

Minutes of the meeting of Environment and Sustainability Scrutiny Committee held at Conference Room 2 - Herefordshire Council, Plough Lane Offices, Hereford, HR4 0LE on Wednesday 17 June 2026 at 10.00 am

Present: Councillor Louis Stark (chairperson)
Councillor Justine Peberdy (vice-chairperson)

Councillors: Elizabeth Foxton, Robert Highfield, Daniel, Nick Mason,
Rob Owens and Richard Thomas

In attendance: Councillors Dan Hurcomb (Cabinet Member Local Engagement and
Community Resilience), Elissa Swinglehurst (Cabinet Member Culture and
Environment).

Officers: Shona Butter (Principal Public Rights of Way Officer), Simon Cann
(Committee Clerk), Steve Hodges (Group Manager - Flood Risk Management),
Danial Webb (Statutory Scrutiny Officer), Rosanna Willmott (River Help
Officer, *virtual attendee*).

162. APOLOGIES FOR ABSENCE

No apologies had been received.

163. NAMED SUBSTITUTES

There had been no named substitutes.

164. DECLARATIONS OF INTEREST

There were no declarations of interest.

165. MINUTES

The minutes of the previous meeting were received.

Resolved: That the minutes of the meeting held on 2 March 2026 be confirmed as
a correct record and be signed by the Chairperson.

166. QUESTIONS FROM MEMBERS OF THE PUBLIC

No questions had been received from members of the public.

167. QUESTIONS FROM MEMBERS OF THE COUNCIL

No questions had been received from members of the council.

168. LAND USE MANAGEMENT

The report was taken as read and the item was opened up to committee members and attendees. The key points of the discussion are detailed below:

1. Members asked whether the council paid sufficient attention to land use across the county and whether it maintained a clear record of how land was being used. Officers explained that while detailed mapping existed through the Environment Agency, the council itself mainly tracked broad trends such as changes from pasture to arable land. Because farming practices change year to year, there was no fixed or complete inventory, but there was general awareness of major shifts and their implications.
2. The committee questioned what powers the council had over land use and whether it could control how landowners managed their land. The response clarified that the council had very limited direct powers. Its role was mostly to influence through advice, engagement, and partnership working, only stepping in with enforcement where land use caused clear harm to public assets such as roads, drainage systems, or public rights of way.
3. Members enquired what the council was doing, in practice, to monitor harms arising from land use. Officers responded that the focus was less on monitoring land use itself and more on identifying its impacts. This was done through inspections, reports from the public, and local knowledge, with intervention occurring when issues such as flooding, runoff, or obstructions arose.
4. Members asked what more could be done to prevent problems before they occurred rather than reacting afterwards. Officers and Cabinet members highlighted work on engagement and education, including partnerships with organisations like the NFU and CLA, as well as initiatives such as the River Conference, natural flood management schemes, and farm-level environmental support. These efforts aimed to influence behaviour early, although they depended on voluntary cooperation.
5. The committee queried how engagement with farmers and landowners currently operated and whether it was sufficient. Officers explained that there were established channels such as the Herefordshire Rural Hub and Farm Herefordshire partnership, which acted as key routes for disseminating advice and encouraging good practice. However, it was acknowledged that engagement had its limits, particularly with those who were less willing to participate.
6. The committee asked about the costs associated with maintaining the public realm and how much was spent overall. The response stated that approximately £6.5 million was spent annually, covering roads, rights of way, trees, and infrastructure. Historically, only a small proportion of this had been directed toward preventative work, although this was now increasing.
7. Turning to enforcement, members asked whether the council's current approach was effective and consistent. The response acknowledged weaknesses in the system, noting that while a process existed -- from informal discussion through to potential legal action -- it did not always progress as intended. Cases could stall before reaching formal enforcement, which reduced the deterrent effect.
8. Members asked why enforcement often failed to progress. Officers and cabinet members explained that this could be due to resource constraints, complex legal processes, or breakdowns in the escalation process. In some cases, issues were partly resolved informally and never formally recorded, giving the impression that enforcement was weaker than it might actually be.

9. The committee asked whether enforcement should distinguish between accidental or negligent behaviour and deliberate wrongdoing. In response, there was broad agreement that it should. It was suggested that enforcement policy ought to differentiate between such situations, applying stronger action in cases of wilful non-compliance.
10. Members questioned whether the existing enforcement policy was fit for purpose. Officers confirmed that the overarching policy, last reviewed several years ago, would benefit from an update, particularly to make it clearer and more consistent in how decisions are made and applied.
11. In relation to enforcement costs, members asked whether pursuing legal action was financially worthwhile. Officers explained that enforcement could be expensive and time-consuming, with no guarantee that costs would be recovered. This was one reason why the council prioritised prevention and early engagement wherever possible.
12. The committee raised questions about what happened when cases did proceed to legal action. Officers explained that such cases could be lengthy, complex, and costly, and even when successful they did not always deliver a complete resolution.
13. The committee enquired why there had been so few prosecutions relating to public rights of way. The response clarified that most issues were resolved before reaching court, often through direct negotiation with landowners. However, it was also acknowledged that poor data made it difficult to assess the true extent of enforcement activity.
14. The committee questioned whether reporting systems for public rights of way were adequate. Officers responded that improvements had been made, including more precise location tools and better data access for parishes, but acknowledged that data quality and consistency presented an ongoing challenge.
15. Members asked whether enforcement powers were used sufficiently in relation to rights of way. The response highlighted differing views: officers suggested the approach was broadly in line with other authorities, but councillors expressed concern that stronger action could sometimes be needed.
16. Members enquired about how effective early intervention was. Officers reported that approximately 90% of cases were resolved at the initial stage through direct contact and negotiation, demonstrating the importance of building good relationships with landowners.
17. Members asked about the council's responsibilities for infrastructure on public rights of way. The response clarified that the council was generally responsible for bridges and some signage, contributes partially to gate and stile replacement, but did not maintain all infrastructure elements.
18. Regarding sustainable farming, members asked what the council was doing to support more environmentally responsible practices. Officers outlined a range of initiatives including carbon audits, nutrient management work, and trials to improve soil health, all aimed at supporting farmers to adopt more sustainable methods.
19. The committee asked whether the council had any regulatory role in farming practices. The response made it clear that regulation sat with national bodies

such as the Environment Agency. The council's role was supportive and advisory, rather than regulatory.

20. Members queried whether work on climate change and river pollution should be treated separately. Officers and cabinet members responded that the two were closely linked, with many farming practices delivering benefits to both, making separation difficult and arguably unnecessary.
21. The committee enquired as to how best practice was communicated to farmers. The response highlighted established networks such as the Rural Hub, NFU, and other partnerships as effective channels, although reaching less engaged landowners remained a challenge.
22. The committee asked whether activities such as flood management, farming practices, and infrastructure protection were brought together into a single risk management approach. Officers acknowledged that while coordination exists, it was largely informal and not captured within a single, structured framework.
23. Members asked whether there should be a more coherent and formalised risk strategy. Officers accepted this as a potential improvement, while noting the complexity of coordinating multiple teams and external organisations across a constantly changing landscape.
24. The committee asked about collaboration with external bodies such as the Environment Agency. Officers confirmed that joint working did take place, but noted that enforcement capacity at a national level was limited, and that effective action often depended on reporting and collaboration.
25. Councillors asked whether natural flood management schemes were effective. The response confirmed that they could be highly beneficial, but progress depended on voluntary participation by landowners and the availability of funding.
26. Members queried whether there were opportunities to work with other organisations, such as canal trusts, to support flood mitigation. Officers indicated that while there had been some engagement, this was not currently a major area of activity, but could be explored further.
27. The committee asked whether the council could challenge national policies that may not suit local conditions. The response suggested that while specific issues could be raised, influencing national policy was difficult, and progress was more likely to be made through dialogue and targeted engagement rather than direct challenge.

At the conclusion of the debate the committee discussed and agreed the following recommendations. That:

- 1. That Herefordshire Council should consider ways to better signpost landowners to schemes to support engagement and education with regard to their land management responsibilities**
- 2. With interested partners, the executive should develop a plan for facilitating and enhancing its current work, including the promotion of land use management, to reduce the risk to the public realm.**
- 3. That the public rights of way team review and amend their reporting framework so that it better reflects the process that they follow**

4. **That the executive review current enforcement practices with all relevant partners and agree a co-ordinated and consistent approach to enforcement, to strengthen action against those with land use management responsibilities who do not comply.**

169. BUS SERVICES TASK AND FINISH GROUP UPDATE

The Chair of the task and finish group provided the committee with an update. The key points are detailed below:

1. Limited funding was a primary constraint on improving services, despite clear ambition and capability within the council and among some operators. Alongside this, poor data availability -- particularly from commercial bus operators -- limited the council's ability to assess performance, compare services or make informed decisions.
2. Community transport played a vital role beyond mobility, delivering social connection and health benefits. While these services were relatively low cost due to volunteer involvement, their capacity was limited. The group supported strengthening their role and representation in decision-making, while recognising that traditional cost measures underestimated their wider value.
3. The group had examined home-to-school transport, including steps to reduce reliance on costly taxi provision. A detailed case study of the subsidised Route 66 was being undertaken to assess usage, costs and contract terms, as it provides accessible data not available for most commercial routes.
4. Demand Responsive Transport (DRT) schemes often had high costs and low passenger numbers, with a high national failure rate. However, some successful examples showed potential where targeted appropriately, particularly in rural areas, and this option remained under consideration.
5. The government's free bus travel scheme for under-16s presented both challenges and opportunities. Operator participation could be limited due to administrative burdens, and the group was exploring ways the council could provide short-term financial support. The scheme was also seen as an opportunity to gather valuable data to support future funding bids.
6. The council should prioritise trying to increase its Bus Service Improvement Plan (BSIP) funding allocation, as comparable authorities received significantly more. Achieving this would require stronger data collection, clear evidence of ambition, and delivery of low-cost improvements such as service pilots, updated policies, and progress on decarbonisation.
7. The transition to greener bus fleets was constrained by operator resources. One potential solution was a leasing model, where the council owned vehicles and operators ran them, helping to overcome financial barriers to investment.
8. The county's rural geography and low population density significantly limited service viability and funding potential. This context underpinned the group's pragmatic approach and would be central to explaining its recommendations.
9. The group would complete its final review, agree recommendations, and engage key decision-makers before submitting its report for September 2026. The focus would be on producing practical, deliverable actions to improve the council's ability to secure funding and strengthen bus services within existing constraints.

170. WORK PROGRAMME

The committee discussed its work programme, this included planning future items on:

- Carbon management, including whether the council can achieve net zero and/or net negative emissions.
- The role of carbon capture, particularly given the county's rural characteristics.
- A rail strategy review, covering improvements to existing infrastructure and potential new rail links.

Resolved: The committee agreed to hold a work programme planning session at the earliest convenient opportunity.

171. DATE OF THE NEXT MEETING

Monday 21 September 2026, 10am

The meeting ended at 13:00

Chairperson