

Agenda item no. 4 - Questions from members of the public

Question No.	Questioner	Question	Question to
PQ 1.	Peter McKay, Leominster	On 1st May were advised that you would consider an addendum to the 2018-2028 Rights of Way Improvement Plan comprising an amplification of the Public Right of Way Glossary that says CRF's and CRB's were intended to be shown as Roads Used as Public Paths, but in fact were shown as Footpaths and Bridleways, identifying them as being prospective upgrades when redrafting the plan in 2028. Having acknowledged that this situation exists in Herefordshire, would you accept that could be commenced now, in consultation with the Local Access Forum, so that this could be worked through, developed and incorporated in the redrafted Rights of Way Improvement Plan, as an agreed plan for these rural greenways, by 2028?	Cllr Hurcomb
Response: Thank you for your question. Yes, this is something we will consider, in consultation with Members, Officers and the Local Access Forum members.			
Supplementary question: No supplementary question			
Supplementary response:			
PQ 2.	Tracey Bowes, Hereford	The original South Wye Transport Project (SWTP) business case included £5million of funding from developers, as it would unlock land for housing. The current 2 page business case and budgets indicate that Herefordshire Council and local taxpayers will fully fund the Southern Link Road, with £5million of capital receipts being used instead of developers contributions. Why are taxpayers across Herefordshire subsidising a road for housing developers in Hereford?	Cllr Price

Response:			
<p>The two-page business case state's that the cost of the first phase of the Hereford Western Bypass is currently estimated at £35m for which a council contribution of £30m was sought with the expectation that the remainder be funded through third parties such as the Department for Transport and developers.</p> <p>Furthermore, the South Wye Transport Project, was a multi scheme package, for which the southern link road was only one part of a wider selection of schemes aimed at improving transport. Whilst the council is now aiming to deliver the first phase of the Hereford Western Bypass many of the active travel schemes from the package are also being delivered including the cycle links on Holme Lacy Road and the Quiet Routes where construction is scheduled to start in August/September. When the Southern Link Road was cancelled by the previous administration the council had to hand back £millions of funding to the Local Enterprise Partnership and were not able to draw down any of the S106 developer funding that was collected to support the scheme. As a result, these funds are no longer available to the council and the council has had to use its own funding to bring the scheme forward.</p>			
Supplementary question:			
<p>The original South Wye Transport Package cost was £35million with the road costing £27million. Herefordshire is now paying £35million for a standalone Southern Link Road which, in order to detrunk the current A49, will have to be built to National Highways standards for a 60mph road, ending at a 4-armed roundabout.</p> <p>With the increase in road building costs and a much higher road design spec, what is the impact on the Council's Value for money, Return on Investment and Benefit Cost Ratio calculations compared to the original BCR of the South Wye Transport Project, where many of the benefits were attributed to the non-road components of the scheme and how likely is it that a 60mph road can be built for just £35million?</p>			
Supplementary response:			
<p>Standards for construction have not changed since the original SLR design were undertaken which would have also had to comply with the design manual for roads and bridges and had approvals from National Highways. It is correct to say that the construction Phase 1 will cost more than it would have in 2019, had the bypass not been cancelled by the previous administration it would have been built by now, at a lower cost the funding for it would have come from Government funding. The decision to cancel the bypass resulted in the Government funding being returned to the Local Enterprise Partnership who redistributed the funding to other projects across the Marches LEP and not to projects in Herefordshire.</p> <p>Early contractor involvement will assist in narrowing down the construction cost estimates. Before any money is drawn down to fund the construction of the scheme, a revised detailed business case will be prepared outlining the cost benefit ratio of the proposals to enable an informed</p>			

decision to take place. The work to develop this business case is currently being undertaken and will be informed by the further design work proposed in this procurement. It is taking time to complete the new transport model and to test the scheme and the future housing growth model. Therefore the current benefit cost ration is not available.

PQ 3.	James McGeown, Hereford	<p>Herefordshire Children's Services and Partnership Improvement Plan Phase 3, appendix A, page 12, Ofsted Recommendation, The quality of practice including assessments, plans, planning and purposeful visits that are responsive to risk and need:</p> <ul style="list-style-type: none"> • Timeliness of RCPC (Review Child Protection Conference) sustained average through year at 94% <p>So we can find a fundamental element of proper process for a RCPC with a timeliness requirement from: https://westmids-herefordshire.trixonline.co.uk/chapter/child-protection-conferences#information-for-the-conference "Children's social care should provide all conferences with a written report that summarises and analyses the information... The report should be provided to parents and older children ... a minimum of 5 working days before review conferences to enable any factual errors to be corrected and the family to comment on the content."</p> <p>Was this requirement included in evaluating 94% Timeliness of RCPC?</p>	Cllr Powell
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<p>Response:</p> <p>The timeliness of child protection review conferences is a statutory key performance indicator it does not include the distribution of the decisions and record of those meetings. Data reporting show the % of Review Child Protection Conference completed in timescale each quarter gives an average of 94% for 24/25, this is the KPI reference in the Phase 3 plan.</p> <p>The Corporate Director has advised that service is working on its own practice standards and the system monitoring of activities with them, including when parents and young people receive copies of their assessments. At this time this is not available as an automated report and managers review this as part of their staff supervision and case auditing. We do however know from our case audits this is an area of improvement required.</p>	
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<p>Supplementary question:</p>

In response you state:

Data reporting show the % of Review Child Protection Conference completed in timescale each quarter ...

Herefordshire Social Services have a Statutory Duty as set out on page 98, Working together to safeguard children 2023:

“share the conference information with the child and family beforehand, where appropriate, and ensure that they understand the information provided “

So if I understand correctly, if the information required by Statutory Duty was not provided.

Then Review Child Protection Conference would not have been completed.

From Information gathered by a Herefordshire campaign group:

“We have yet to find a family who have received “Reports from Other Agencies ... in advance of RCPC”. We believe completion of this Statutory Duty has rarely/never been achieved.”

So are Elected Cabinet Members confident signing off 94% when “Conference Completed” may be nearer 0%?

Supplementary response:

The statutory measure is about the timeliness of delivery of children protection conferences and our data is currently at 94% for that statutory measure. So yes, I personally and therefore cabinet, should be confident in signing off that 94% timeliness of review children protection conferences is accurate.

PQ4	Mrs E Morawiecka, Hereford	“Under the previous Conservative administration the public auditor was unable to sign off the Herefordshire Council accounts for many years, until after the Conservatives had left office. To avoid this situation reoccurring in the future and to confirm that use of capital reserves and borrowing is providing Value for Money for taxpayers across Herefordshire, would the Cabinet member for Finance please explain the current Benefit Cost Ratio of the Southern Link Road capital project and how this has been calculated?”	Cllr Stoddart
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Response:

The accounts were not signed off due to a technical issue that was resolved, and the final certification was completed in 2019/20. However, in the audit committee papers for the 2015/16 Audit Finding Report (AFR) the below statement was included:

"We cannot formally conclude the audit and issue an audit certificate for the Authority for the year ended 31 March 2016 in accordance with the requirements of the Act and the Code until we have: completed the work necessary to issue our Whole of Government Accounts (WGA) Component Assurance statement for the Authority for the year ended 31 March 2016, and completed our consideration of other matters brought to our attention by the Authority. We are satisfied that these matters do not have a material effect on the financial statements or on our conclusion on the Authority's arrangements for securing value for money through economic, efficient and effective use of its resources."

More recently the 2024/25 accounts were completed one month earlier than the statutory requirement putting the council in the top 3% of councils in the country and the finance team won the 'Excellence in Governance, Reporting & Assurance' award at the Public Finance Awards run by CIPFA.

The council has made provision for £30m to be made available for the delivery of the scheme within its 5-year budget. Before this money is drawn down to fund the scheme however, a revised detailed business case will be prepared outlining the cost benefit ratio of the proposals to enable an informed decision to take place. The work to develop this business case is currently being undertaken and will be informed by the further design work proposed in the procurement. It is taking time to complete the new transport model and to test the scheme and the future housing growth through the model, therefore the benefit/cost ratio is not currently available.

Supplementary question:

Congratulations to the Council finance team on the improvements made in respect of managing Herefordshire's finances. However, despite this improvement in reporting income and expenditure, the cabinet member has admitted that today's key decision will be uninformed. He is unable to show that the road provides Value for Money.

Cabinet has no justification for investment in a standalone Southern Link Road project as much of the information needed to inform a business case is not available. The cabinet member is unable to even confirm that the presumed benefits of the Southern Link Road exceed the costs. So how can Cabinet today approve expenditure of up to £10.3million capital on this project?

Supplementary response:

The decision to fund £10.3m to fund the preparation of the scheme and development of the business case to inform the construction of the scheme was taken by cabinet in March 2024. This report does not commit any further council funding but merely states how the council is delivering the proposals already approved. That decision was well informed and went through due process.

A review of the scheme has identified there are opportunities to take advantage of more modern construction methods ensuring value for money. Therefore, today's report seeks approval to bring on board a contractor who is able to refine the design and provide a more informed estimate of cost. Any robust business case needs to understand the costs of a proposal in order to inform its ratio to benefits and therefore it would be entirely normal for a project of this type to progress designs to a stage that enabled the confidence in costs to inform the full business case.

PQ5	Jeremey Milln	Ahead of item 9 of today's Cabinet agenda, a press release from Herefordshire Council last week was extensively quoted in the Hereford Times. Yet it is clear from the on-line comments few were fooled by claims that a car-centric housing access road designed for 30/40mph, would function as a bypass, be adopted as a 60mph A49 trunk, improve overall air quality or relieve congestion. How then can the Cabinet member continue to believe that his SLR scheme which, unlike the previous SWTP, effectively ignores sustainable transport options and would have to be funded by local council tax payers, might be affordable and effective?	Cllr Price
<p>Response:</p> <p>The previous proposal of the first phase of the Hereford Western Bypass formed part of the wider South Wye Transport Package for which many of the sustainable transport elements, such as Holme Lacy Rd cycling facilities and quiet routes, are being delivered in advance of phase 1 and therefore these have not been ignored in the development of the proposals. When the Southern Link Road was cancelled by the previous administration the council had to hand back £millions of funding to the Local Enterprise Partnership and were not able to draw down any of the S106 developer funding that was collected to support the scheme. As a result, these funds are no longer available to the council and the council has had to use its Levelling Up Funding to deliver the schemes. Had this not been the case the Levelling Up Funding could have been used to support even great active travel measures in Hereford.</p>			
<p>Supplementary question:</p> <p>The Cabinet members' response makes no effort to answer my question as to how his proposed 'bypass phase 1' (aka SLR) might be affordable and effective, since it would have to be funded by local Council tax payers and lacks the sustainable transport elements of the South West Transport Package since the Active Travel Measures he refers to, funded by Levelling Up Fund grant won by the previous administration, are entirely separate schemes.</p> <p>Instead he strews blame. First for returning Marches Local Enterprise Partnership money found to be a loan that previously he had asserted was a grant; and second, on the draw-down of Section 106, which presumably refers to Bloor's Holmer West contribution, was for phase 2 anyway.</p> <p>I ask again how can he continue to believe his standalone Southern Link Road, supported only by a two-page Strategic Outline Business Case for a £10.3m spend towards a road set to vastly exceed its £35m price tag, might be affordable, realistic and effective?</p>			
<p>Supplementary response:</p> <p>Thank you for your question, I am sorry I just don't understand your way of thinking on this. I have clearly been involved with the various iterations of getting the bypass to where it is over many years. We've gone through lots of iterations of funding of BCR's of affordability, it is the</p>			

right thing and each time that we look at it and go forward there comes even more problems that means we must deliver the infrastructure to make Herefordshire a place where traffic and people can live their lives, jobs will go, the economy, everything along those lines.

I really find that your questions on the Southern Relief Road, the Phase 1 Bypass, are now getting to a point that you're making the same point over and over again. This county has to move on and we are trying to do the best to move this county on in all aspects of what goes on in this county. If we had built the body past five years ago it would have cost considerably less money than it is going to today, I've made the points that you raised because they are relevant, I'm not choosing the bits that you wish to choose I'm choosing the whole thing in the round, so I believe that this is the right thing to do for the benefit of the county and we are at a stage of development that we are discussing later on today to go to procurement. I know it won't satisfy you as an answer but that is my answer to you. Thank you.

PQ6	Ms Reid, Hereford	On the agenda is the Herefordshire Children's Services and Partnership Improvement Plan, Phase 3. I have read the 'Children's Improvement Plan Phase 3' report and its appendices and none of them mention the high rate of children in care in Herefordshire compared with its Statistical Neighbours (similar areas). Per the Local Authority Interactive Tool, LAIT, (at 31 March 2024, latest data), the rate (per 10,000 children) of children in care in Herefordshire was 114 but the Statistical Neighbours' average rate was 67 ie 70% higher. I suggest for Ofsted Recommendation 5 another Key Performance Indicator is added: "The rate of children in care is the same or lower than its Statistical Neighbours" (or similar wording)? Would you recommend my suggestion?	Cllr Powell
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Response:

We recognise that England and Statistical neighbour averages are useful comparators but they should not be considered to be targets.

The Corporate Director in her presentations has always been clear that we need to be focused on ensuring that we bring children into care when it is necessary and appropriate to do so and that when they are received into care those children move to a "permanency" arrangement giving them long term security and stability of care in a timely way.

Therefore I support Ms Russell's approach that it is not a target to be the same or lower than statistical neighbours but to be assured we are bring the right children into care. Therefore with respect we would not support your recommendation.

We do however, as previously stated view England and statistical neighbour averages as a helpful comparator.
Supplementary Question: No supplementary question
Supplementary response:

PQ 7	Eddy Parkinson, Leintwardine	Regarding Hereford child social services, We see continual issues with the quality of decision making and therefore harsh and perverse outcomes for families. The councils data system we know from upheld complaints decisions and High Court judgements can be inaccurate. Some of these outcomes are in the media. I ask, Are the councillors and senior staff of the council satisfied they are not in a 'disinformation bubble' created by rogue staff covering for many years of awful practice?	Cllr Powell
Response: There is a formal reporting structure together with systems and processes where cases are independently reviewed. The systems and processes in place act independently and come together to provide information, including data, that is effectively monitoring the progress of Children's Services and the improvement. The council is also monitored in terms of its improvement by Ofsted through monitoring visits by the Department of Education, Children's Commissioner, Scrutiny, Safeguarding Partnership, Corporate Leadership Team, Cabinet and the Lead Member all of whom have access to a range of information and data. Therefore in answer to the question "Are the councillors and senior staff of the council satisfied they are not in a 'disinformation bubble' the answer is yes we are. As I have explained to Mr Parkinson during our previous meetings if Mr Parkinson has any concern regarding conduct or staff he should use the complaints procedure and we would investigate appropriately. As a council we take any allegations very seriously.			
Supplementary question:			
Supplementary response:			