interests of sustainable economic growth; tourism; improving health and well and reducing car use, what plans does this Council have on turning Herefordshire's redundant rail tracks into cycle routes, particularly the route originally due to go from Hereford City out to Holme Lacy, being extended onto Ross-On-Wye?	Cabinet member infrastructure and transport
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**Response:**

I refer to the answer given to the question from Dr Lennane above and agree that such schemes could provide a very wide range of benefits.