

Minutes of the meeting of Cabinet held at online meeting on Thursday 29 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, Jonathan Lester, Alan Seldon, Bob Matthews and Trish Marsh

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

Officers in attendance: Chief finance officer, Director for adults and communities, Interim Head of Legal Services and Assistant Director for Technical Services

9. APOLOGIES FOR ABSENCE

There were no apologies from members of the cabinet.

10. DECLARATIONS OF INTEREST

None.

11. MINUTES

Resolved: That the minutes of the meeting held on 15 October 2020 be approved as a correct record and signed by the Chairperson.

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

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

13. QUESTIONS FROM COUNCILLORS (Pages 7 - 8)

Questions received and responses given are attached as appendix 2 to the minutes.

14. 2021/22 BUDGET SETTING AND CONSULTATION

The cabinet member finance and corporate services explained that the report set out the proposed timetable and process for development of the budget. She noted that arrangements for the consultation were likely to be impacted by Covid, which would make face to face engagement difficult, but the council would be making every effort to engage in different ways. The online survey would be the main opportunity to comment and would run from 19 December through to 8 January. Running the consultation over the Christmas and New Year period was not ideal but the timetable was similar every year. There would be promotion leading up to the launch of the survey so that everyone know when it would be and how to access it. The results of the engagement would be considered by the cabinet at its meeting in January 2021 and the budget would be set by the Council at the February meeting.

Cabinet members discussed the proposals and it was noted that:

- There would also be a consultation on waste in the New Year and care would need to be taken to avoid consultation fatigue or competition between the two exercises;
- Expert consultants would be employed to ensure that the council was reaching as many communities and stakeholders as possible, including hard to reach groups;
- Members of the public were encouraged to use the option to sign up for topic specific alerts on the council website so they would be notified about items they might be interested in;
- If individual councillors wished to feed in to the framing of the consultation they should make their group leaders aware;
- While there were concerns about holding the consultation over the holiday period it was also possible that some individuals might find more time to respond while they were not at work;
- It was important to engage early with parish and town councils so that they had sufficient time to consider the issues and respond.

In response to a query whether residents could be allowed to opt out of paper based communication and receive electronic documents instead it was noted that there was no prescribed way to carry out consultation but it was important that as many people were reached as possible. This would be explored as part of the communications plan.

The chief finance officer advised that details of the settlement for 2021/22 were expected from central government just before Christmas. In the past, additional money had been released after the initial settlement so contingency plans would be in place to deal with this situation. Due to the challenges presented by Covid it might be necessary to present a number of scenarios during the consultation process using the best information at the time but the chief finance officer expected to be able to meet the deadlines set out in the report.

Group leaders and representatives were invited to present the views and queries of their group. There was general recognition that the budget process this year would be particularly difficult given the ongoing impact of the coronavirus epidemic. Cabinet members also noted that:

- The impact of covid would increase uncertainty around future central government funding and business rate collection;
- It was likely that some savings would have to be found given the pressures on the budget;
- It was unlikely that the stakeholder event for businesses and third sector organisations could be repeated this year but the council would explore other ways for interactive engagement;
- Ward members could assist with consultation with parish and town councils and it might be helpful if key questions to prompt or lead discussion could be circulated, all councillors should be asked to promote the consultation and encourage as many people as possible to respond;
- The in-year budget was being reviewed and this would identify if planned savings were deliverable bearing in mind the changed circumstances, the quarter 2 budget and performance report was due to be brought to the next cabinet meeting where there would be opportunity to review the projected overspend;
- It was suggested that communications to each household promote both the budget consultation and the waste consultation, and that such communication also seek to share information about the covid situation;
- Engagement with the NHS and other healthcare providers was important given the knock on impact of their spending on the council and every opportunity was taken to work with partners.

The chairpersons of the scrutiny committees commented that the timetable seemed appropriate. It was confirmed that the area specific feedback and recommendations from the adult and wellbeing and the children and young people scrutiny committees would feed into the discussion by the general scrutiny committee.

It was agreed that:

(a) the proposed timetable for the development and adoption of the Medium Term Financial Strategy and the 2021/22 budget be approved;

(b) an in year review of the capital investment budget be approved; and

(c) the approach for consulting on budget proposals for 2021/22 be approved.

15. CLOSING REMARKS

The leader of the council highlighted the latest position regarding Covid-19 in Herefordshire. The county was doing reasonably well but it was concerning that cases had doubled. If this pattern continued the situation would become much more difficult.

The leader of the council urged that everyone observe the basic guidance to wear face coverings wherever possible, maintain social distancing and wash hands regularly. These behaviours had kept numbers down and needed to be maintained. Those less at risk in younger age groups were urged to continue to consider the safety of older relatives and friends.

The meeting ended at 3.27 pm

Chairperson

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.

Supplementary Question

Whilst it may not be intended to investigate all code 12 streets may it be assumed that when the Local Street Gazetteer is viewable in its different formats, Cabinet meeting of 24 September, and the Blue Anomaly Triangles/Report reinstated, Council meeting of 9 October, enabling those code 12 streets that satisfy the key aims of the Rights of way improvement plan (draft) by filling obvious gaps, etc., to be identified, would be investigated, whether or not subject of a formal application?

Response

As this is a technical question I will ask for officers to provide a written response.

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.

Supplementary question

Now that Herefordshire Council have decided to review the Zebra Crossing on the B4203, in Bromyard, can the crossing continue to be used in its current state?

Response

The cabinet member noted that there had been issues with accidents at the crossing and that the ward councillor had also raised the matter with him. The crossing would be reviewed quickly but he did not feel that it should not be used as it would be impossible to stop people crossing the road at that point. The cabinet member would ask that officers provide a further written response.

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.

Supplementary question

I thank the cabinet member and officers for this update.

My previous comparative data from June 2017 illustrates that the then conservative administration spend in county was 47% and in county and neighbouring counties was 77%. As these figures are so similar to that now being achieved I'd suggest that this data record becomes part of the regular performance data set reported to Council, so that future trends can be monitored.

As Cabinet Member for Finance you tabled at Council a fortnight ago the recommendation that the Hereford Leisure Centre received an additional £0.5m spend for repairs using the University of Worcester Framework agreement for procurement rather than open tender. Are you happy that such frameworks provide the best value for money and were you aware that none of the contractors in this framework are Herefordshire based companies?

Response

The cabinet member finance and corporate services noted that the issues raised crossed both her portfolio and that of the cabinet member for commissioning, procurement and assets. A written response would be provided.

