

Agenda item no. 5 - Questions from members of the public

Question Number	Questioner	Question	Question to
PQ 1	Mr Banks, Hereford	Under the Council's Planning Code, Rule 5.6.28 requires late representations received after the noon deadline to be either published in the Schedule of Updates or discounted, while Rule 5.6.60 permits deferral of an item if new material evidence changes circumstances immediately prior to a meeting. Can the Chair clarify whether the Council interprets these rules as permitting material received after the noon deadline to be presented to Committee without prior publication in the Schedule of Updates, provided it is referenced verbally in the officer's presentation? Does the Council accept that if late material is not published in advance, objectors are denied the opportunity to respond, thereby undermining natural justice and procedural fairness? Will the Council commit to publishing all late material or deferring items in accordance with these rules going forward?	Cabinet member environment
Response: The Council always suggests that, in line with the Council's Planning Code (referenced) late representations are received before 12pm on the day before the committee meeting. This allows the officers time to add representations to the Updates sheet for publication. Planning code rule 5.6.28 provides that "papers received after that time will normally be discounted, since time will not be available to check their accuracy or to give consideration to their implications". There are times where representations are sent directly to the Members of the Planning Committee after this time. This is not uncommon and members are asked to send this to the officers (if they have not already been copied in) so that officers can review this and make a decision as to whether the information raises matters that would require the deferral of the application for further consideration. Officers will refer to this correspondence in their verbal updates. It should also be noted that verbal representations received on the day by members can also be taken into account. These do, on occasion also raise matters not previously received in writing. If members, having reviewed the late representation, require further information or clarity from officers, then they can resolve to defer the item. Officers will, where possible, continue to review late submissions and provide a verbal update. They will also consult with the Chair of the Committee, in accordance with rule 5.6.60, if it is considered that new, material evidence changes circumstances and it is appropriate to defer the item to avoid procedural unfairness.			

Supplementary question:

Thank you. The written response states that when late material is sent directly to Members after the noon deadline, officers “refer to this in their verbal updates.”

However, Rule 5.6.28 provides only two options for late representations: publication in the Schedule of Updates or discounting them entirely.

Could the Chair therefore confirm whether the Council now interprets Rule 5.6.28 as allowing a third option—namely, the verbal presentation of material that has not been published—and, if so, how this approach complies with the transparency and fairness requirements of the Planning Code and the Localism Act 2011?

Response from Cabinet Member:

Rule 5.6.28 does not prevent the introduction of a verbal update to committee where information is received after the stated deadline of noon on the day before the committee hearing. It states that “Papers received after that time will **normally** [my emphasis] be discounted, since time will not be available to check their accuracy or to give consideration to their implications. If officers are able to review and give consideration to the representations then they will be presented by way of verbal update.

Officers will advise committee and the committee, as the decision maker, will determine whether the representation introduces evidence of significant weight which may impact upon the assessment undertaken on the application and the ability of committee to continue with a decision.

Where late material has significant weight and may affect the assessments undertaken on an application a decision can be reached by the committee to defer the application. The representation can then be considered by all interested parties prior to presentation at a further meeting of the planning committee.

Where late representations do not introduce new and relevant material matters the committee can continue to decide an application as such matters have already been considered in assessments of the application and neither natural justice nor procedural fairness is undermined.

PQ 2	Ms Mathias, Hereford	Herefordshire Council's taxi licensing policy emphasises public safety, including safeguarding against child sexual abuse and exploitation. But the safety of women and children cannot be secured without enforcement of the policy. Taxi driver identification is paramount for passenger safety, accountability and maintaining public trust. The fact that individuals may be operating licensed taxis without matching identification is concerning and may suggest potential misuse of taxi licences. What precautions does Herefordshire Council take to make sure their strict licensing regulations are adhered to?	Cabinet member roads and regulatory services
------	-------------------------	---	--

Response:

As part of the Winter of Action 2025/26, and through Operation Radiate, we are planning joint patrols and targeted licensing activity to strengthen visibility and assurance. Passenger safety is reinforced through the conditions attached to every licence, including the requirement for CCTV in licensed vehicles. This work is supported by close partnership arrangements with West Mercia Police, Children's Services, the Community Safety Partnership and safeguarding boards to identify and address risks quickly.

Public safety is central to Herefordshire Council's taxi licensing responsibilities, and we take robust steps to ensure that only safe vehicles and fit and proper drivers operate within the county. Before a licence is granted, applicants undergo enhanced DBS checks with barred-list information, right-to-work verification, medical and driving-standards assessments, and mandatory safeguarding and child-exploitation training. A licence is only issued once all requirements have been fully met.

All licensed drivers must wear their council-issued photo identification badge, and every licensed vehicle must display the correct licence plate. These identifiers are tightly controlled and traceable, and any report that a driver or vehicle may be using incorrect or mismatched identification is treated as a safeguarding concern and investigated immediately. In practice, such incidents are extremely rare, and the close-knit nature of Herefordshire's taxi community means potential issues are brought to our attention very quickly.

Through this combination of stringent licensing checks, intelligence-led enforcement and strong partnership working, the Council ensures that taxi licensing regulations are adhered to and that the public can have confidence in the safety of licensed taxis in Herefordshire.

Supplementary question: A significant amount of Herefordshire women remain feeling unsafe. Please confirm the exact times that a physical in-person check is undertaken of licensed taxi drivers in Herefordshire Council. For clarification, during the three years of the personal taxi driver license, when is an in-person check of ID and the physical presentation of a taxi driver undertaken?

Response from Cabinet Member:

A written response would be provided.

Written response provided on 19 December:

In relation to identity spot checks, joint patrols with West Mercia Police were undertaken on 13 December 2025 between 9pm and 1am, and previously during late-night hours on 30 August 2025. These patrols included direct engagement with drivers and verification of licensing compliance. No concerns were identified during these checks, including in respect of driver identity or safeguarding. These were targeted operations rather than blanket checks, consistent with our intelligence-led enforcement model.

Identity verification is not limited to scheduled patrols. Licensing officers routinely confirm driver identity in response to intelligence received from the public, the trade and partner agencies, and through proactive out-of-hours activity. Where concerns are raised, officers verify that the person driving is the licensed holder, that the correct badge and vehicle plate are in use, and that licence conditions are being complied with. Incidents involving individuals attempting to drive a Herefordshire-licensed vehicle without holding the appropriate licence are extremely rare, but any such report is treated as a safeguarding concern and followed up promptly.

Further targeted activity is planned under the Winter of Action 2025/26 and Operation Radiate, including joint patrols with West Mercia Police and on-street identity checks during peak periods. These operations are intended to increase visibility and reassurance and to complement, rather than replace, ongoing intelligence-led enforcement.

In relation to education and responsibility, the Council is clear that responsibility for compliance rests with the licensing authority and licensed drivers. We do not expect vulnerable passengers to act as enforcers, and public challenge is not a substitute for regulatory oversight. However, visible identification is a key safeguarding control, and drivers should be accustomed to being asked to confirm their identity in a calm and professional manner.

The Council is currently updating its mandatory safeguarding training for licensed drivers, which is being developed jointly with Herefordshire Council's safeguarding team. This refresh will reinforce expectations around professional conduct, appropriate responses when challenged, the importance of clearly displayed identification, and respectful engagement with passengers seeking reassurance. This sits alongside existing safeguarding, disability awareness and customer-care training and is intended to strengthen protections for vulnerable users rather than shift responsibility onto them.

PQ3	Mr Morfett, Hereford	The Herefordshire Biodiversity Action Plan is not a credible plan to tackle climate change while protecting and enhancing the natural and built environment. In the Local Transport Plan the Biodiversity Net Gain Policy TN13 states: "We will support local groups and volunteers to keep the Herefordshire Biodiversity Action Plan updated." This statement by Herefordshire Council lacks any commitment to actually protect and enhance the environment through its transport policies by environmental impact analysis, net biodiversity loss assessment, mitigation and full offset of the inevitable environmental impacts. It only commits to update the plan. How could policy TN13 possibly deliver on the Council's strategic objective of "Tackling climate change and protecting and enhancing the natural and built environment" ?	Cabinet member transport and infrastructure
-----	-------------------------	--	---

Response:

Policy TN14 in the Local Transport Plan is regarding biodiversity and TN13 is regarding carbon; as your question refers to biodiversity I have answered the question based on biodiversity which is why there will be difference between the policy numbers in the question and this answer. TN14 reflects our commitment to ensuring transport planning supports biodiversity and environmental objectives. We recognise that tackling climate change and protecting the natural and built environment requires a joined-up approach. The transport planning team will work closely with the Council's Natural Environment Team and other partners to integrate biodiversity considerations into the design and delivery of transport schemes.

TN14 is not just about keeping the Biodiversity Action Plan updated—it is about using that plan as a key reference point when developing transport projects. This means assessing environmental impacts, identifying opportunities for biodiversity net gain, and incorporating mitigation measures wherever possible. By aligning transport policies with sustainability priorities, we can ensure that infrastructure improvements contribute positively to Herefordshire's unique environment.

As detailed in the LTP the council have invested £250,000 in supporting highways biodiversity net gain plus we detail a case study where through FCC Environment grant we awarded up to £35,00 for community projects to improve biodiversity.

Alongside TN14, the LTP includes wider commitments such as reducing carbon emissions, promoting active travel, and embedding environmental appraisal into scheme development. Together, these measures help deliver the Council's strategic objective of tackling the climate and ecological emergency and protecting and enhancing the natural and built environment.

Supplementary question:

Thank you for your answer on the LTP BNG biodiversity net gain policy TN14.

How much of the Council's £40 million budget for infrastructure, in Phase 1, is allocated to survey, analyse and pay for BNG, the loss of priority habitat for biodiversity?

Will these BNG funds be made available for local organisations including Parish Councils, Local Charities and Trusts, impacted by the infrastructure?

Response from Cabinet Member:

Thank you for your supplementary question. The Council recognises the importance of biodiversity net gain (BNG) and the need to address potential impacts on priority habitats as part of infrastructure delivery. At this stage, the £40 million Phase 1 infrastructure budget is primarily allocated to the design and construction of transport schemes. However, environmental appraisal, including biodiversity surveys and mitigation measures, is an integral part of scheme development and is funded within project costs.

Currently there has been no decision on allocation of the budget to local organisations.

PQ 4	Mrs Morawiecka, Hereford	Investing in safe, active travel measures and 20mph in urban and residential areas is shown to reduce car use for short journeys and cut car insurance costs, in Wales by £50 per household. Reducing car use and lower traffic speeds, creates higher disposable incomes for residents and thus strengthens the local economy whilst also improving the health, access and productivity of residents. This view is supported by both Active Travel England and the Dept for Transport. Why then does the Herefordshire LTP Transport Network Strategy “Supporting a Thriving & Prosperous Economy” omit any mention of improving active travel networks?	Cabinet member transport and infrastructure
Response: The Local Transport Plan (LTP) fully recognises the importance of active travel and speed management in delivering economic, health, and environmental benefits. While the Transport Network Strategy focuses on the overall connectivity needed to support economic growth, active travel is a core element of the LTP and is addressed in detail within the plan and supporting Council policies. The detailed active travel measures you mention are covered in the dedicated Active Travel Strategy; the Local Cycling, Walking and Wheeling Plan (LCWWIP). The LCWWIP will provide the detailed list of schemes and investment priorities for walking and cycling improvements across Herefordshire. This ensures that active travel receives the focus and resources it deserves, complementing the wider transport network strategy. Together, these strategies work to deliver the Council's objectives of tackling climate change, improving health, and supporting a thriving and prosperous economy.			
Supplementary question: The 2016-31 LTP has two pages of sound policies for active travel but nothing of equivalent value, essential as an integral part of the Transport Network, in the proposed LTP before members today. Your response fails to explain or amend this omission. The LCWWIP document does not yet exist so reference to it is meaningless. The overdue LCWWIP needs to sit within a sound strategic LTP policy framework so that when eventually it is adopted, it carries real weight in decision-making & funding requests. Active travel & connected public transport links are what attract employers, students & young people. How will the Cabinet member ensure that the necessary policies for active travel are embedded within the LTP when there is no LCWWIP & no timetable for it?			
Response from Cabinet Member: You are correct that the LCWWIP is still in development, and I acknowledge the importance of embedding strong active travel policies within the Local Transport Plan itself. The proposed LTP sets out the overarching framework for all transport modes in Herefordshire, and while the Transport Network Strategy focuses on connectivity for economic growth, active travel is not omitted—it is recognised as a key principle within the plan's objectives and delivery themes. To ensure active travel has real weight in decision-making and funding, the LTP includes a commitment to integrate the LCWWIP as soon as it is adopted. In the meantime, the LTP provides policy support for active travel by prioritising sustainable modes, reducing car dependency, and improving			

accessibility. These principles will guide investment decisions even before the LCWWIP is finalised. The LTP is the overarching plan that sets the objectives, methodology and actions for the council and all its policies while the LCWWIP is the supplementary document which will hold all the detail and delivery plan for the active travel.

Furthermore, the Cabinet is actively working to accelerate the LCWWIP timetable so that it can sit within the LTP framework and strengthen our case for external funding. Active travel and public transport connectivity are central to attracting employers, students, and young people, and this remains a priority for the Council's economic and climate objectives.

PQ 5	Mr Milln, Hereford	Cabinet on 20th November agreed to make amendments consequential of the errors and omissions pointed out in the draft LTP before bringing it to Council today. This was confirmed in the response to Ms Martin's question regarding Active Travel England. Mine regarding the City Car Club based at Bartonsham & St James, about which the Cabinet member confessed ignorance, is another example. Yet these amendments have not been made in the so-called final version brought to Council today. How will the Cabinet Member ensure he delivers on his promise to make good the errors and omissions in the Local Transport Plan which have been pointed out to him so that members are not in a position where they must either refuse or defer its approval?	Cabinet member transport and infrastructure
------	-----------------------	--	---

Response: Thank you for raising this concern. Cabinet agreed on 20th November that any factual errors or omissions identified would be addressed where they materially affect the content of the Local Transport Plan (LTP). The reference to car clubs in the LTP states that the Council will explore opportunities to expand car club provision, which remains valid even though some schemes already exist. Therefore, no change to the LTP is required on this point.

The LTP is a strategic framework, not an exhaustive record of all current initiatives. Its purpose is to set direction and priorities, and the Implementation Plan that follows adoption will provide more detail on how existing schemes, such as car clubs, can be supported and expanded.

Adopting the LTP today ensures we maintain momentum on delivering transport improvements while allowing flexibility to reflect operational details in future implementation stages.

Supplementary question:

My substantive question invited the Cabinet Member to make good various errors and omissions in the Local Transport Plan so it is disappointing the response to my question wheedles out of this, especially as he had previously promised in his response to Ms Martin at Cabinet on 20th Nov to make good the omission of Active Travel England in the list of stakeholders and to correct the reference to car clubs as we already have these in Hereford though the Plan is ignorant of them.

Another relates to parking on the pavement accepted in the Network Strategy on page 76 but which is contrary to rule 244 of the Highway Code which says 'drivers should not park on the pavement unless signs permit it'. Clearly the LTP needs to be revised to reflect this.

I ask again how will the Cabinet Member go about making good the errors and omissions in the Plan so that it can be approved?

Response from Cabinet Member:

A written response would be provided.

Written response provided on 19 December:

Thank you for your supplementary question and as previously advised any factual errors or missions identified would be addressed where they materially affect the content of the Local Transport Plan (LTP).