

**Supplement to the agenda for**

# **Cabinet**

**Thursday 29 October 2020**

**2.30 pm**

**online meeting**

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Herefordshire Council

**Minutes of the meeting of Cabinet held at online meeting on Thursday 15 October 2020 at 2.30 pm**

**Present:** Councillor David Hitchiner, Leader of the Council (Chairperson)  
 Councillor Felicity Norman, Deputy Leader of the Council (Vice-Chairperson)

Councillors Ellie Chowns, Pauline Crockett, Gemma Davies, John Harrington, Liz Harvey and Ange Tyler

Cabinet support members in attendance Councillors Jenny Bartlett, Peter Jinman and Yolande Watson

Group leaders / representatives in attendance Councillors John Hardwick, Alan Seldon and Trish Marsh

Scrutiny chairpersons in attendance Councillors Elissa Swinglehurst, Carole Gandy and Jonathan Lester

Officers in attendance: Director for economy and place, Director for children and families, Solicitor to the council, Director for adults and communities, Interim Head of Legal Services and Democratic services manager

**1. APOLOGIES FOR ABSENCE**

The meeting noted that the cabinet member contracts, procurement and assets would be absent for the first part of the meeting.

**2. DECLARATIONS OF INTEREST**

None.

**3. MINUTES**

**Resolved:** That the minutes of the meeting held on 24 September 2020 be approved as a correct record and signed by the Chairperson.

**4. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 5 - 6)**

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

**5. QUESTIONS FROM COUNCILLORS**

There were no questions from councillors.

**6. FOSTERING AND ADOPTION SERVICE ANNUAL REPORTS 2019/20**

The cabinet member children and families introduced the item. She noted that it was national adoption week and echoed the points made at a national level encouraging potential adopters to come forward.

The head of looked after children highlighted the key points of the annual reports:

- the reports covered work in 2019/20;
- the transition to working as part of ACE had gone smoothly;
- development of the early permanency hub had been effective;
- slight increase in number of children being placed in foster to adopt placements;
- priorities for the adoption service in 20/21 were to continue the focus on pre-birth planning and improve the timeliness of children being placed for adoption;

- eliminating the backlog in producing life story books and later life letters had also been identified as a priority and this had already been achieved;
- there was an increase in the number of children placed with in house foster carers against a backdrop of a small reduction in the number of foster carers;
- increased number of children left care through a special guardianship order;
- the training offer to foster carers had been improved and the use of a suite of online training had been valuable during the coronavirus epidemic;
- priorities for the fostering service in 20/21 were to focus on increasing the number of carers and the number of placements in house across all types of foster care, to continue to increase the number of children long term matched with their foster carers and to increase the number of children leaving care through special guardianship orders.

In discussion of the report cabinet members noted that:

- The coronavirus epidemic had caused some difficulties but overall these had been managed well, some foster carers had not been able to take children as they were isolating or shielding which caused some pressure;
- Information would be provided after the meeting on the latest numbers of carers by type and the targets for 2020/21;
- The impact of the approach to reducing numbers of looked after children was showing results;
- The turnover of staff had been higher than usual in 2019/20 but most of the staff who had left had been promoted or left for other positive reasons, all but one post was now filled permanently;
- New carers had a dedicated family support worker who provided continuity even if there was a turnover in social workers, children also had their own social worker separate from the workers supporting the carers;
- A new Facebook site had been in place since January 2020 which had attracted significant attention and was more dynamic than the council website but the translation of enquiries into applications was currently very low, feedback from applications was being considered to see what could be learned to improve conversion rates;
- It was a struggle to recruit carers from BAME or mixed backgrounds;
- The HIPPS service had a small number of carers able to foster multiple children but it had been difficult to replace those that had left, an offer of additional support and payments to all foster carers and this had generated some interest;
- Targets for numbers of new adopters related to timescales for completion of the objectives, these targets were ambitious but achievable and would be reviewed as ACE developed;
- The assistant director safeguarding and family support was currently chair of the ACE board and reported that she was learning about the challenges experienced by the other councils involved and that there was a common desire to ensure children were matched and moved on as swiftly as possible;
- The services sought feedback from adopters and looked to learn from points raised;
- A briefing was to be arranged for all councillors to learn about the services and process of adoption.

Group leaders and representatives were invited to give the views of their group. There was support for the efforts of foster carers and adopters and it was noted that:

- There had originally been concerns that joining ACE would impact on the county's previously good performance as an agency but the potential benefits were understood and no downsides had been noted to date;
- The use of special guardianship orders and kinship carers was encouraged;
- There was concern about the low conversion rate from enquiries and feedback on the clunkiness of the process;

- It was important that allowances were reviewed to compete with independent agencies and encourage prospective carers and adopters to come forward.

The chair of the children and young people scrutiny committee explained that the committee had raised many of the same questions as had been discussed during the meeting and that it was a shame that the review of allowances had been delayed from the timescale previously shared with the committee. It was positive that the backlog in life story books had been addressed and important that changes in working practices ensured the situation did not arise again.

The recommendations were put to cabinet members as set out in the report. The cabinet member commissioning, procurement and assets joined the meeting during consideration of the item and having not heard the full debate did not vote on the recommendations.

**It was agreed that:**

- (a) the performance of the adoption service as outlined at appendix A to this report be reviewed, any risks to achievement of objectives noted and relevant mitigating actions approved; and**
- (b) the performance of the fostering service as outlined at appendix B to this report be reviewed, any risks to achievement of objectives noted and relevant mitigating actions approved.**

*Cllr Hardwick left the meeting at 15:34*

## **7. ENDORSEMENT OF THE HEREFORDSHIRE CULTURAL STRATEGY 2019-2029**

The cabinet member commissioning, procurement and assets introduced the report and explained that although the strategy had been launched in 2019, Herefordshire Council had not formally endorsed it. There had been significant cuts to the cultural sector in the previous 10 years and endorsing the strategy would show the council's commitment to culture, guide work with cultural partners in the future and boost efforts to secure external funding.

The museum libraries and archives manager highlighted that there had been a council representative on the cultural partnership for several years and that a wide range of partners were represented. There were in the region of 500 small businesses involved in creative industries in Herefordshire. Endorsing the strategy did not commit the council to any financial support but as a statement of the council's backing would be helpful in future bids by culture, arts and heritage organisations in the county. By way of example a recent grant to develop a cultural compact in Herefordshire was successful in part due to the council's support.

In discussing the report cabinet members noted that:

- Savings that had been scheduled for cultural services had been found elsewhere and while funds were still limited it was hoped that endorsing the strategy would help in finding innovative and creative ways to support cultural organisations and maximise the funding from other sources;
- Culture provided support for people of all ages and backgrounds;
- The partnership working was seen positively;
- Supporting the strategy aligned with commitments in the county plan;
- The strategy covered the whole county and investments in culture paid back in terms of quality of life and for the wider economy.

Group leaders and representatives were asked for their views and queries. The strategy was commended and it was noted that:

- The strategy would promote Herefordshire generally and it was hoped that it would support future bids;
- It was important that the whole county was involved;
- It was particularly important to show support as cultural organisations were struggling during the coronavirus epidemic;
- Investment in the cultural sector would generate additional money;
- Joined up working was important both within the council and with partners.

The next steps were discussed. The museum libraries and archives manager explained that he met monthly with the cultural partnership and that a lot of work was already in train. The role that the council could play as an enabler and supporter had become clearer in the previous year or two and endorsing the strategy confirmed that council's support. There would be further opportunities for joint working in the future.

**It was agreed that:**

**Cabinet agrees to endorse the Herefordshire Cultural Strategy 2019-2029 to inform and support its work with the arts, cultural and heritage sectors in the county.**

**8. CLOSING REMARKS BY LEADER OF THE COUNCIL**

The leader of the council stressed that while the county was thankfully doing much better than other areas of the country it was important not to become complacent and to continue to be careful if we were to keep Herefordshire open for business. He expressed thanks to all key workers and everyone keeping Herefordshire going during the current difficult times.

The meeting ended at 4.09 pm

**Chairperson**

## PUBLIC QUESTIONS TO CABINET – 15 October 2020

**Question 1****Mrs Wegg-Prosser, Breinton****To: cabinet member, infrastructure and transport**

In answer to a public question in Feb 2020 from Dr. Nichola Geeson, she was told “The total approved budget for the HCCTP project was £40.651m. Of this the budget for the City Link Road (CLR) was £34.160m ... the remaining £6.491m ... allocated for transport hub and public realm improvements....is available to deliver the planned improvements.” The internal audit report highlights issues over capital contract works being treated as an extension of the BBLP public realm contract. In view of the poor quality design of the City Link Road “shared space” for pedestrians & cyclists, roundly condemned by independent road construction engineers, would you please confirm that the design and feasibility work requested for the Transport Hub & Commercial Road cycle schemes has gone out to tender and not treated as ‘inhouse’ via BBLP?

**Response**

The City Link Road element of the HCCTP includes a shared footway cycleway but does not include shared space where all modes share the same level surface. Shared footway cycleways have been used effectively in Herefordshire as a means to deliver a network of cycle routes and these have achieved an ongoing increase in cycling.

The next stage of the HCCTP to progress the Transport Hub and Public Realm works will be to undertake further stakeholder and public engagement to develop the design for these elements. The procurement of professional services to undertake this will be carried out in line with the council’s contract procedure rules. The public realm services contract with BBLP is one route that can be considered as part of the procurement process, along with other frameworks which the council has access to and an open tender. We realise this needs to be based upon value for money criteria. The procurement route for the next stage will be the subject of a further governance decision.

**Question 2****Mr T Tibbits, Clifford****To: cabinet member, infrastructure and transport**

At the most recent Marches LEP AGM and also Nutrient Management Board meeting I sought unsuccessfully GBP10000 for a citizens' science pollution monitoring project for phosphates in the river Wye. I tried to ask the full Council meeting (9/10) but find that a deadline has been missed by 24 hours. Will the Cabinet see fit to make a contribution to this project, so that the true extent of diffuse pollution entering the Wye can be measured, with a view to then acting upon its findings? For many years now phosphate pollution has been a problem, and the current moratorium on construction is also damaging local housebuilding and economic prospects. Action is needed, and the public wants to help!

**Response**

Thank you for this. As I think you know, I took a cabinet member decision on 10<sup>th</sup> August to allocate up to £3m to purchase land for integrated wetlands and to pay the costs associated with their design, construction and management. This decision also gave us the governance to acquire suitable agricultural land to repurpose and/or re-wild the land to offset phosphates as

well as commission consultants to provide us with an Interim Delivery Plan which will include a phosphate calculator.

Unfortunately this decision does not give us the governance to contribute to the monitoring of water quality, at present. That said, I am aware that the Environment Agency were very interested in collaborating with you on this and suggest that you pursue this with them, with our support, as they are the body responsible for the quality of the water in the River Wye and are also statutorily empowered to monitor the water quality. I am happy to meet with you to discuss this in more detail.



**PUBLIC QUESTIONS TO CABINET – 29 October 2020****Question 1****Mr P McKay, Leominster****To: cabinet member, infrastructure and transport**

A number of streets on the Local Street Gazetteer have a Highway Dedication code of 12, Neither 2, 4, 6, 8, 9, 10 nor 11, presumably due to being streets with a Highway Dedication type that is currently unknown and is still under investigation, reference s.9.4.4.4 of DEC-Streets version 4.1 guidance.

May I ask how this investigation is progressing, and if consideration could be given to prioritising those that lead to public places, provide useful links in the recreational network and/or connect with public paths resolving Definitive Map anomalies, to meet the CROW Act 2000 cut-off date of 2026 after which unrecorded public rights may be extinguished?

**Response**

As set out in the question, the Highway Dedication Code 12 is used for Elementary Street Unit (ESU) which have no known public rights of access, which can be for streets that have either a Highway Dedication type that is currently unknown and is still under investigation or been proven to have no known public rights of access. The resource allocated to investigating is being prioritised to applications submitted to the council not in reviewing all Code 12 links. The prioritisation is set out in the councils Rights of Way Improvement Plan, one of the main criteria is whether the link 'creates a useful route' whereby an application will be considered a higher priority if it proves a useful addition to the rights of way network. Typical useful routes will be historically or scenically interesting, add missing links, will have been identified on the Rights of Way Improvement Plan, accessible to a wide section of the public or provide a safe alternative to a road.

**Question 2****Mr A Hunt, Bromyard****To: cabinet member, infrastructure and transport**

Would the zebra crossing on B4203, in Bromyard, stand scrutiny in a court of law, regarding it's safety and positioning?

**Response**

This zebra crossing was designed and installed around 1999/2000 and will have required departures from design standards guidance to enable its installation along what is a desire line for pedestrians from the Market Square to the Post Office. The consideration of such departures is a legitimate part of the design process, particularly for highway schemes introduced within the confines of an existing historical road layout. Clearly, it would be for the Court to determine the relevance of: the positioning of the crossing; its design; and/or record of incidents and the various factors that contributed to any injury or damage that resulted. Such would be considered in the context of the particular case before the Court.

I have requested that we review the crossing and explore what adjustments could be made to the design based on recommendations.



**COUNCILLOR QUESTIONS TO CABINET – 29 October 2020****Question 1****Councillor Nigel Shaw, Bromyard Bringsty Ward****To: cabinet member, finance and corporate services**

The Cabinet Member for Finance has been very vocal in promoting in-county spending by the Council as it awards contracts for goods and services, as well as by individuals. Can she now advise what proportion of the Council's expenditure is currently spent in-county and in neighbouring counties. (Say Herefordshire, Worcestershire, Gloucestershire, Shropshire, Warwickshire, Monmouthshire and other out of county?)

**Response**

The amount of council expenditure in-county has been rising, in percentage and in real terms, since we took office in May 2019.

This financial year 48% of the council's spend has been with businesses in Herefordshire compared with 33% in 2018-19. Over the last 12 months council spend with Herefordshire based businesses has risen by nearly £64m to £162m – an increase of 62% over the council's spend with local businesses in 2018-19.

Our stated intention to spend more public money locally is also reflected in the figures for spend when we add in our neighbouring counties (Worcestershire, Gloucestershire, Shropshire, Warwickshire, Monmouthshire), which has risen from 54% in 2018-19 to 66% of total spend so far this financial year.

The remaining 34% of council spend out of area includes statutory spend, e.g. with HM Revenue and Customs. It also includes a further 10% of total council spend through BBLP, which itself employs many local people and subcontracts to local businesses. So the amount of public money now circulating more tightly in the local economy is actually going to be higher than the figures able to be provided here.

