

To: All members of the Council

our ref: Council - 17 July 2020
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9 July 2020

Dear Councillor,

You are hereby summoned to attend the online meeting of the Herefordshire Council to be held on **Friday 17 July 2020 at 10.30 am** at which the business set out in the attached agenda is proposed to be transacted.

Yours sincerely

C Ward

Claire Ward

Solicitor to the council

AGENDA

Council

Date: **Friday 17 July 2020**

Time: **10.30 am**

Place: **Online meeting only**

Notes: Watch this meeting live on the Herefordshire Council YouTube Channel: <https://www.youtube.com/HerefordshireCouncil>

For any further information please contact:

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If you would like help to understand this document, or would like it in another format or language, please call Matthew Evans, Democratic Services on 01432 383690 or e-mail matthew.evans@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Council

Membership

Chairman

Vice-Chairman

Councillor Sebastian Bowen

Councillor Kema Guthrie

Councillor Graham Andrews

Councillor Polly Andrews

Councillor Chris Bartrum

Councillor Dave Boulter

Councillor Ellie Chowns

Councillor Gemma Davies

Councillor Toni Fagan

Councillor Carole Gandy

Councillor John Harrington

Councillor Jennie Hewitt

Councillor David Hitchiner

Councillor Bernard Hunt

Councillor Terry James

Councillor Tony Johnson

Councillor Mike Jones

Councillor Jonathan Lester

Councillor Bob Matthews

Councillor Jeremy Milln

Councillor Roger Phillips

Councillor Paul Rone

Councillor Nigel Shaw

Councillor John Stone

Councillor Elissa Swinglehurst

Councillor Kevin Tillet

Councillor Ange Tyler

Councillor William Wilding

Councillor Paul Andrews

Councillor Jenny Bartlett

Councillor Christy Bolderson

Councillor Tracy Bowes

Councillor Pauline Crockett

Councillor Barry Durkin

Councillor Elizabeth Foxton

Councillor John Hardwick

Councillor Liz Harvey

Councillor Kath Hey

Councillor Phillip Howells

Councillor Helen l'Anson

Councillor Peter Jinman

Councillor Graham Jones

Councillor Jim Kenyon

Councillor Trish Marsh

Councillor Mark Millmore

Councillor Felicity Norman

Councillor Tim Price

Councillor Alan Seldon

Councillor Louis Stark

Councillor David Summers

Councillor Paul Symonds

Councillor Diana Toynbee

Councillor Yolande Watson

Agenda

		Pages
1.	<p>APOLOGIES FOR ABSENCE</p> <p>To receive apologies for absence.</p>	
2.	<p>DECLARATIONS OF INTEREST</p> <p>To receive declarations of interest in respect of Schedule 1, Schedule 2 or Other Interests from members of the Council in respect of items on the agenda.</p>	
3.	<p>MINUTES</p> <p>To approve and sign the Minutes of the meeting held on 6 March 2020.</p>	9 - 28
4.	<p>CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS</p> <p>To receive the Chairman and Chief Executive's announcements.</p>	29 - 48
5.	<p>QUESTIONS FROM MEMBERS OF THE PUBLIC</p> <p>To receive questions from members of the public. <i>Deadline for receipt of questions is 5:00pm on Monday 13 July.</i> <i>Accepted questions and answers will be published as a supplement prior to the meeting.</i></p>	
6.	<p>QUESTIONS FROM MEMBERS OF THE COUNCIL</p> <p>To receive any written questions from members of the Council. <i>Deadline for receipt of questions is 5:00pm on Monday 13 July.</i> <i>Accepted questions and answers will be published as a supplement prior to the meeting.</i></p>	
7.	<p>AMENDMENTS TO THE CONSTITUTION</p> <p>To agree amendments to the constitution relating to the Health and Wellbeing Board and new pavement licensing legislation.</p>	49 - 58
8.	<p>LEADER'S REPORT TO COUNCIL</p> <p>To receive a report from the leader on the activities of the executive (cabinet) since the meeting of Council on 6 March 2020.</p>	59 - 74
9.	<p>NOTICES OF MOTION UNDER STANDING ORDERS</p> <p>To consider Notices of Motion.</p>	75 - 80

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- Inspect agenda and public reports at least five clear days before the date of the meeting.
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting.
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
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Minutes of the meeting of Council held at Council Chamber, The Shire Hall, St Peter's Square, Hereford, HR1 2HX on Friday 6 March 2020 at 10.00 am

Present: Councillor Sebastian Bowen (chairman)
Councillor Kema Guthrie (vice-chairwoman)

Councillors: Graham Andrews, Paul Andrews, Polly Andrews, Jenny Bartlett, Chris Bartrum, Christy Bolderson, Dave Boulter, Tracy Bowes, Ellie Chowns, Pauline Crockett, Gemma Davies, Barry Durkin, Toni Fagan, Elizabeth Foxton, Carole Gandy, John Harrington, Liz Harvey, Kath Hey, David Hitchiner, Phillip Howells, Bernard Hunt, Helen I'Anson, Terry James, Peter Jinman, Tony Johnson, Graham Jones, Mike Jones, Jim Kenyon, Jonathan Lester, Trish Marsh, Bob Matthews, Jeremy Milln, Felicity Norman, Roger Phillips, Tim Price, Paul Rone, Alan Seldon, Nigel Shaw, Louis Stark, John Stone, David Summers, Elissa Swinglehurst, Paul Symonds, Kevin Tillett, Diana Toynbee, Ange Tyler, Yolande Watson and William Wilding

Officers: Alistair Neill, Chief Executive; Chris Baird, Director Children and Families; Richard Ball, Director for Economy and Place; Andrew Lovegrove, Chief Finance Officer; Stephen Vickers, Director for Adults and Communities; Claire Ward, Solicitor to the Council; Kate Charlton; Interim Head of Legal Services; John Coleman, Democratic Services Manager

48. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors John Hardwick, Jennie Hewitt and Mark Millmore.

49. DECLARATIONS OF INTEREST

Councillor Gemma Davies declared a schedule 1 interest in agenda item no. 9, notices of motion, Minor Injury Unit (MIU) closures, as an employee of the Wye Valley Trust.

Councillor Graham Andrews declared an other interest in agenda item no. 9, car park passes as a councillor with a ward in Hereford City.

50. MINUTES

RESOLVED: That the minutes of the meeting held on 14 February 2020 be confirmed as a correct record and signed by the Chairman.

51. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS

Council noted the Chairman and Chief Executive's announcements as printed in the agenda papers.

The Chairman introduced his announcements and expressed his thanks for the work of the emergency services during the recent flooding incidents. He also commended the community spirit and resilience that had been displayed by local residents.

The chief executive introduced his announcements and explained that a recent letter had been sent to central government requesting additional help for the council in response to the recent floods. An update on the latest situation concerning the coronavirus was provided.

A member raised the issue of motorists ignoring road closed signs during flooding incidents.

52. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 11 - 12)

A copy of the public questions and written answers, together with supplementary questions asked at the meeting and their answers, is attached to the Minutes at Appendix 1.

53. QUESTIONS FROM MEMBERS OF THE COUNCIL (Pages 13 - 20)

A copy of the Member questions and written answers, together with supplementary questions asked at the meeting and their answers, is attached to the Minutes at Appendix 2.

54. COUNCIL TAX SETTING

Council considered a report by the cabinet member finance and corporate services and the supplement containing the updated recommendations circulated on 28 February. The Chairman introduced a correction to the detail in the report: Cradley and Storridge Parish Council replaced reference to Cradley Parish Council.

The monitoring officer explained that there were no declarable interests for members by virtue of membership of the Council, the Hereford and Worcester Fire Authority or local parish councils.

The cabinet member finance and corporate services moved the report and explained the careful consideration that had taken place across precepting authorities in determining precept levels for 2020/21. The support and assistance available to local residents experiencing financial difficulty was reiterated and the importance of keeping the thresholds for support under review. Parish councils had set precepts to ensure that budgets were sufficient to allow them to operate effectively and respond to challenges such as the recent flooding.

The principal points below were raised during the debate:

- The proportionate increase for householders in Council Tax Bands E-H compared to bands A-D was raised. It was acknowledged that bands were set nationally and any revaluation of properties might cause additional problems.
- A correction to the details in the appendices was raised, to ensure reference to Ross-on-Wye Town Council.
- It was suggested that one of the objectives for the Market Towns Forum should be that value for money was provided through the precept. The Market Towns Forum was working with local communities to determine how services in localities could best meet local need.
- The reduction in funding from central government was raised and the need for local councils to raise revenue at a local level to provide services for vulnerable residents.
- The burden the increase in precepts represented to some local residents was outlined and the need to ensure value for money. A member expressed concern

that precept increases above the rate of inflation may lead to the local authority being regarded as out of touch.

- Community Asset Transfer and devolution to parish councils was raised. The role of parish councils to assume responsibility for local services could be facilitated through precepts.

The Leader seconded the report and explained that the Market Towns Forum had established an effective dialogue between the localities and the council. Recent flooding and the uncertainty concerning the coronavirus highlighted that the level of precept increase was prudent.

The cabinet member finance and corporate services closed the debate and explained that the vote was a technical exercise to set the overall council tax in the county.

A recorded vote was held to set the council tax and precepts for 2020/21, as contained in the published supplement, and was approved by a simple majority of the Council.

For: (49) Councillors Graham Andrews, Paul Andrews, Polly Andrews, Bartlett, Bartrum, Bolderson, Boulter, Bowen, Bowes, Chowns, Crockett, Davies, Durkin, Fagan, Foxton, Gandy, Guthrie, Harrington, Harvey, Hey, Hitchiner, Howells, Hunt, l'Anson, James, Jinman, Johnson, Graham Jones, Mike Jones, Lester, Marsh, Matthews, Milln, Norman, Phillips, Price, Rone, Seldon, Shaw, Stark, Stone, Summers, Swinglehurst, Symonds, Tillet, Toynbee, Tyler, Watson and Wilding.

Against: (1) Councillor Kenyon

Abstained: (0)

RESOLVED: That:

- (a) The precepting authority details incorporated in appendices 1 to 5, relating to town and parishes, West Mercia Police and Hereford and Worcester Fire Authority be approved in accordance with sections 30(2), 34(3), 36(1) and section 40 of the Local Government Finance Act 1992 (as amended) and that the following amounts be approved for the year 2020/21 in accordance with sections 31 to 36 of the Local Government Finance Act 1992, regulation 6 (as amended by the Localism Act 2011):**

- | | | |
|-----------|---------------------|---|
| a. | £384,668,402 | being the estimated aggregate expenditure of the council in accordance with section 31A (2) of the act, including all precepts issued to it by parish councils; |
| b. | £222,682,000 | being the estimated aggregate income of the council for the items set out in section 31A (3) of the act (including revenue support grant); |
| c. | £161,986,402 | being the amount by which the aggregate at (a) above exceeds the aggregate at (b) calculated by the council in accordance with section 31A(4) of the act, as its council tax requirement for the year (including parish precepts); [Item R in the formula in Section 31B of the Act] |
| d. | £1,643.57 | being the amount at (c) above divided by the amount of the council tax base calculated by the council, in accordance |

- | | | |
|----|-------------------|--|
| e. | £4,869,402 | with section 31B of the act, as the basic amount of its council tax for the year (including parish precepts); being the aggregate amount of all special items (parish precepts) referred to in section 34(1) of the act; |
| f. | £1,573.77 | being the amount at (d) above less the result given by dividing the amount at (e) above by the amount of the council tax base calculated by the council, in accordance with section 34(2) of the act, as the basic amount of its council tax for the year for dwellings in those parts of its area to which no parish precept relates (Herefordshire Council band D council tax, excluding parishes) |

- (b) it is agreed that the net tax base of 69,756.27 band D equivalent properties (being the gross tax base adjusted for an assumed collection rate) used for setting the budget requirement for 2020/21;
- a. is allocated to band D equivalent dwellings per precept area as shown in appendix 1; and
 - b. the individual council tax allocations per valuation band of dwelling by parish (including fire and police precepts) as set out in appendix 5.

55. LEADER'S REPORT

The Leader presented his report on the activities of Cabinet since the meeting of Council on 11 October 2019. The Leader provided his thanks to all those who had been involved in the response to the floods and highlighted issues including the strategic planning of new housing development and farming methods which had an impact on flooding in the county.

The Leader received the following questions:

- Whether the £5.6 million grant to the timber technology centre needed to be underwritten by the council. *The Leader explained that the grant would be subject to a further decision but would be provided to the council rather than the LEP. There was no requirement for the council to underwrite the amount and a risk analysis of the arrangement would be completed.*
- What plans were in place to address the increase in rough sleepers in Herefordshire and why was it an issue in the county? *The cabinet member housing, regulatory services and community services explained that the homelessness prevention and rough sleeping strategy had been implemented recently and a building in Blackfriars Street had been identified to provide a better level of care in future. There was concern that rough sleepers did not feel listened to and therefore did not seek help; it was hoped that the new facility would address this concern.*
- What action plan was in place to respond to the concerns outlined by Ofsted during the recent inspection? What actions were being taken to address concerns around the recruitment of social workers? *The cabinet member children and families explained that the inspection had recognised some improvements including work with children with disabilities and work undertaken on peer on peer abuse policies. Difficulties continued to be recognised around shortages of funding and staff. The action plan to address the issues raised by Ofsted would be circulated. The chief executive explained that clear plans were*

being taken forward for the recruitment of social workers but it was acknowledged that it was a difficult market place.

- *There needed to be greater policing of road closure signs. The cabinet member infrastructure and transport explained that it was an offence to ignore road closure signs and the council was reporting incidents to the police and had requested extra patrols of those areas subject to road closures.*
- *Would extra resources be provided to the drainage team to deal with problems caused by the flooding? It was requested that a briefing note concerning the Bellwin scheme be sent to members. The cabinet member infrastructure and transport explained that the lengthsman schemes would resource parish councils to clear blocked drains. Where drainage issues existed, parish councils were encouraged to report them to the council and it could be investigated whether the work could be supported through the Bellwin scheme. The Leader explained that a briefing to all members on the Bellwin scheme would be provided.*
- *Clarification was requested regarding the flooding grant scheme for parish councils. The cabinet member infrastructure and transport explained that a mechanism for the grant funding would be in place shortly.*
- *The intention of the new cabinet support member to assist town and parish councils to deliver local assets was queried. Adequate support and funding would be required for town and parish councils to complete community asset transfers. The Leader explained that it was important for local communities to have a role in determining local improvements. Community asset transfers and devolution of services would be a gradual process. The cabinet support, parish shared services and assets, explained that local areas were encouraged to identify projects for local improvements that could be funded through use of reserves or prudential borrowing.*
- *If the pause and review concluded that a Western bypass was appropriate how would it be funded? The cabinet member infrastructure and transport explained that if the outcome of the review concluded that a Western bypass was appropriate funding would need to be sought.*
- *It was queried how the council would ensure members and land owners were aware of riparian responsibilities for drainage and whether the council would use its powers under the land drainage act to enforce these responsibilities. Better communication between Balfour Beatty Living Places (BBLP) and parish councils was also important. The cabinet member infrastructure and transport explained that BBLP had produced a briefing note to raise awareness among landowners. The Leader explained that it was intended that the issue would be raised at a parish summit and that the proposal to bring the locality stewards back 'in-house' should improve communication with town and parish councils. The cabinet member infrastructure and transport explained that communication between BBLP and parish councils needed improvement and it was important that parish councils also communicated with local members and the cabinet member.*
- *Would the council participate in the Defra consultation regarding sustainable farming on flood plains? The Leader explained that farmers needed to be supported, which was a national issue.*
- *An update on the flooding response was sought and if the objection to the proposed permanent flood defences would be reconsidered. The Leader explained that the status of the response had moved from the emergency to recovery stage and funding was being sought from the Bellwin scheme. The cabinet member infrastructure explained that road closures were reducing but there were still issues on the Fownhope road where a potential landslip was a significant concern. The objection to the flood defences concerned the proposed glass panels.*

RESOLVED: That the report be noted.

There was an adjournment at 11.53 a.m. the meeting reconvened at 12.05 p.m.

56. NOTICES OF MOTION UNDER STANDING ORDERS

Motion 1 – Car park passes

The Chairman explained that there was not a seconder to the car park passes motion. Councillor Rone proposed the car park passes motion and asked for a seconder as Councillor Milln had not in fact agreed to be seconder as implied by the report attached to the agenda.

The motion was not seconded and was therefore withdrawn.

Motion 2 – 20 mph speed limits

In moving the motion Councillor Felicity Norman made the following points:

- There was significant and growing support to reduce speed limits in residential areas.
- The stopping distance at 20 mph was half that at 30 mph.
- The introduction of 20 mph speed limits would encourage children to play outdoors and support public health objectives.
- The lower speed limit would also contribute to environmental objectives by helping to reduce fuel use, improve air quality and reduce noise.
- The recent Stockholm declaration on road safety supported 20 mph speed limits.
- A wide range of public health, governmental and medical bodies supported 20 mph speed limits.

In seconding the motion Councillor Ange Tyler made the following points:

- The Local Transport Plan (LTP) contained a speed management commitment to work with local communities to introduce 20 mph speed limits where appropriate.
- Local communities were concerned about speeding.
- The Royal Society for the Prevention of Accidents (RoSPA) had produced guidance which indicated that the severity of accidents was reduced by cars travelling at 20 mph.
- To ensure compliance could be achieved area-wide speed limits would need to be introduced.
- It was important to realise safer communities through road safety initiatives.

The following principal points were raised during the debate:

- The LTP included provision for the introduction of 20 mph speed limit. Local residents should be consulted on implementing 20 mph limits.
- There was concern that additional signage would cause the public realm to appear cluttered.
- It was felt that even with a 20 mph limit there would still exist reckless drivers who would drive at excessive speeds.
- The 20 mph speed limit would be difficult to enforce and would not be supported by the police force unless the limit was self-enforcing.
- Speeding was a priority for a number of local parish councils.
- Reduced speed in residential areas would improve the quality of life for local residents.
- The introduction of 20 mph limits was consistent with objectives to reduce carbon emissions.

- The motion called on the executive to undertake an investigation. During such an investigation the areas of concerns raised during the debate could be reviewed.
- The implementation of 20 mph speed limits would require traffic regulation orders (TRO) to be progressed. It was noted that there was a significant waiting list for TROs.
- The investigation should consider the impact of 20 mph zones on animals.
- It was noted that Pembridge had requested a 20 mph limit and the request was currently on the TRO waiting list. It was suggested that a 20 mph limit in Pembridge could be used as a pilot.
- A 20 mph limit could help encourage cycling and reduce congestion.

Proposed amendment – Proposed by Bernard Hunt, Seconded by Councillor Bob Matthews. This Council requests that the executive considers implementing a 20 mph speed limit alongside all schools and accident blackspots within existing 30 mph zones.

Councillor Bernard Hunt proposed the amendment and explained that the original motion was excessive in its scope. A more affordable proposal was to locate 20 mph speed limits outside schools and at accident blackspots. The proposed amendment would meet the objectives contained in the preamble to the original motion but would not alienate the public by introducing 20 mph limits on too many roads.

Councillor Bob Matthews seconded the amendment and explained that the projected increase in the number of cars would result in a reduction in the speed cars were able to travel. There should be a focus on removing cars from the roads by active travel measures and then area-wide 20 mph speed limits should be investigated. The 20 mph limits were felt to be unenforceable.

The following principal points were raised during the debate on the amendment:

- The amendment provided the opportunity to introduce 20 mph speed limits where they were substantiated by evidence.
- RoSPA recommended that 20 mph limits were introduced where prevailing speeds were generally low.
- The amendment proposed a narrower approach than the original motion and introduced restrictions on where 20 mph speed limits could be introduced. The implementation of 20 mph speed limits at schools and accident blackspots could be considered within the investigation proposed in the original motion
- The amendment would require a greater number of TRO applications.
- It was important that schools were targeted for 20 mph limits in the interests of road safety and air quality.
- The scale of the investigation proposed in the original motion was significant and would be costly. The amendment would reduce the cost of the investigation.
- Guidance suggested that 20 mph speed limits should only be considered where pedestrians were prominent and there was community support.
- The amendment was a step towards targeting areas for implementation of 20 mph limits.
- The proposal in the amendment could be explored in the investigation proposed in the original motion.

Councillor Felicity Norman, as proposer of the original motion, responded to the amendment. Schools could be included in the investigation proposed in the original motion. The investigation would look at other areas where 20 mph speed limits had been introduced successfully.

The amendment was put to the vote and was lost by a simple majority.

The original motion was put to the vote and was carried by a simple majority.

RESOLVED: That

Herefordshire Council recognises the benefits associated with a 20 miles per hour speed limit in residential areas rather than a default of 30 mph which exists in most parts of the town and County.

There are fewer fatalities and injuries, greater survivability in traffic collisions, improved air quality, reduced fuel use and greater willingness of the population to walk or cycle – which has associated health benefits.

Many councils have or are in the process of implementing area-wide 20mph speed limits on residential and urban roads without traffic calming.

Many bodies with a remit for public health support a reduction in speed limits to 20mph on residential streets.

Area-wide 20mph limits rarely need traffic calming measures. They are an affordable way to improve health equality by creating child, disability, elderly and dementia friendly streetscapes that help reduce inactivity, obesity and isolation.

This Council requests that the executive undertakes an investigation concerning the introduction of area-wide 20mph speed limits across Herefordshire's towns and major villages.

Councillor Gemma Davies left the meeting.

Motion 3 – Minor Injury Units (MIU) Closures

In moving the motion Councillor Paul Symonds made the following principal points:

- The MIU closures over the winter months had occurred over the previous three years.
- The reason provided for the closure had been patient safety.
- It was understood that where significant service change was proposed there should be consultation and if no consultation was undertaken then reasons should be provided why it had not taken place.
- The Clinical Commissioning Group (CCG) had attended scrutiny but had not provided a business case for the closures nor provided evidence of any alternative options to closure that had been considered.
- The lack of consultation required a referral to the Secretary of State to consider the process followed for the closures

The following principal points were raised during the debate:

- Local residents relied upon the MIUs to treat minor injuries.
- It was essential that consultation was conducted over such significant service changes.
- The urgent closure of the MIUs in 2017 could have been avoided in later years with better planning of resources.

- There had been frustration on the scrutiny committee with the lack of meaningful consultation conducted by the CCG and flawed statistics that had been used to justify the closures.
- The power to refer to the Secretary of State was a tool available to the council which should be used in situations where there had been inadequate consultation on changes to local health provision. The Secretary of State should be asked to ensure that meaningful consultation was undertaken and provide a judgement on whether the closure constituted a significant service change.
- The closure of the MIUs was felt to add to the pressures experienced by accident and emergency units.

Councillor Barry Durkin seconded the motion and explained that it was vital that the CCG conducted consultation on service change and was responsive to the replies it received. The referral should be undertaken to allow the Secretary of State to recommend an appropriate way forward.

Councillor Paul Symonds, as the mover of the motion, closed the debate and explained that the closure undertaken since the initial closure in 2017 constituted significant service change and consultation should have been conducted by the Wye Valley Trust and CCG. To not refer to the Secretary of State would be a failure of the council to represent the interests of local residents and would undermine the scrutiny committee. The intention of the referral was to ensure that proper consultation was conducted in the future on service changes and before any closure of the MIUs.

The motion was put to the vote and was carried unanimously.

RESOLVED: That

The repeated closure of Minor Injury Units in Herefordshire was scrutinised at this Council's Adults & Wellbeing Committee on 13th January 2020.

The NHS Trust and CCG submitted a report to this meeting which was incomplete and misleading. No evidence was given that any serious consideration had been given to enhancing community services to take pressure off A&E. There appeared to be a perception that it was the communities' fault for not using the MIUs sufficiently, as opposed to the Trust's failure to develop and promote these facilities.

The reason given for not consulting stakeholders prior to closing the MIUs was that it was not a 'significant' decision, hiding behind the shroud of 'urgent patient safety'. Whilst this may not be significant in terms of NHS budgets, it is significant to the 30,000 or so residents of communities served by the MIUs in Herefordshire. Government guidance cites ward closure due to viral outbreak, not closures planned months ahead, as an example of urgent patient safety.

Assurances were given by the CCG & Trust to Ross Town Council that a public consultation on the future of community health services, including MIUs, would be forthcoming in February 2020. This has not happened.

Under The National Health Service Act 2006, the only power available to Herefordshire Council if it is not satisfied with service NHS provision is to refer such decisions to the Secretary of State for Health. The alternative to this is to accept at face value the decisions, statements and lack of consultation by Wye Valley NHS Trust and CCG, letting down the residents of Herefordshire.

This Council agrees that the decision by Wye Valley NHS Trust to close Minor Injury Units in Herefordshire for the last 3 winter periods be referred to the

Secretary of State for Health because Herefordshire Council has not been consulted on these changes to service and is not satisfied with the reasons given by the Trust not to consult.

57. FULL COUNCIL MEETING DATES 2020/21

Council noted the date of the annual meeting on 22 May 2020 and considered the setting of meeting dates during 2020/21. The dates printed on the agenda were supported but it was requested that an additional meeting date was arranged and it was suggested that the Chairman set the additional date in consultation with the monitoring officer after the current meeting had concluded.

Councillor Bob Matthews proposed and Councillor Barry Durkin seconded the amendment to the printed dates in the agenda; that Council undertook six meetings a year and the Chairman be authorised to agree the sixth meeting date with the monitoring officer.

The amendment was put to the vote and was carried.

The original recommended dates for meetings of Council during 2020/21, as amended by the motion to include a sixth meeting, was put to the vote and was carried.

RESOLVED: That:

- **The following dates are agreed for Council meetings during 2020/21:**
 - **17 July 2020**
 - **9 October 2020**
 - **12 February 2021**
 - **5 March 2021**
 - **21 May 2021**

- **The Chairman is authorised to agree a sixth meeting date of the Council in consultation with the monitoring officer.**

The meeting ended at 1.40 pm.

Chairman

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

Question Number	Questioner	Question	Question to
PQ 1	Ms Boughton, Ross on Wye	What measures does Herefordshire Council have in place to protect electrosensitive people, such as myself, from the high frequency microwave radiation that will be emitted by the technology and equipment to be installed and utilised by '5G'? I am aware that Herefordshire Council is not insured for damages claims for public health issues of this nature, and it would therefore be not only morally correct, but financially prudent, to ensure that electrosensitive people are not exposed to this damaging technology, that is dangerous not only to electrosensitive people, but to all life forms including bees and other pollinators.	Cabinet member health and adult wellbeing
<p>Response:</p> <p>Herefordshire Council take specialist Health Protection advice from Public Health England.</p> <p>The Advisory Group on Non Ionising Radiation (AGNIR) is an independent scientific advisory group that reported to Public Health England (PHE) and has used many studies to carefully assess whether certain people are especially sensitive to exposures to radiofrequency fields (RF fields). The finding of this was that there is increasing evidence that RF fields below guideline levels do not cause symptoms and cannot be detected by people, even those who consider themselves sensitive to RF fields. Public Health England and AGNIR agree that this does not undermine the importance of the symptoms that are experienced.</p>			
PQ 2	Ms Stace, Leominster	<p>On 8th March 2019, Herefordshire Council declared a Climate emergency and identified a number of actions to address this. One consequence of the climate emergency, which is exacerbated by many other factors, is an ecological crisis, with many species undergoing catastrophic decline or faced with extinction, as outlined in the State of Nature Report 2019. This has been recognised by many of the Local Authorities who have declared climate emergencies subsequently.</p> <p>Would Herefordshire Council celebrate the first anniversary of their climate emergency by expanding the declaration to encompass the ecological crisis?</p>	Cabinet member environment, economy and skills
<p>Response:</p> <p>Yes. As part of the Councils' commitment and ongoing work to tackle the climate emergency, we also recognise the importance of addressing the ecological crisis as these are intrinsically linked.</p> <p>We will continue to work in partnership with organisations and groups across Herefordshire to develop a countywide strategy addressing both important issues.</p>			
<p>Supplementary Question:</p>			

Would the council consider allocating funding to address issues of mutual concern including nature based solutions including: natural flood management; integrated wetlands and increasing tree cover in the county; reviewing and updating the local wildlife theories to feed into the new core strategy; development of nature recovery networks and strategies as required by the terms of the Environment Bill?

Cabinet Member response:

A range of important issues had been raised in the supplementary question including natural flood management which was being actively discussed at the council in order to reduce the likelihood of flooding occurring in the future. The Environment Bill would confer a number of new responsibilities upon local authorities and a commitment had been made by central government to provide funding in support. The council will consider how best to spend this funding but the list of issues in the supplementary questions were priorities for the council to address the environment and ecological emergency concurrently which would form part of the decision-making for the strategy concerning carbon management.

Agenda item no. 6 - Questions from members of the council

Question Number	Questioner	Question	Question to
MQ 1	Councillor Paul Symonds, Ross East	<p>In July last year this Council asked the Cabinet to adopt the Community Infrastructure Levy no later than January 2021. In the 9 months since then Cabinet has failed to respond to this request.</p> <p>In October you said a response would be included in scoping the Core Strategy review early in 2020, but this has also not happened. It is therefore clear that the Cabinet has no intention of implementing CIL in Herefordshire by January 2021.</p> <p>Please explain why the Cabinet is continuing to disenfranchise our Town and Parish Councils by ignoring the clear wishes of the Council on this matter.</p>	Cabinet member infrastructure and transport
<p>Response:</p> <p>In response to your question at Cabinet on 27th November I indicated that this would be a matter that would be considered alongside the scope and timetable for the review and update of the core strategy. That remains the case. In order to properly identify the scope of any core strategy update it is necessary that appropriate resources were identified to undertake the work. The County Plan and budget approved at the last Council meeting identified the core strategy as a priority and allocated resources for 2020-21.</p> <p>Initial work on the core strategy review commenced last autumn. Technical work is underway to inform a report to Cabinet that will set out the full scope of the review, timetable for updating the core strategy and recommend the approach to Community Infrastructure Levy. It is anticipated that this report will be considered within the next three months to determine the future work programme. Work has already progressed on a number of evidence based studies including those related to housing requirements and the transportation review.</p> <p>It is not correct to say that the Cabinet is in any way disenfranchising the County's Town and Parish Councils. In line with government guidance, we have already engaged with both Town and Parish councils on this important issue and a survey questionnaire seeking information to assist with the update of the core strategy has already been sent for them to respond at this early stage. The Leader has recently appointed a Cabinet Support member to work with Town and Parish councils in delivering and managing local priorities and assets. I believe this shows that we are wishing to enfranchise Town and Parish Councils rather than the opposite.</p> <p>I am happy to meet with you and other ward members to discuss this in more detail and to get your thoughts and input into the process.</p>			

Supplementary question:

Assurance was sought that the introduction of the community infrastructure levy could be accomplished by January 2021.

Cabinet member response:

The cabinet member was assured that it could be but an update would be provided on the timeframe.

MQ 2	Councillor Bob Matthew, Credenhill	<p>In the recently approved Corporate Plan, under the heading of ECONOMY it stated “a thriving and prosperous economy is vital if we are to provide sustainable well-paid job opportunities for local people”</p> <p>We have an ever increasing population so more such jobs are urgently needed generally, and in particular to help retain and encourage our many talented young people to remain in the county and seek employment in the local economy.</p> <p>The present administration have been in charge for the past ten months. Can the Cabinet Member for Environment Economy and Skills inform us how many NEW well paid jobs have been created on the Hereford Enterprise Zone during this period of time together with the names of the companies who have created these jobs?</p>	Cabinet member environment, economy and skills
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Response:

Developing out the Hereford Enterprise Zone is a priority for the administration so we continue to support this long term venture. This continues the cycle of the council preparing industrial land ready for sale, private sector businesses buying that land, securing planning, investing in the construction of new premises and then occupying these.

In the period from May 2019 to now 8 companies have moved onto the Hereford Enterprise Zone. These companies are reporting 105 jobs of which 59 are new jobs. The businesses supply the Enterprise Zone with this information on the basis that the data is commercially confidential and will be aggregated as a whole return not a return specific to a particular business. This figure does not take into account jobs created by companies moving into the locations vacated by those moving onto the Hereford Enterprise Zone. The Hereford Enterprise Zone is a success story for Herefordshire. It is developing into a thriving business community with an emphasis on engineering. The prospects for further success with high paid jobs due to the development of the Cyber Centre, Shell Store, courses being run by NMiTE and the building of the Timber Technology Building is very exciting.

Supplementary question:

The additional new jobs were welcomes but more needed to be done. With an upgraded infrastructure police it would be easier to attract businesses.

Cabinet member response:

The Hereford Enterprise Zone (HEZ) had been a success but it was recognised that more could be done including an increase in the gross value added. What return was provided through investment in economic development was important to understand. Visits to the HEZ would take place to determine what more could be done and what constraints existed.

MQ 3	Councillor Nigel Shaw, Bromyard Bringsty	We are all aware of the serious damage caused to the county's road network, bridges and structures by the recent flooding. With damage like the landslip and collapse on the B4224 will the cabinet member give a date by which all such restricted and damaged roads will be operable, or is there going to be a two year delay like that on the C1257 at Symonds Yat West?	Cabinet member infrastructure and transport
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Response:

A succession of storms Ciara, Dennis and Jorge has caused serious and substantial damage to our public infrastructure. The impact of this damage is continuing to be felt by residents and businesses across the county, even those not amongst the more than 400 who have been flooded. Not least is the impact on the parishes of Fownhope and Woolhope following both: a landslip; and partial collapse of a 100-metre long retaining wall that supports the B4224.

It is our priority to stabilise and repair this B road as quickly and as safely possible. We met with representatives from these communities on Monday and are actively working to support them through these difficult times. We have committed to providing the community with a realistic estimate of the timescale for these extensive works by the end of this week. I ask all to lend their support to a community that is accessible and very much open for business. So please do visit them and enjoy a meal in their pubs, enjoy their leisure facilities, enjoy their shops and enjoy spending time in this area of outstanding natural beauty.

Unlike that experienced at Symonds Yat, there will be no two year delay in the opening of the B4224. This is principally because in the case of the Fownhope road, the damage is to a structure and embankment that supports a road and this is the Council's responsibility to fix. By contrast the C1257 remained closed principally as a consequence of the danger posed by a privately owned retaining wall, a wall that supported a property set above the highway. The responsibility for the repair of that wall sat with its owners who unsuccessfully contested

the fact. I can advise that it is now possible to take forward the works required at Symonds Yat to reopen the C1257 which will now commence later this month, enabling this road to be open for the summer.

Supplementary question:

If government do not pay the estimated £10 million repair costs for the flooding damage where would the cabinet member secure funding from?

Cabinet Member response:

Clarity was being gained regarding the remit of Bellwin to determine what infrastructure repair could be undertake and supported by the scheme. The three month extension was being sought to conduct work in those areas which had been inaccessible in the initial aftermath of the flooding. The use of borrowing or reserves would need to be considered if support from central government was not forthcoming and updates would be provided in future.

MQ 4	Councillor Roger Phillips, Arrow	With the land identified and finance secured for the purchase of the southern relief road to Hereford city, can you confirm what compensation to landowners and residents has been paid out to date together with any interim money towards their costs incurred to date?	Cabinet member infrastructure and transport
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Response:

The council have paid all costs due to landowners affected by the Southern Link Road (SLR) scheme.

We have acquired an area of land from one landowner directly affected by the scheme. The record of officer decision to acquire this land can be seen by following the link below:

<https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6690>

Where option agreements have been negotiated with other landowners we have paid all legal costs and agents' fees incurred by them to date. We have also paid compensation fees due to other landowners where we have undertaken survey works and associated compensation is due. These payments were funded from council local transport plan budgets in accordance with the capital programme approved by the previous Council and this is set out in the record of officer decision which can be viewed by following the link below:

<http://councillors.herefordshire.gov.uk/documents/s50070292/South%20Wye%20Transport%20Package%20-%20Southern%20Link%20Road%20SLR%20Payment%20of%20Fees%20Incurred.pdf>

One further property was acquired using discretionary powers as a result of the impact of the scheme on that property. The detail of this acquisition can be seen by following the link below:

<http://councillors.herefordshire.gov.uk/documents/s50068150/Record%20of%20officer%20decision%20purchase%20of%20property%2030719%20v7.docx.pdf>

Supplementary question:

With the SLR scheme on hold householders and land owners affected were in a period of uncertainty and would be incurring ongoing costs. Was the council committed to covering any costs they incurred?

Cabinet member response:

It was acknowledged that there had been poor communication between the council and landowners which had now been resolved. Effective liaison was supporting covering of costs incurred.

MQ 5	Councillor Toni Fagan, Birch	Could the cabinet member for Infrastructure please confirm that ecological breakdown in Herefordshire is being fully acknowledged as part of the Climate Emergency and that this will be reflected in guidance to developers through the planning system whereby Core Strategy policies LD2 and LD3 will be given priority with regards to green infrastructure connectivity to wider ecological networks? To achieve this Herefordshire Council could agree to work alongside the Herefordshire Wildlife Trust in its ambition to establish Nature Recovery Networks as an emergency action.	Cabinet member infrastructure and transport
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Response:

Yes, in short. I can confirm that the Council is fully committed to addressing both the Climate Emergency and the Ecological Crisis and that officers are currently developing guidance to support developers on both of these important issues.

Acknowledging the important links between these issues, the Council recently created a new environment, climate emergency and waste service area to ensure that the links between climate and ecology are strengthened.

In addition, Herefordshire Council and the Herefordshire Wildlife Trust are active members of the Herefordshire Local Nature Partnership where we continue to work in partnership not only on Nature Recovery Networks, but also Climate Change, land and water management.

Finally, as the Council undertakes a comprehensive update of the Core Strategy, we will actively engage with partners and stakeholders on these important issues.

We can always and must do better and welcome the input of Councillors such as yourself and groups like Herefordshire Wildlife Trust. We must use the experience and ability of all our members and partners.

Supplementary question:

Will the ecological emergency be included in the pre-planning questionnaire and focus on carbon reduction and the ecological criteria included in the current core strategy?

Cabinet member response:

The cabinet member confirmed that it would.

MQ 6	Councillor William Wilding, Penyard	In light of the recent court ruling over the third runway at Heathrow, does the cabinet agree with me that there might be value in looking at other areas where decisions taken might be held up to a greater degree of scrutiny in terms of their impact on the climate emergency. I'm thinking, for instance, of the many decisions taken each month by the planning department which do not reflect the urgency with which individual developers and the building industry in particular must now be treating the climate and ecological disaster unfolding in front of us. Should the council be exploring ways in which it can legally challenge Government Planning legislation?	Cabinet member environment, economy and skills
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Response:

Yes I agree, it will be important to ensure that our decision making across all areas is in line with our commitment to address the climate emergency and ecological crisis.

As such I am very pleased that the Council's general scrutiny committee is exploring future decision making for the Council with regard to these important issues.

I look forward to the outcome of this work and any recommendations regarding matters which may be appropriate to raise with Government to ensure the Council is able to operate within a regulatory framework which enables us to meet the climate emergency challenge. I also intend to work with the Local Government Association to explore this in conjunction with other authorities. The recent decision regards Heathrow is hugely significant and if we feel it is justified we will challenge the government with regard to statutory planning legislation that prevents us from responding appropriately to the Paris Agreement and the local and national declarations of Climate Emergency. I thank the Councillor for highlighting this issue.

Supplementary question:

Will all decisions taken by the council take account of the climate and ecological emergency and be consistent with or even surpass the Paris agreement?

Cabinet member response:

The ruling over the Heathrow proposal and similar cases vindicated the decision to pause and review the bypass to assess its compatibility with the council's climate objectives. The draft of the carbon management plan would shortly be published and the 20/20 climate challenge would be launched. Work was also ongoing with parish councils and it was committed that a review of councillor travel would be undertaken through the carbon management plan.

Chairman's Announcements – Council Meeting – 17th July 2020
Events attended by the Chairman since the last
Council meeting on 6th March 2020

9th March – Citizenship Ceremony, Hereford Town Hall

14th March – Magistrates Mock Trials Competition, Hereford Magistrates Court

15th May – Hillside Care Centre Visit, Ross Road, Hereford

22nd June – Armed Forces Day Flag Raising Ceremony, Suvla Barracks

Full Council Meeting Dates

Following the previous meeting of the full Council on 6 March, at which meeting dates in 2020/21 were set, I have agreed a sixth meeting date. This additional meeting will take place on Friday 11 December 2020 and was agreed in consultation with the Monitoring Officer, in accordance with the decision of the full Council.

The postponed annual meeting of the full Council will take place on Friday 11 September 2020. The original meeting date of 22 May 2020 was postponed due to the COVID-19 emergency.

Chief Executive's Announcements – 17 July 2020

- Total Covid-19 deaths in Herefordshire are 126, of which 60 in hospital settings, 60 in care homes and 6 in the community (at 8th July). Each bereavement is a great sadness, and our thoughts are with all families effected.
- Overall, new positive cases are now much lower than at the peak in April/May: 2 new positive cases in 7 days (to 8th July).
- All care home residents are being tested every 28 days.
- All care home staff are being tested every week.
- Since the start of the pandemic, the council has been sourcing, distributing and storing PPE stock for non-NHS settings across the county. Many care providers have had difficulty accessing PPE, so the council has provided PPE to these sites. Since early April the Council has provided care providers with over 6 million pieces of PPE including over 1.2 million surgical face masks. As we prepare to live with the long-term impact of Covid-19, In June the council has created a new Herefordshire PPE hub.
- The Council now has no confirmed cases of Covid-19 in its care homes: this position has been achieved through excellent multi agency working with partners and care homes themselves.
- Outbreak Control Work in the county is now active on a daily basis: it is now the central work of our approach to Health Protection in our county – containing outbreaks.
- Planning is now taking place for a possible 2nd wave, for winter pressures and for flu vaccinations likely to reach a much larger group than in normal winters.
- It is critical that all residents in the county remain alert to the reality that Covid-19 remains present and is likely to be with us for a long time. The chief executive of Public Health England met with us in June and confirmed that we should plan to be living and working with Covid-19 in our communities for 18 months – or more.
- We have experienced and responded to a number of localised outbreaks already in the county in July – which have caused operational close down and self-isolation of workers for 14 days, and also operational adaptations and self-isolation.
- The Outbreak Control Plan was published on 1st July. This sets out how the council will work with partners to prevent and manage COVID-19 outbreaks across Herefordshire.
- To implement the plan on a daily basis the Outbreak Control Hub is in place. Through the hub, we are providing advice to business, schools and other settings to prevent the spread of COVID19; supporting the test and trace service, providing surveillance of COVID-19 across Herefordshire and working with partners and local communities to manage outbreaks.
- The Outbreak Control Group (OCG) is in place to support this work; through the Health and Wellbeing Board we have established a COVID-19 Engagement Working Group. This group will be important in working with local communities, businesses

and other settings to help everyone understand how they can support the OCG's work to keep Herefordshire safe and open for business.

- Key advice remains: wash hands; avoid crowded areas; get tested if symptoms present; socially isolate when required to do so; consider wearing a face-mask where appropriate and always on public transport.
- Work is ongoing to encourage residents who should, to catch up on long terms health checks, such as for diabetes, immunisations and vaccinations that may have been missed over the past few months.
- This is a really important time for people to get as fit and healthy as they can be before the winter.
- We have paid out over £55m in grants locally to over 4,700 businesses in Herefordshire. These funds have been provided by central government, requiring a major and rapid exercise in locating, contacting and verifying all valid businesses.
- We have issued 1,944 revised business rates bills to Herefordshire businesses, giving them a twelve month rates holiday.
- Covid 19 Discretionary Grant Scheme – 200 applications received in the first round, focussed on the priority areas government initially targetting: businesses in shared space, Bed and Breakfasts, market traders and charities that have not received alternative support to date.
- Stronger Towns Board – Hereford was selected be eligible for Stronger Towns funding, potentially accessing up to £25 million to support the regeneration and growth of the city. A Town Board has now been established.
- Covid 19 Visitor Economy Recovery Project – In May the Marches Local Enterprise Partnership approved a £444,220 grant to Herefordshire for a project to support the recovery of the visitor economy. Following the business case developed in partnership with the Herefordshire Business Board, the project will establish a marketing and PR campaign to promote day and overnight staycation visits to the county during the summer and autumn.
- Maylord Orchards – In June the council secured control of the Maylord Orchard shopping centre in Hereford. The site has over 145,000 sq ft of retail space, over 200 car parking spaces and circa 20 upper floor residential apartments.
- The Council reintroduced a further period of free parking for 4 weeks from 27th June, to help give retailers and the hospitality trade a much needed boost at this critical time.
- Accommodation at the College Road Campus utilised as key worker accommodation will shortly be utilised to support the HCA by providing temporary student accommodation.
- Shire Hall: Removal of material from the collapsed ceiling in Court Room 1 is currently being scheduled in consultation with conservation officers and the council's insurers. An initial survey has indicated that the ceiling in Court Room 2 is also at risk and will need to be supported. Plans are being developed to undertake work to both ceilings in conjunction with other planned work to the building.

- To note: significant assistance given by regulatory officers to the retail and hospitality sectors on the phased reopening on 1st, 15th June and 4th July, including through the daily reassurance patrols and the 'bronze' intelligence cell operated jointly by the police and council to keep our county's residents safe.
- To note: reopening of the Household Waste Recycling sites, Leominster and Rotherwas on 9th May, Ross on 8th June and all others w/c 6th July. This entailed close working with our contractors and local ward members, to ensure that social distancing and other control measures are strictly followed.
- To note: provision of a rota by environmental health officers assisted by our Public health team to support the national Track & Trace programme for Covid-19. This has been investigating clusters of infection and any outbreaks as soon as they are reported to the council.
- Furtherance of phosphate mitigation through a multi-agency Technical Advisory Group meeting between English and Welsh agencies concerning potential cross border pollution issues, and a Nutrient Management Board meeting scheduled to be held on 9th July. These meetings and the work coming forward from them are expected to lead to the implementation of measures that will give Natural England the certainty to relax their concern over the favourable status of the river Lugg and hopefully pave the way to the lifting of the housing moratorium in this catchment.
- Emergency Active Travel Measures: central government announced funding in May to support walking, cycling and making space for social distancing. Funding is to be released in 2 tranches, the first to include provision for social distancing, walking and cycling through footway widening, cycle lanes, full and part time road closures, as well as some 20mph zones. We submitted a bid for this first allocation at end May and were notified late last month of the allocation we would receive.
- In June Department for Transport provided confirmation of Better Buses Fund allocation for supported bus services of £245k. This funding will help maintain normal service levels on the subsidised bus network.
- Life under Lockdown is a joint project between Herefordshire Council and the Hereford Times to capture how the coronavirus COVID-19 lockdown has affected everyday life in the county, how unfamiliar routines have replaced the familiar, and how working life and the disruption it brings has moved into the home. Members of the public have been sending in photos to create a collection which will be kept for posterity on herefordshirehistory.org.uk, and in the years to come we can look back on these to see how life changed – maybe forever. Photos submitted have been grouped into six different sections covering themes such as home and family life and supporting our community. To date 188 submissions have been received from the public.
- Talk Community surveys completed for both the future volunteer capacity and community networks/leaders with findings being analysed. Primary Care Network profiles have been developed to show the community infrastructure and networks across the county which provides rich intelligence for future support models and gaps.
- Volunteer and community response sourced through Talk Community within 24 hrs for 2 weeks to support deliveries of medication due to closure of the Kington pharmacy.

- We have registered for the national food delivery scheme through DEFRA that has provided 1200 food delivery slots with Tesco and Iceland up until March 2021. This will support those transitioning from the shield group, individuals identified through track and trace and vulnerable people.
- Talk Community outreach community kitchen continues to be developed with expected launch in the beginning of August.
- WISH has experienced a 70% increase in hits during the same period as last year and is supporting the all ages agenda with focus areas on summer activities for children.
- The temporary care site set up for Covid19 at the 3 Counties Hotel closed Friday 26 June.
- In Children's services we focused on enabling children's social care to work effectively during lockdown. This included providing PPE where necessary, emphasising the need for staff safety to enable them to then work with the most vulnerable. We considered the national flexibilities that are offered to local authorities and have made use of the ability to reduce the overall numbers that make up the fostering panel, whilst enabling it to continue to function virtually. We have been carrying out a number of contacts with children virtually, rather than face to face meetings, particularly for our looked after children. This has recently been reviewed in light of the easing of lockdown conditions to enable face to face meetings to now begin to take place safely, with PPE available.
- We have been running recruitment activities for social workers, switching to virtual approaches including having the Chief Executive and Director involved in videoconferencing. Our Signs of Safety implementation has been revised to enable it to take place virtually.
- We are supporting families earlier. We have reconfigured family support so now have a family support service based in the assessment service to enable families to have this intervention at an earlier stage. Our edge of care "ECHO" service has become operational now, focusing on supporting children to remain with or return to their families.
- We are enabling looked after children to return to families or be cared for by families through special guardianship orders where appropriate. There are 31 children's cases currently either with legal services or with court for discharge of care order or special guardianship order application. We have strengthened our approach in our CP Court teams to increase the number of special guardianship order applications and supervision orders.
- We have continued to introduce children who have a plan of adoption to their prospective adopters to avoid delay in seeking permanence for them, including by renting a property, following social distancing advice and completing a risk assessment to inform this.
- We have maintained our audit programme to assess quality of work and use to inform improvement via learning.
- The services have now cleared the back log of life story work.

- Our early help service was working with 160 families, 363 children at the beginning of July, including 85 home visits, 316 telephone contacts or texts. 72 children open to the service were attending school.
- Our services for pupils with special educational needs and additional needs are now starting to visit schools and see children with education, health and care plans. As is the case nationally, locally some children have not been in receipt of all of the provision in their education, health and care plans due to the lockdown. Risk assessments have been completed and are being reviewed to enable parents and carers to understand what is currently being provided. This will be updated once education for all commences in September as planned by national government.
- Schools, colleges and early years settings continue to plan for September. There has been a huge effort to develop and support virtual learning by schools and college staff as well as provide education on school sites for children of key workers, vulnerable children and children in years R, 1 and 6 and years 10 and 12 for some face to face time. Herefordshire is reporting a higher proportion of children attending school, 22.4% (5,287 children) compared to a national figure of 15.6% at the end of June. Of this 191 children with social workers attended, 1,733 children of key workers, 201 children with education, health and care plans. Right at the start of July 44% of our looked after children attended school.
- The service has organised a virtual conference for all primary schools to share best practice on virtual learning. Secondary schools are also sharing best practice.
- Officers continue to work with schools to follow up on children who are vulnerable and what more can be done to encourage attendance. There is also a focus on children who may be experiencing the effects of hidden harm and Herefordshire has an OfSTED HMI working with us to look at multi agency responses for children to see how effectively we are working and what gaps are there that we need to address.
- There is a local outbreak control group has produced guidance to schools and settings in the event of a future local lockdown.
- We have been working with safeguarding partners such as Wye Valley NHS Trust, the Herefordshire and Worcester Clinical Commissioning Group, Police, including CAMHS, school nursing, health visiting, early help, early years, education and social care services to coordinate activity, including visits to children and understand the pressures on individual services due to COVID19. This has also led to enabling school nursing to begin to work in schools.
- The Safeguarding Children and Young People in Herefordshire partnership group has been meeting to review safeguarding arrangements for children over the period. This has including considering the work of the domestic abuse hub in the MASH.
- Approval has been received for phase two of the Business Broadband Grant that Herefordshire Council manages on behalf of Marches and Gloucestershire. Just over £1m extra EU funds have been approved of which c.£400k is ring-fenced for Herefordshire. The funding is used to provide businesses in the county with a high speed broadband connection bespoke to their requirements and even more important as businesses need investment to become more digitally connected.

- Delivery plans for 2020/21 are being reviewed and updated to reflect key programmes of work to aid the county's recovery. These plans will be reviewed by Cabinet in September.
- The Performance and Risk Framework which was due for refresh this year has been rescheduled for consideration and approval by Cabinet in September.
- An external review of our approach to capital projects is nearing completion. The recommendations include oversight and assurance using the themes in the county plan rather than directorate based. Implementation for these recommendations is planned for the autumn.
- The Plough Lane offices have been made Covid-19 secure plus – taking steps beyond the specific national guidelines to assure our staff that their safety continues to be our priority.
- The chief executive will hold the 4th staff webinar to address questions from staff across the council: the most recent webinar attracted over 450 staff.

Appendix – Decisions using emergency powers

Decisions using emergency powers

Under paragraph 3.7.9 of the constitution the chief executive is authorised to take necessary decisions in cases of emergency.

‘All necessary decisions’ includes decisions to take such action as is necessary within the law to protect life, health, safety, the economic, social or environmental wellbeing of the county, its communities and individuals living, working or visiting, and to preserve property belonging to the council or others;

An emergency is defined as any situation in which the chief executive believes that there is a risk of damage to property, a threat to the health or wellbeing of an individual, or that the interests of the council may be compromised.

In the chief executives scheme of delegation emergency decisions are delegated to the chief executive and directors. Before exercising this delegated authority any officer shall use their endeavours if, in their opinion, time or circumstances permit, to consult the Leader, or, in their absence, the appropriate cabinet member, and the chairman of the relevant scrutiny committee and in any case, inform them of their actions as soon as practicable.

There have been 2 emergencies since the beginning of 2020; the February floods and the coronavirus pandemic.

Paragraph 15 of the chief executive scheme of delegation, requires that all emergency decisions taken by officers are reported to full Council at the next meeting, including the extent to which it has been necessary to operate outside the contract and financial procedure rules. Each decision contains an assessment of risk including finance, legal and equality considerations.

Below is a schedule of all necessary decisions in cases of emergency taken between 18 February 2020 – 7 July 2020.

Flooding – February 2020

Support for residents and businesses whose homes or business premises have been flooded in February 2020

Decision maker: Director of Adults and Communities

Date of decision: 18/02/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6654,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6654)

Re-open the former Hillside Rehabilitation Centre as a residential care home for adults to relieve additional NHS pressures & reduced capacity in the care market caused by flooding in October 2019 & February 2020.

Decision maker: Director of Adults and Communities

Date of decision: 28/02/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6696,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6696)

Covid-19 – March 2020

Closure to public of all Museum, Library & Archive sites from end of opening hours on Friday 20th March until further notice

Decision maker: Director of Economy and Place

Date of decision: 18/03/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6715,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6715)

Suspension of time restrictions for use of concessionary travel passes during period of Covid 19 emergency measures

Decision Maker: Director of Economy and Place

Date of decision: 23/03/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6838&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6838&LLL=0)

Closure to public of all Play Areas on Monday 23 March 2020 until further notice

Decision Maker: Director of Economy and Place

Date of decision: 23/03/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6836&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6836&LLL=0)

Closure to public all Household Recycling Centres on Tuesday 24 March 2020 until further notice

Decision Maker: Director of Economy and Place

Date of decision: 24/03/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6724,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6724)

Corporate Support Service Changes – Covid 19

Decision Maker: Chief Executive

Date of decision: 23/03/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6846&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6846&LLL=0)

Keep Connected Fastershire community grant programme – Covid-19

Decision Maker: Chief executive

Date of decision: 24/03/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6842&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6842&LLL=0)

Temporary passenger transport payment and support arrangements during period of COVID-19 emergency measures ensuring compliance with Procurement Policy Note - Supplier relief due to COVID-19 Action Note PPN 02/20 March 2020

Decision Maker: Director of Economy and Place

Date of decision: 24/03/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6844&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6844&LLL=0)

Car park operations and charges – decision update

Decision Maker: Director of Economy and Place

Date of decision: 25/03/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6730,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6730)

Birth registrations will now be deferred within Herefordshire during period of covid-19 outbreak

Decision Maker: Director of Economy and Place

Date of decision: 26/03/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6732,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6732)

Suspension of Weddings and the giving of notice of marriage within Herefordshire during period of covid-19 outbreak

Decision Maker: Director of Economy and Place

Date of decision: 26/03/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6733,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6733)

Suspension of Street Markets in Hereford City Centre during the period of the covid-19 outbreak

Decision Maker: Director of Economy and Place

Date of decision: 27/03/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6735&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6735&LLL=0)

Suspension of all Street Trading and Highways Amenity Licence activity during the period of the covid-19 outbreak

Decision Maker: Director of Economy and Place

Date of decision: 27/03/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6734&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6734&LLL=0)

The Highway Maintenance Plan COVID-19

Decision Maker: Director of Economy and Place

Date of decision: 30/03/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6834,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6834)

Purchase of personal protective equipment (PPE) during the Covid-19 outbreak

Decision Maker: Chief Executive

Date of decision: 30/03/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6739&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6739&LLL=0)

Associated Impacts of Cancellation of Leominster and Hereford Mayfairs 2020 due to the Covid-19 outbreak

Decision Maker: Director of Economy and Place

Date of decision: 31/03/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6745&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6745&LLL=0)

Covid-19 – April 2020

Closure of Public Toilets in Herefordshire

Decision Maker: Director of Economy and Place

Date of decision: 01/04/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6746&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6746&LLL=0)

Decision to fund free school meal costs during the Easter school holidays

Decision Maker: Director of Children and Families

Date of decision: 01/04/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6751,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6751)

Temporary public transport network arrangements during period of COVID-19 emergency measures

Decision Maker: Director of Economy and Place

Date of decision: 01/04/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6752&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6752&LLL=0)

Council to provide grant funding for up to three private nurseries to enable children of key workers and vulnerable children to attend childcare provision for the next 8 weeks

Decision Maker: Director of Children and Families

Date of decision: 01/04/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6754&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6754&LLL=0)

Establishment and continuation of Emergency Delivery Hub – Covid-19

Decision Maker: Chief Executive

Date of decision: 02/04/2020 (25/03/2020)

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6841&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6841&LLL=0)

Decision to provide a fund and allow Halo Leisure to manage and record the process of reimbursing community volunteers for purchasing groceries for people currently unable to leave their properties to get groceries or cash

Decision Maker: Chief Executive

Date of decision: 06/04/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6758&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6758&LLL=0)

Procurement of 3 X's Zoom pro licences and 1 webinar licence to enable Herefordshire Council to carry out 'virtual' public committee meetings

Decision Maker: Chief Executive

Date of decision: 06/04/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6765,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6765)

Closure of Corporate Buildings

Decision Maker: Director of Economy and Place

Date of decision: 07/04/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6843,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6843)

Temporary modification to Animal licensing inspections

Decision Maker: Director of Economy and Place

Date of decision: 07/04/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6761&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6761&LLL=0)

Postponement of the closure of Pembridge Traveller Site

Decision Maker: Director of Economy and Place

Date of decision: 07/04/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6763&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6763&LLL=0)

Reduction of site visits to the Council's Gypsy and Traveller Sites

Decision Maker: Director of Economy and Place

Date of decision: 07/04/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6764&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6764&LLL=0)

Redeployment of school contract service arrangements during period of COVID-19 emergency measures

Decision Maker: Director of Economy and Place

Date of decision: 09/04/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6767&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6767&LLL=0)

Temporary Funding for Adult Social Care providers during the Covid-19 Crisis

Decision Maker: Director of Adults and Communities

Date of decision: 15/04/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6795,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6795)

Arrangements for dealing with income associated with school and college transport services – spring and summer term school year 2019/20

Decision Maker: Director of Economy and Place

Date of decision: 17/04/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6833>,

Temporary Body Storage Facility

Decision Maker: Director of Economy and Place

Date of decision: 23/04/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6805&LLL=0>,

To install a temporary body storage unit supplied by the Local Resilience Forum on Council land at Three Elms Trading Estate

Decision Maker: Director of Economy and Place

Date of decision: 23/04/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6806&LLL=0>,

Direct Award to a location and a care provider to purchase temporary emergency capacity to support to the social care system and hospital pressures during the Covid-19 crisis

Decision Maker: Director of Adults and Communities

Date of decision: 30/04/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6820&LLL=0>,

Covid-19 – May 2020

To make a formal decision to implement Easements to the Care Act 2014, introduced by the Coronavirus Act 2020 and associated Regulations

Decision Maker: Director of Adults and Communities

Date of decision: 04/05/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6877&LLL=0>,

Phased Re-Opening of Household Recycling Centres

Decision Maker: Director of Economy and Place

Date of decision: 06/05/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6840&LLL=0>,

Relocation of distribution hub for PPE (personal protective equipment) – Covid 19

Decision Maker: Chief Executive

Date of decision: 12/05/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?Id=6869>,

Cancellation of public bus contract procurement for September 2020 services and extension of existing contract to allow further assessment in response to COVID 19

Decision Maker: Director of Economy and Place

Date of decision: 13/05/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6861&LLL=0>,

To defer all food standards and feed hygiene visits from 18 April until 17 July 2020

Decision Maker: Director of Economy and Place

Date of decision: 14/05/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6867&LLL=0>,

Removal of Suspension for Street Trading (laybys) activity in relation to the covid19 outbreak

Decision Maker: Director of Economy and Place

Date of decision: 14/05/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6866&LLL=0>,

Removal of Suspension for Street Trading activity (towns/city centre) in relation to the covid19 outbreak

Decision Maker: Director of Economy and Place

Date of decision: 14/05/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6865&LLL=0>,

To permit a temporary change of policy in relation to medicals required by Taxi Drivers

Decision Maker: Director of Economy and Place

Date of decision: 14/05/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6864&LLL=0>,

Funding to support young carers during the coronavirus outbreak

Decision Maker: Director of Children and Families

Date of decision: 15/05/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6871&LLL=0>,

To defer food standards, food hygiene and food hygiene visits from 20 March until 17 April 2020

Decision Maker: Director of Economy and Place

Date of decision: 15/05/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6872&LLL=0>,

Delay the mainstream and college transport retendering programme (Area 4) to allow time to understand longer term implications of Covid-19

Decision Maker: Director of Economy and Place

Date of decision: 15/05/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6875&LLL=0>,

Operation of fostering panel during Covid 19

Decision Maker: Director of Children and Families

Date of decision: 22/05/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6884&LLL=0>,

Applications for care proceedings during Covid 19 pandemic

Decision Maker: Director of Children and Families

Date of decision: 22/05/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6885&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6885&LLL=0)

Pre Proceedings (the PLO process) is not to commence unless it involves an unborn child

Decision Maker: Director of Children and Families

Date of decision: 22/05/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6883&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6883&LLL=0)

Decision to fund free school meal costs during the May half term school holidays at £15 per week for one week for c.2,770 eligible children

Decision Maker: Director of Children and Families

Date of decision: 22/05/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6893&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6893&LLL=0)

Extension to contract -Three Counties Hotel

Decision Maker: Director of Adults and Communities

Date of decision: 22/05/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6897&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6897&LLL=0)

Temporary arrangements for the River Wye and Lugg Natural Flood Management (NFM) Project during period of COVID-19 emergency measures

Decision Maker: Director of Economy and Place

Date of decision: 28/05/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6899&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6899&LLL=0)

Removal of Suspension for Street Market activity in Hereford city centre in relation to the covid19 outbreak

Decision Maker: Director of Economy and Place

Date of decision: 28/05/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6898&LLL=0>,

Covid-19 – June 2020

Re-Opening of Ross Household Recycling Centre

Decision Maker: Director of Economy and Place

Date of decision: 03/06/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6916&LLL=0>,

To re-open all public toilets in Herefordshire in two phases where it is safe to do so under Government guidelines

Decision Maker: Director of Economy and Place

Date of decision: 03/06/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6914&LLL=0>,

Adoption introductions during Covid-19

Decision Maker: Director of Children and Families

Date of decision: 16/06/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6954&LLL=0>,

Webex Licences – COVID-19

Decision Maker: Chief Executive

Date of decision: 22/06/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6990&LLL=0>,

Use of Gardner Hall residential accommodation at Venns Road for key workers on short term basis from April 2020, for three months

Decision Maker: Director of Economy and Place

Date of decision: 26/06/2020

<http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6972&LLL=0>,

Decision to sign off Herefordshires Outbreak Control Plan to enable this to be submitted to the relevant bodies on the 30th June 2020

Decision Maker: Chief Executive

Date of decision: 30/06/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6981&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6981&LLL=0)

Communications and promotion – Covid-19

Decision Maker: Chief Executive

Date of decision: 30/06/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6982&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6982&LLL=0)

Covid-19 – July 2020

Legal Protocol put in place due to COVID 19 shall be withdrawn

Decision Maker: Director of Children and Families

Date of decision: 01/07/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6988&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=6988&LLL=0)

To defer food standards, food hygiene and feed hygiene visits from 18 July 2020 to 30 September 2020

Decision Maker: Director of Economy and Place

Date of decision: 07/07/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6992,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=6992)



Meeting:	Council
Meeting date:	Friday 17 July 2020
Title of report:	Amendments to the constitution
Report by:	Chairman of the Audit and Governance Committee

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

To consider the suggested amendments to the council's constitution recommended by the Audit and Governance Committee at its meeting on 16 June 2020 and additionally as required by the anticipated new pavement licence legislation.

Recommendation(s)

That:

- (a) **the amendments to the constitution in appendix 1, are agreed with implementation immediately; and**
- (b) **the monitoring officer is authorised to amend the constitution to include a right of appeal for pavement licenses to the licensing subcommittee in the committees functions.**

Alternative options

1. To reject the proposed amendments and retain the current constitution un-amended: this is not recommended as the amendments have been proposed in order to improve clarity and to provide the opportunity for closer, more integrated, local partnership working on

well evidenced local health and wellbeing priorities. Without an appeal mechanism licensees have no right of appeal.

2. To propose alternative or additional amendments: it is open to the Council to propose that consideration be given to alternative or additional amendments. However, additional time may be required to consult with the health and wellbeing board as necessary.

Key considerations

Health and wellbeing board review

3. Following the elections in May 2019, the chairperson of the health and wellbeing board, with the agreement of the current membership, commissioned a review of the board's function, membership and deliverables.
4. This coincided with the publication of the Local Government Association's (LGA) report '[What a difference a place makes: the growing impact of health and wellbeing boards](#)' which highlighted good performing boards across the country and the factors that made them successful. The review was facilitated and supported by the LGA.
5. The review examined the current strategic landscape across health, social care and work of wider partners, and the role of the board in providing leadership and helping to bring coherence to the new ways of working that connect communities, place and system.
6. At the meeting in public on 10 February 2020, the board considered the outcomes and new arrangements in the [health and wellbeing board review and future working](#) report.
7. The board agreed an updated vision:

Herefordshire residents are connected into communities to be resilient; lead fulfilling lives; are emotionally and physically healthy and feel safe and secure.

Underpinned by five priorities:

- *Supporting our residents to eat well, drink safely and get active*
- *Supporting our residents to live life to the full whatever their age*
- *Supporting vulnerable residents of all ages to live and age well*
- *Supporting the mental and emotional wellbeing of all our residents of all ages*
- *Developing communities to help keep people connected*

With the following cross-cutting themes:

- *Collaborative partnership working to maximise our resources across the county*
- *Ensuring services, support and opportunities are equitable and accessible to all*
- *Improving quality of life through healthy ageing*
- *Co-producing with communities and stakeholders to help people connect and engage with the board*
- *Identify climate change action in all aspects of operational delivery*
- *Supporting and enhancing our workforce skills and opportunities*

- *Building resilience across communities and all sectors*
 - *Improving social mobility including housing, economic opportunities and learning*
8. To ensure that the board is fit for purpose in a changing health and social care environment, and recognising the need to explore the wider determinants of health and wellbeing, the board wished to expand its core membership to include representatives from: health partners - commissioners and providers; the council - councillors and all directors; police; fire and rescue; strategic partnership boards; and Healthwatch Herefordshire.
 9. Following a recommendation from audit and governance committee a review of the membership and functioning of the board will be undertaken in 12 months. The review will provide an opportunity for the Health and Wellbeing Board to consider its structure and operations in light of the response to the COVID-19 pandemic.
 10. The composition, appointment of the chairperson and vice-chairperson, voting arrangements, and role of the health and wellbeing board are set out in the constitution in part 2, article 8 (planning, licensing and other functions), paragraphs 2.8.7-2.8.14.
 11. It is recommended that the composition of the board at paragraph 2.8.9 be amended to include additional board members, as shown in appendix 1 to this report.
 12. The additional organisations and services identified have been approached to confirm their participation in the work of the board. The existing constituent organisations and services were also invited to confirm the most appropriate executive or non-executive member to serve on the board.
 13. The statutory and other functions of the board are set out in the constitution in part 3, section 5 (other functions), paragraphs 3.5.22 - 3.5.24. No amendments to the functions of the board are being recommended at this time.

Pavement license appeals

14. On Thursday 25 June 2020 the Business and Planning Bill was introduced by the Government, this is being fast tracked through Parliament and anticipated to be law by the end of July 2020. The Bill amongst other matters introduces a new form of pavement licence which will allow food and drink businesses to put tables, chairs and temporary counters etc. on the “highway” outside their premises for their customers to use.
15. This new pavement licence will replace the current highways amenity licence for a temporary period until 30 September 2021. The new licence process will be streamlined in terms of determination. It is currently proposed that there will be a 5 day consultation/publicity period followed by a 5 day period for a decision to be made. If the application is not determined within the 10 days then it will be deemed to be granted. All licences decided on and granted will be valid for a minimum of 12 months. A deemed licence will not be valid beyond 30 September 2021.
16. Licences will be subject to national conditions and locally determined conditions, which will need to be justified.
17. There is not a proposed statutory right of appeal for decisions made on pavement licences under this proposed legislation therefore the draft guidance on pavement licences (outdoor seating proposals) published by MHCLG on 25 June 2020 suggests

that councils “may wish to consider the scope of an internal review process, for example permitting appeals to their Licensing committee”.

18. It is suggested that the appeals will be conducted on the same basis as licensing hearings.
19. As the legislation is not yet in force, it is suggested that authority is delegated to the monitoring officer to include this function in the licensing subcommittees functions if no right of appeal is provided for in the legislation.

Community impact

20. The revised vision, priorities and cross-cutting themes align to the county plan 2020-2024 for Herefordshire Council, including the community ambition ‘strengthen communities to ensure everyone lives well and safely together’. In addition, these also align to the NHS long term plan which identifies the need for action on prevention and health inequalities.
21. The health and wellbeing board has a statutory function for the joint strategic needs assessment of health and wellbeing needs for the county (Understanding Herefordshire) which has informed the review. The board also has a statutory duty to encourage integrated working.
22. The constitution is a key part of the council’s governance arrangements and sets out how the council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. The format of the content of any amendments to the constitution should help make these arrangements clearer to understand and how the public can effectively engage with them.
23. The proposed amendments will support the health and wellbeing board to deliver its statutory and other functions efficiently and effectively.
24. The inclusion of an appeal process ensures that a full process is available to administer this new scheme.

Equality duty

25. Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

26. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.
27. The council and its partners are committed to equality and diversity using the public sector equality duty (Equality Act 2010) to eliminate unlawful discrimination, advance equality of opportunity and foster good relations. All equality considerations are taken into account.
28. It is not envisaged that the recommendations in this report will negatively disadvantage the following nine groups with protected characteristics: age, disability, gender, reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
29. The health and wellbeing board aims to deliver better outcomes for the residents of Herefordshire and supports the council in proactively delivering its equality duty under the act. This is through improving the health and wellbeing of people in Herefordshire by enabling them to take greater control over their own health and the health of their families, and helping them to remain independent within their own homes and communities. There are no negative impacts for looked after children or with respect to the council's corporate parenting role.

Resource implications

30. None arising from the recommendations. The council already makes provision within its existing budgets to enable publication of the constitution on its website and to ensure that members and officers have the training necessary to ensure awareness and understanding of the requirements within the constitution.
31. Any additional resource implications, such as officer time and expenses, associated with the new working arrangements will be accommodated within existing staff resources and budgets, and will be kept under review.
32. The board has a statutory function to approve the better care fund plan and quarterly reports, with cabinet and Council approval of budgets. This report does not recommend for this to change. Board members have budget and resource oversight within their own organisations or services.

Legal implications

33. Health and wellbeing boards were established under the Health and Social Care Act 2012 to act as a forum in which key leaders from local health and social care work together to improve the health and wellbeing of their local population.
34. The core membership of health and wellbeing boards is prescribed in section 194 of the Health and Social Care Act 2012 as follows:- at least one councillor, director of adult services, director of children's services, director of public health, representative of the local Healthwatch, representative of each relevant clinical commissioning group and such other persons as the local authority thinks appropriate. Before appointing any other person to be a board member, the local authority must consult with the health and wellbeing board. The health and wellbeing board has been consulted and deemed appropriate membership

35. The council must prepare and keep up to date a constitution in accordance with s37 of the Local Government Act 2000. The council's constitution sets all the basic rules governing the health and wellbeing board, including composition and role, functions and procedures. Paragraph 2.8.9 of the constitution provides the membership. The role of the board is to carry out the statutory functions as required by the Health and Social Care Act 2012, and any other functions delegated to it, as set out in paragraph 3.5.22 of the constitution.
36. There is no legal requirement to have an appeals process for the pavement licence applications but it is recommended as good practise.
37. The recommendations in the report comply with the legislation and statutory requirements

Risk management

38. If the council's constitution is not accurate, up to date and understood then there is a risk that governance arrangements are not clear and robust leaving the council open to judicial review, contractual challenge or financial risk. The proposed amendments seek to mitigate this risk by improving clarity within the constitution about the governance arrangements for the health and wellbeing board.
39. The risks for the board will be managed by a health and wellbeing board risk register which will be reported through the council's appropriate governance structure and via the adults and communities directorate risk register. The key risk for ensuring the board's effectiveness is appropriate leadership and membership, and the influence and control within constituent organisations and services. If the proposed changes are not embedded, the opportunity to change will be minimal, which will have an impact on the residents of Herefordshire, future services, communities and resources.
40. Scrutiny of the board is within the remit of the adults and wellbeing scrutiny committee.

Consultees

41. The current members of the health and wellbeing board have been consulted and have contributed to the review through a series of workshops. This included representation from key health partners, Healthwatch Herefordshire, appropriate cabinet members and directors of the council.
42. The Audit and Governance Committee recommended the changes contained in appendix 1 to full Council at its meeting on 16 June 2020.
43. The suggestion that appeals arising from pavement licence decisions under this new legislation was raised with the chair of the licensing sub-committee (Cllr Seldon) on 30 June 2020 and he was supportive.

Appendices

Appendix 1 – Suggested amendments to the constitution part 2 article 8 planning, licensing and other functions.

Background papers

None identified.

Article 8 - Planning, licensing and other functions

This article describes the following committees which council has established:

- (a) The planning and regulatory committee
- (b) Health and wellbeing board
- (c) Employment panel
- (d) Standards panel

2.8.1 Planning and regulatory committee

2.8.2 Composition

2.8.3 The committee comprises 15 councillors, one of whom will be appointed by Council to be the standing chairperson of the licensing sub-committee.

2.8.4 Role

2.8.5 The committee:

determines applications for planning and listed building consents which are not decided by an officer; and

its licensing sub-committee fulfils the council's licensing duties not undertaken by an officer.

2.8.6 The committee may establish one or more sub-committees consisting of three members of the planning and regulatory committee to fulfil functions delegated to the licensing sub-committee as set out in the functions scheme at part 3 section 5.

2.8.7 Health and wellbeing board

2.8.8 Composition

2.8.9 The following shall be members of the health and wellbeing board:

The Cabinet member health and wellbeing*

The Cabinet member children and families*

The Leader of the Council*

The chair of Healthwatch Herefordshire*

[The chief fire officer of Hereford & Worcester Fire and Rescue Service](#)

The chair of NHS Herefordshire and Worcestershire Clinical Commissioning Group*

The managing director of NHS Herefordshire and Worcestershire Clinical Commissioning Group

[The chair of Herefordshire Community Safety Partnership](#)

[The chair of Herefordshire Safeguarding Adults Board](#)

[The director for children and families and superintendent for Herefordshire of West Mercia Police to represent the Safeguarding Children and Young People in Herefordshire Partnership](#)

[The managing director of Taurus Healthcare](#)

The superintendent for Herefordshire of West Mercia Police

The managing director of Wye Valley NHS Trust
The chair of Worcestershire Health and Care NHS Trust
Director for adults and communities*
Director for children and families*

Director for economy and place

Director of public health *

A representative from NHS England, for the purpose of preparing the joint strategic needs assessment or health and wellbeing strategy or where the health and wellbeing board is considering a matter that relates to the exercise or proposed exercise of the NHS Board's commissioning functions. *

2.8.10 Council has delegated authority to the Leader of the Council to appoint the chairperson of the board annually from the members of the executive appointed to the board; one of the board members representing NHS Herefordshire and Worcestershire Clinical Commissioning Group will be appointed vice chairperson annually by the board.

2.8.11 The members of the board marked with an * are those specified in the Health and Social care Act 2012, the other board members are additional as deemed appropriate by council after consultation with the board.

2.8.12 All board members shall be voting members unless the council otherwise directs.

2.8.13 Role

2.8.14 The board will carry out the statutory functions as required by the Health and Social Care Act 2012, and any other functions delegated to it, as set out in part 3 section 5 of the constitution.

2.8.15 Employment panel

2.8.16 Composition

2.8.17 The employment panel comprises five councillors.

2.8.18 Role

2.8.19 To fulfil specific employment functions in relation to specified senior management roles; to review the annual pay policy statement for recommendation to Council; and to be a consultee on employee terms, conditions and employment policies.

2.8.20 Independent panel

2.8.21 Council has appointed an independent panel as a committee of the Council, comprising only independent persons (at least two) appointed in accordance with procedure rule 4.9.26 to review the decision to dismiss statutory officers (in accordance with JNC agreements) and prepare a report for Council.

2.8.22 Standards panel

2.8.23 Composition

2.8.24 The standards panel will consist of an independent person (who will chair the panel); three members of the audit and governance committee and a parish councillor nominated by Herefordshire Association of Local Councils. Where an independent person is not available, one of the members from the audit and governance committee shall chair the panel.

2.8.25 Role

2.8.26 To consider and determine complaints that cannot be (a) resolved by the monitoring officer or (b) on appeal.

2.8.27 To undertake an annual sample review of decisions by the monitoring officer under the code of conduct complaints process.



Meeting:	Council
Meeting date:	Friday 17 July 2020
Title of report:	Leader's report to Council
Report by:	Leader of the Council

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

To provide an update on the work of the Cabinet since the meeting of Council held on 6 March, 2020.

Recommendation(s)

That:

- (a) the report be noted.

Alternative options

1. There are no alternative options; the constitution requires the Leader to provide Council with reports on the activities of the executive.

Key considerations

2. It is a constitutional requirement that the Leader of the Council provides a report to each ordinary council meeting, other than the budget meeting, on the activities of the work of the cabinet since the last meeting. In my report I include a summary of the matters decided by the cabinet, cabinet members, any decisions taken under the urgency provisions and those subject to call in.

3. It is customary for all of the decisions to be listed in an annex to this report (attached at appendix A). These decisions have been made available on the [council's website](#) as they are taken. All councillors and members of the public have the opportunity to study these decisions as they are being made.
4. During these times decisions, out of necessity, have been taken at pace. I am grateful to scrutiny and all members for demonstrating their trust in the openness and transparency of the decisions we have taken as the council manages our response to the Covid 19 public health emergency and the October and February floods.
5. Of the decisions taken since my last report to Council, one key decision was taken under the general exception (GE) provisions (giving more than five but less than 28 days' notice) and three were taken under the special urgency (SU) provisions (less than five days' notice). These were:
 - Parking Operations and Charges (GE)
 - Transfer of Local Growth Funds for new model in technology and engineering (NMITE) – (SU)
 - Adult Social Care Infection Control Fund (GE)
 - Decision on arrangement for the Discretionary (Covid 19) Business Grant Fund (GE)
6. Since my last report no decisions have been called in.
7. I now provide a monthly newsletter to all Councillors which I trust you find helpful. That letter is not intended to replace this report to Council as I do not wish to deprive council of the right to ask me questions on decisions made.
8. I am also including in my report a summary of what I consider the most significant decisions supporting the achievement of the County Plan, as well as some additional subjects that I hope will be of interest. As so many of the decisions cross over the three themes of Economy, Environment and Community, and threads of Sustainability, Wellbeing and Connectivity I have dropped those headings from this report.

Covid related issues

9. My last report to Council was to the meeting held on 6 March 2020 which was as the Covid - 19 crisis was emerging. On 24th March we began to use the emergency powers which enabled the Chief Executive and Directors to make decisions to tackle the Covid – 19 public health emergency at pace. The relevant Cabinet member was required to be informed of decisions before they were made and decisions have been published each evening on the Council website.
10. Throughout the crisis I have been in frequent contact with the Chief Executive, until recently at least three times a week. A pattern has been established where the Cabinet receives a briefing once each week with attendees including the Director of Public Health and the Directors. Conversations have concentrated on particular issues of the moment beginning with dealing with the especially vulnerable (shielding), moving to issues relating to the supply of PPE, care homes, reopening of schools and more recently the establishment of a Covid Outbreak Control Panel. The issues have been significant. The Cabinet has maintained close contact with the rapidly evolving situation whilst giving the necessary scope to officers to deal with the crisis itself.

11. A huge vote of thanks is due to all Council staff at all levels in the authority who have shown extraordinary commitment to our community. They have adapted quickly and effectively to working from home, changing roles and creating new services overnight.
12. I hope that you consider that the amount of communication to Councillors has been appropriate. From the beginning of April you have received from the Chief Executive a weekly briefing on Covid related matters which I hope has given you sufficient information. The Chief Executive has sent separate Situation Reports to the Cabinet and others, initially daily and now weekly. Recipients of this information has included our MPs.
13. I have attended mostly weekly video conference calls with the County Council Network (CCN) and the Shire Leaders. The first group (CCN) has provided useful insight into the national picture and the lobbying and information being gathered by this influential group. The Shire Leaders group is comprised of Herefordshire, Worcestershire, Shropshire and Warwickshire. Of particular help is that one of this group is on the national executive of the LGA so able to provide useful first hand updates.
14. The whole cabinet has been very engaged. I am very grateful for the extraordinary commitment of time made by my cabinet colleagues. None of us expected to have to address two national crises during our whole term of office, let alone three in one year. In all instances I, and my cabinet colleagues, have been hugely impressed with the rapid and positive action this council has taken to support our communities through these very challenging times. The actions of all members and officers – in my view – have created a shared sense of purpose and trust with our communities as we move – tentatively - into the recovery phases.
15. This report is about the work of the Council but I do not want to miss the opportunity to thank the partners with who we work: the police, fire, NHS, ambulance, community organisations (of whom there are so many), care home operators, suppliers. You have all contributed hugely. You have helped to make the community stronger. There is so much we can learn from this experience.
16. Overall we have shown how nimble and agile local authorities can be in a way which Central Government cannot. We also have the local knowledge which is so vital
17. Much of the report that follows concerns non Covid 19 related issues but for them all, Covid 19 is going to have an impact as we need to do things differently.

Discretionary Grant Schemes

18. After the 23 March 2020 announcement of a 'lockdown' in response to Covid 19, government provided a range of financial support to businesses. This included two schemes - the Small Business Grant Fund and the Retail, Hospitality and Leisure Grant Fund aimed at smaller businesses who were liable for business rates.
19. On 1 May 2020 a further discretionary scheme was announced providing support to small and micro businesses that do not have Business Rate liability but have fixed property costs. The guidance and financial arrangements which was updated on 22 May advised that Local Authorities may disburse grants to the value of £25,000, £10,000 or any amount under £10,000. The guidance gave Local Authorities the ability to take into account the level of fixed costs faced by the business in question, the number of employees, whether businesses have had to close completely and/or was unable to trade online. This in turn provided the means to calculate the scale of impact of COVID-19 losses.

20. The grant funding is also made available for businesses that are not eligible for other support from any central government COVID-related scheme (apart from Self-Employed Income Support Scheme). The government's guidance asked Local Authorities to prioritise small businesses in shared offices or other flexible workspaces, without their own business rates assessment; regular market traders with fixed building costs, such as rent, who do not have their own business rates assessment, Bed & Breakfasts which pay council tax instead of business rates, and Charity properties in receipt of Charitable Business Rates Relief.
21. The Herefordshire scheme focuses on the priority areas identified with applications invited in time limited windows, with all funding decisions taken at the same time the assessment of applications received. This has ensured all businesses have had an equal and fair chance to apply for the grant funding. The application and appraisal processes has ensured that only eligible businesses (as defined in the government guidance) have received funds. Any funds remaining at the end of the application round will roll forward in to future application rounds.
22. Through the appraisal process due diligence checks have been put in place to ensure businesses are trading and the evidence supplied is correct to avoid fraud or reputational risks.
23. The first application round for eligible businesses opened on the 15th June and closed on the 29th June. In total we received 200 applications from businesses have been received, 125 applications have been approved with over £534.5k of grant funding provided. The council is currently in the process of assessing those applications. As funds remain the council will launch a second application round as soon as possible, intending to broaden the eligibility of those businesses that can now apply.

Support and development of tourism and our valuable visitor economy.

24. Following a major campaign to help Herefordshire's tourism and visitor economy recover from the devastating impact of the Covid 19 lockdown and the flooding in February, the council has been awarded £440,000 by the Marches Local Enterprise Partnership. The money will help launch a co-ordinated drive to promote the county as a fantastic, safe destination for day trips and also 'staycations' if the lockdown restrictions ease sufficiently.
25. It is part of a £1.6million package of funding agreed by the Marches LEP across Herefordshire, Shropshire and Telford & Wrekin to support businesses hardest hit by the Covid-19 crisis and earlier flooding. Herefordshire Business Board and Herefordshire Council have worked together to promote the county's huge range of tourism attractions, retail and leisure opportunities to both local and national markets.
26. Initiatives will include developing a new destination website supported by a smartphone app, local and national marketing campaigns to attract visitors to enjoy staycations in the county, as soon as it is safe to do so. National government has indicated that for a number of tourism related sectors, this will be as soon as 4 July.

Acquisition of a leasehold of The Maylord Orchard Site and other adjoining freeholds

27. In June the council secured control of the Maylord shopping centre in Hereford. The council was already the freehold owner of much of the site, but it was previously subject to a long term lease to a third party. The site has over 145,000 sq ft of retail space, over 200 car parking spaces (in an underground car park) and circa 20 upper floor residential

apartments. A price of £4.5m has been referred to. This figure was the budget for the purchase, stamp duty land tax, professional fees and associate land purchase costs. The price paid for the acquisition was within the valuation which was obtained.

28. The retail sector has been in decline for some time, and all cities and towns need to consider how they will diversify for the medium to long term. The previous leasehold owners were looking to sell their interest and we identified a very significant risk that a new owner could purchase it only to asset strip the remaining values, letting the shopping centre further decline with increasing numbers of vacant units. This would have created a real blight on the economic performance of the city centre. By securing control of this strategically significant site the council can ensure that we maximise its role in supporting the short term economic recovery of Hereford, and in the medium to long term consider how we can diversify the area to enable the development of a vibrant city centre for the future such as opportunities for inner city living, leisure/ culture and the arts, places for learning, flexible business space, for food and drink and hospitality etc.
29. I would like to congratulate the officers, and the s151 officer in particular, for their work on this transaction.
30. There is justified questioning by others about the timing. We see regular news items about the difficulties that shopping centres and high streets are faced with. They have been in decline for many years and facing particular difficulties with the Covid crisis. The Cabinet have taken these concerns seriously.
31. I have dealt with the financial aspects above. The Cabinet are satisfied that the price paid was a low one. The Vendor was going to sell. If we did not buy it someone else would. That other party would have purchased it to make a profit. I do not decry that approach, but in Council ownership other considerations can be taken into account including community and social value, and our ability to determine the future of a key asset in the centre of our town.
32. This piece of land is unique. Every piece of land is actually unique. We never know when a piece of land might become available to buy. This one might not have come on the market again for many years. So we seized the opportunity and acted quickly.
33. We are now working with Montague Evans, an independent property consultancy, on our short, medium and long term strategy. Over the next few weeks the council is keen to make currently vacant units in the shopping centre available for short term low cost rental periods for local pop up businesses and social enterprises from across the county to showcase their products and services, which will also drive new interest and socially distanced footfall into the city centre. Any businesses or social enterprises that would be interested should please contact Andrew Haughey (020 7866 7627) and John Prestwich (020 7312 7494) at Montague Evans (site managers).

The impact of Storm Dennis and the Council's response.

34. Storm Dennis hit Herefordshire during the weekend of 15 and 16 February 2020, resulting in significant damage and flooding, from both runoff and river overspill with many of the rivers reaching their highest levels in 200 years. A major incident was declared on 16 February meaning there was a danger to life as water levels peaked at record levels during the storm and remained high for an extended period after the storm. In total, 728 premises, comprising 524 residential properties and 204 businesses, were affected.

35. Around 80 roads were formally closed due to flooding and damage with many remaining closed in following weeks as water levels remained high restricting access.
36. Following the declaration of this as a major incident, the Bellwin scheme was announced for Herefordshire and this confirmed that all immediate response and damage repairs works that meet the Bellwin criteria which would be delivered within the spend period up to 28 March 2020 would be funded by central government. Costs incurred up to 28 March 2020 are set out below, Table 1:

Table 1: Damage repair works and costs undertaken by 28 March

Community Support	£750,000
Highways response to flooding including initial response to flood event and works to undertake emergency repairs completed by 28 March 2020	£2,400,000
Staff costs	£250,000
TOTAL:	£3,400,000

37. Significant flood repair works remain to be undertaken, and discussions are underway with Government as to whether these can also be funded through the Bellwin Scheme or whether other Government funding is available.
38. I, the Cabinet member for infrastructure and transport and the Chief Executive continue to argue strongly that these repairs should be allowable as part of our Bellwin claim, despite the fact that they could not, for reasons of scale and/or complexity, be completed within the spend period to the 28 March indicated for this scheme.
39. The following table provides a summary of the estimated cost of these further repair works. Government support is being sought to carry out these works. We are in active dialogue with local MPs

Table 2: Damage repair works and costs not completed by the 28 March timeline.

Fownhope Landslip	£1,565,000
Fownhope Retaining Wall Collapse	£1,000,000
Holme Lacy Causeway	£2,000,000
Whitney on Wye Instability	£500,000
Various damage Sites	£962,047
Sub Total	£6,027,047
Drainage Network clearance of blockages countywide.	£2,850,000
Flood investigation costs (as required by Section 19 of the Flood and Water Management Act)	£250,000
Total	£9,127,047

40. Of course, a priority for me as Leader of this council is to represent the interests of the communities of Herefordshire most affected by these adverse weather related events. I must ensure they are not disproportionately disadvantaged. So as a matter of urgency I have given my backing and support to progressing the most urgent of our repair schemes.
41. If external funding is not forthcoming, we will have to fund these works from the council's capital budgets. If this is the case, capital programme priorities will need to be

reconsidered for this and subsequent financial years. We are addressing this issue and are considering whether a request for an extraordinary Council meeting in August to present recommendations or alternatives for decision.

42. Two schemes at Fownhope have been identified as needing to be progressed as a matter of urgency to continue to ensure the safety of the highway asset, adjacent property and restore proper access via the B4224 which is the main route to Fownhope from Hereford. Work is ongoing, but we expect this vital part of the road network to be reopened in Autumn 2020.
43. The work listed in table 2 above will also need to be done. But for the time being they are less pressing - we have either made these locations safe or have inspected them to confirm that they do not pose an immediate threat to highway users, or create severance in any community. The funding, and progression of all works listed will need to be considered in future decisions once the outcome of discussions with Government regarding the availability of funding is known.

Update on Phosphate levels in the Lugg and Wye Catchment:

44. The council is continuing to liaise with all interested parties including; Natural England, The Environment Agency, Welsh Water and the National Farmers Union, through the Nutrient Management Board and its assigned technical working party. All parties are working to find an effective solution which will both seek to reduce phosphate levels within the River Lugg and River Wye Special Area of Conservation (SAC) and allow development to proceed in the north of the county.
45. It is envisaged that in the long term the solution will be provided through the revision of the Nutrient Management Plan (NMP) which will reflect the measures implemented by Welsh Water through their Asset Management Programme. In combination with more stringent requirements placed upon land owners to minimise diffuse pollution through appropriate infrastructure and updated environmentally friendly farming techniques.
46. Following consideration of a number of options to further reduce phosphate levels the council is allocating the approved £2m allocation in the Council's 2020/21 capital programme from the New Homes Bonus Scheme. The council is seeking to:
 - Design, construct and manage up to 8 integrated wetland sites set in strategic locations in order to provide tertiary treatment to waste water treatment works within the Lugg catchment.
 - Allocate £30,000 from the approved capital programme to commission an interim delivery plan including a phosphate calculator and a suite of recommended mitigation measures appropriate to the River Lugg. This will enable developers to calculate the phosphate load of their proposals and therefore agree measures independently with landowners to mitigate or offset the identified phosphate load. This has the potential to be further developed as a trading platform for offsetting identified loads in future developments.
 - To appoint an environment officer to lead on reductions in levels of diffuse pollution. To liaise with the regulatory bodies and carry out an audit in the Lugg catchment, identifying through mapping and farm visits where risk of pollution occurs and working with the farming community to introduce improvements to infrastructure and farming techniques. And,
 - Secure the acquisition and rewilding of existing agricultural land be considered as a complementary solution for reducing phosphate pollution in the river catchment
 - Funding is also being sought from central government through the LEP.

47. Of concern is the level of nutrients in rivers coming into our county. In this connection a meeting is proposed with MPs and MSs (Members of the Senedd - previously Assembly Members) to impress upon government ministers and statutory agencies the need for concrete action, resource and certainty - for environmental organisations and our construction industry.

Hereford Town Deal

48. In autumn 2019 Hereford was included in the first round of the governments £3.6bn "Towns Fund" programme. This brought the potential to access up to £25m of government support through the drafting of an Investment Plan and securing a Town Deal with government.
49. Guided by the governments Stronger Towns Prospectus Herefordshire Council has convened a Stronger Towns Board which will operate as an informal partnership of private and public representatives. They will be tasked with producing the Investment Plan and Town Deal for Hereford.
50. On Friday 19th June the first full meeting of the Hereford Town Deal Board was held. The Board has appointed a private sector chair (in line with the government guidance), Mark Stevenson the co-founder of Work Here in Hereford.
51. The submission deadline for the Town Investment Plan is January 2021 with business case development expected to take a further 6 to 12 months. The Board are fully committed to developing the plan through local partnership and public engagement. This is a great opportunity to put in place a long-term vision for the sustainable development of the city as a whole.
52. An initial grant offer of £750,000 has been made to Herefordshire Council to fund early projects that can support the foundations of the Town Investment Plan. Officers are engaging with the Stronger Towns Board on a variety of project ideas which will be considered by the Cabinet Member. .
53. Over the next few months the Board will oversee the development of a Town Investment Plan setting out the longer term vision for the city and the key areas for investment.

Transfer of Local Growth Funds for new model in technology and engineering (NMiTE) Phase 2.

54. In March, the Marches Local Enterprise Partnership (LEP) approved a £5.66m Local Growth Fund (LGF) grant to the New Model Institute for Technology and Engineering (NMiTE). This is part of an overarching £16m total project. This grant will enable NMiTE to develop a Centre for Advanced Timber Technology, Centre for Automated Manufacturing, and a Centre for Future Skills on the Hereford Enterprise Zone.
55. I am particularly pleased with the development of the Centre for Advanced Timber Technology which will provide a global leading timber engineering curriculum for its students on the modern applications and use of timber as a construction material.
56. The project will establish the teaching space required to enable NMiTE to grow to a point where they can become self-sustaining. The new buildings will provide facilities required to support the development of a wide range of higher level skills including high level

apprenticeships and continuing professional development, as well as degree and post graduate qualifications.

57. The accountable body, Shropshire Council, has agreed to delegate responsibility of the management of this grant and the relationship with the applicant (NMI TE) to Herefordshire Council. The accountable body confirms that neither it nor the Marches LEP will seek to clawback funding on the basis that any project failure is for Herefordshire Council to manage.

Communications

58. Our Communications Team have been working throughout the emergency response, to support and ensure that national, regional and local messages have been co-ordinated and effective. As the local lead agency for the emergency response communications, they have been hosting weekly multi-agency communication calls and co-ordinating the proactive and reactive media liaison and messaging from the Tactical Co-ordination Group.
59. Work with the LGA has developed into an opportunity for Herefordshire Council to be involved with a national pilot scheme for recovery communications. The case study will be included as part of the [LGA Rethinking Local annual conference](#)
60. A revised Communications Strategy to support the vision of the County Plan is in development, which is on the forward plan for decision at September's Cabinet meeting.

Financial Pressures

61. It would be remiss of me not to mention that the Cabinet is concerned about the extraordinary operational and financial challenges related to the ongoing pandemic and planning for recovery. To-date government funds provided have fallen significantly short of the costs incurred by this and many other council's. Presently we are experiencing a £15m+ shortfall and, allowing for what is anticipated to be further financial support from central government, are still forecasting an operating shortfall of getting on for £10m.
62. A working group of cabinet members and officers has been set up to consider options to close this gap in-year and to accelerate plans to deliver services in new ways and to realise new income streams for the council.

Community impact

63. The community impact of any decisions of the executive have been set out within the relevant decision report and taken into consideration at the time the decision was taken. Reporting to Council the activities of the executive demonstrates the council's commitment to the code of corporate governance principle of implementing good practices in transparency, reporting and audit to deliver effective accountability.

Equality duty

64. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

Further information on the subject of this report is available from
John Coleman, Tel: 01432 260382, email: john.coleman@herefordshire.gov.uk

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

65. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. As this report provides a summary of activity undertaken, we do not believe that it will have an impact on our equality duty. These considerations are set out in each of the relevant reports informing the decisions listed at appendix A, and will inform any future decision making.

Resource implications

66. There are no new resource implications arising from the recommendations of this report. The resource implications of any decisions of the executive listed at appendix A have been set out within the relevant decision report and taken into consideration at the time the decision was taken and will inform any future decision making.

Legal implications

67. The council and committee, and cabinet rules within the constitution require the Leader to provide a report to Council on the work of the cabinet since the last meeting of Council and, at the first meeting to follow the annual meeting of Council (except in a year when there are ordinary elections), on the priorities of the cabinet and progress made in meeting those priorities. This report ensures these requirements are met.

68. There are no legal implications arising from the recommendations of this report. The legal implications of any decisions of the executive listed at appendix A have been set out within the relevant decision report and taken into consideration at the time the decision was taken.

Risk management

69. There are no risks arising from the recommendations of this report. The risks of any decisions of the executive listed at appendix A have been set out within the relevant decision report and taken into consideration at the time the decision was taken and will inform future decision making.

Consultees

70. None

Appendices

Appendix A: Summary of executive decisions made from 6 March, 2020 to 17 July, 2020.

Background papers

None identified.

Executive decisions taken between 6 March to 9 July 2020.

	Decision and purpose	Decision Type	Implementation Date	Taken by
	1. Adoption of the Stretton Sugwas neighbourhood plan and consequential updates to the countywide policies map. To make the Stretton Sugwas neighbourhood development plan as part of the statutory development plan for Herefordshire and approve the consequential updates to the countywide policies maps.	Non Key	6.3.2020	Cabinet member Infrastructure and Transport
	2. Adoption of the Longtown Group neighbourhood plan and consequential updates to the countryside policies map. To make the Longtown Group neighbourhood development plan as part of the statutory development plan for Herefordshire and approve the consequential updates to the countywide policies maps.	Non Key	6.3.2020	Cabinet member Infrastructure and Transport
	3. Executive Response to the ‘Let’s Listen Herefordshire’ motion. To approve the executive’s response to the ‘Let’s Listen Herefordshire’ motion approved at the Meeting of Council held on Friday 11 October 2019	Non Key	6.3.2020	Cabinet member health and adult wellbeing
71	4. Property Services Planned and Reactive Maintenance Programme 2020/21. To agree the property services planned and reactive maintenance programme 2020/21 to ensure the continuing upkeep, improvements and maintenance of the council’s property assets and also to allow the council to fulfil its obligations to carry out statutory compliance inspections and related remedial works.	Key	6.3.2020	Cabinet member commissioning, procurement and assets
	5. Adoption of the Holmer and Shelwick neighbourhood plan and consequential updates to the countywide policies map. To make the Holmer and Shelwick neighbourhood development plan as part of the statutory development plan for Herefordshire and approve the consequential updates to the countywide policies maps. To fulfil the legal duty to make /adopt the Holmer and Shelwick neighbourhood development plan and update the countywide policies map as part of the statutory development plan for Herefordshire. Herefordshire has positively supported communities to be involved in producing a neighbourhood development plan and currently has the greatest number being produced in a local authority area within England. There are currently 112 plans being produced in Herefordshire (69 of which have now been Made) by parish councils and their local communities. These neighbourhood development plans will provide more locally detailed policies to support the delivery of the Herefordshire Local Plan – Core Strategy and guide development within the local parish until 2031. On 20 May 2016, the Council delegated authority to the cabinet member infrastructure for decisions on all further neighbourhood development plans adoptions, and consequential amendments to the countywide policies map.	Non-Key	11.03.2020	Cabinet member Infrastructure and Transport

	Decision and purpose	Decision Type	Implementation Date	Taken by
6.	Parking Operations and Charges. To consider and amend the current level of parking service operations, and scale of car parking charges applied in council off street car parks and on street parking places. In response to the COVID-19 (coronavirus) outbreak this decision is to be considered to have 'special urgency' in accordance with 4.2.53 of the council constitution. This decision is being taken as soon as reasonable practical, and could not otherwise be deferred, in response to a fast paced and emerging priority for the council.	Key – taken under special urgency rules	23.3.2020	Cabinet member Infrastructure and transport
7.	Care Providers Annual Fee Review 2020 – 2021. To approve changes to care providers' annual fees for 2020-21, if recommended following the annual review.	Key	25.3.2020	Cabinet member health and adult wellbeing
8.	Transfer of Local Growth Funds for new model in technology and engineering (NMiTE) Phase 2. To enable the accountable body, Shropshire Council, to delegate responsibility for the managing of the Local Growth Fund grant and the relationship with the successful grant applicant (NMiTE) to Herefordshire Council. The full grant amount of £5.66m for Phase 2 of the NMiTE project will be transferred from the accountable body to Herefordshire Council in advance of project delivery	Key – taken under general exception rules	25.3.2020	Cabinet member finance and corporate services
9.	High Needs Budget 2020/21. To approve the Dedicated Schools Grant (DSG) high needs budget for 2020/21 as recommended by Schools Forum.	Key	27.03.2020	Cabinet member children and families
10.	Local authority schools building, maintenance programme and accessibility improvement works 2020 -2021. To approve the proposed expenditure of capital grants for schools building, maintenance and accessibility improvement works.	Key	3.04.2020	Cabinet member - Leader of the Council (Section 9E) Covid-19
11.	Shropshire Local Plan Review- Duty to co-operate meeting development need. To agree a response to Shropshire Council who are seeking views from Herefordshire Council, as a neighbouring authority, about whether it could accommodate some of Shropshire's identified needs for development.	Non Key	9.04.2020	Cabinet member Infrastructure and transport
12.	Executive response to the Spotlight review concerning peer on peer abuse in schools. To approve the executive response to the recommendations from the spotlight review concerning peer on peer abuse in schools.	Non Key	14.04.2020	Cabinet member children and families
13.	Healthwatch Contract The current Healthwatch contract will expire on the 30 September 2020, therefore approval is required to go out to tender to procure a Healthwatch service for Herefordshire. This is a statutory service and a requirement under the Health and Social Care Act 2012, the council must ensure an independent Healthwatch service is available. The service can only be provided by the voluntary sector, independent of the council and partner organisation.	Key	27.04.2020	Cabinet member health and adult wellbeing
14.	Brookfield Special School Capital Improvement Programme To approve expenditure on Brookfield Special School to ensure that there is high quality sustainable educational accommodation for children and young people with social emotional and mental health (SEMH) special needs in Herefordshire.	Key	28.04.2020	Leader of the Council (Section 9E)

	Decision and purpose	Decision Type	Implementation Date	Taken by
15.	Public realm service annual plan 2020/21 To confirm the annual plan 2020/21 for the public realm services contract with Balfour Beatty Living Places.	Key	29.4.2020	Cabinet member Infrastructure and transport
16.	Subsidies to Parish Council - Parish Lengthsman Grant To approve expenditure of £250k on the parish lengthsman grant scheme for 2020/21.	Non Key	30.4.2020	Cabinet member Infrastructure and transport
17.	Treatment of West Mercia Energy pension liability It is proposed to transfer the WME pension deficit to a newly created employer body within the Shropshire County Pension Fund ('WMS Pension') managed and overseen by a new 'WMS Pension Joint Committee' comprising the same four Owning Authorities.	Key	30.4.2020	Cabinet
18.	Report on the council's response to the Coronavirus epidemic To report to cabinet on the response by Herefordshire Council to the coronavirus epidemic in the county and its impact on the council and the county	Non Key	30.4.2020	Cabinet
19.	Further Warm Homes Funding- Shropshire Council led project To approve council participation in the Shropshire led Warm Homes Fund project and subsequent signing of a partnership agreement/Memorandum of Understanding	Key	12.5.2020	Cabinet member housing, regulatory services, and community safety
20.	Options for delivering council-owned Housing To approve the commencement of a project utilising earmarked reserves for the purpose of evaluating and recommending delivery models through which the council can develop and manage new homes	Non Key	14.5.2020	Cabinet member housing, regulatory services, and community safety
21.	Substance Misuse Service Recommissioning To approve the recommissioning for the substance misuse service for Herefordshire adults and young people. The current contract will expire on 30 November 2020	Key	20.3.2020	Cabinet member health and adult wellbeing
22.	Strategic Acquisition of a leasehold in Herefordshire and to award a facilities management contract post completion The council has the opportunity to acquire a leasehold in the Central Ward to enhance its portfolio of strategic sites. The acquisition of this site will enable the council to plan for any future demand or development opportunity that may arise in line with the Cabinet's County Plan objectives.	Key Appendices 2 & 3 Exempt	18.5.2020	Cabinet member commissioning, procurement and assets
23.	Adult Social Care Infection Control Fund To agree and accept the Adult Social Care and Infection Control Grant conditions from the Department of Health and Social care to support adult social care providers, including those with whom the local authority does not have a contract, to reduce the rate of COVID-19 transmission in and between care homes and support wider workforce resilience.	Key - taken under special urgency rules	8.6.2020	Cabinet member health and adult wellbeing
24.	Building maintenance and cleaning contract To consider and approve an extension to the term of the existing service provision carried out by Balfour Beatty	Key	2.6.2020	Cabinet member commissioning,

	Decision and purpose	Decision Type	Implementation Date	Taken by
	Living Places for building maintenance and cleaning of council property for a period of 12 months through a direct award of contract tender.			procurement and assets
25.	Decision on arrangements for the Discretionary (Covid-19) Business Grant Fund. To approve expenditure and approach to delivering the Covid 19 Discretionary Grant Scheme. In May the government announced that it would provide Local Authorities with additional funding to target small businesses with high fixed property-related costs but that are not eligible for the current grant schemes. This decision considers the targeting and delivery of these additional funds.	Key - taken under special urgency rules	12.6.2020	Cabinet Member Environment, Economy and Skills
26.	Housing Supplementary Planning Document. This report seeks the approval to go out to consultation on the draft Affordable Housing Supplementary Planning Document (SPD) with a view of full adoption in 2020.	Non-Key	23.06.2020	Cabinet member Infrastructure and transport
27.	End of 2019/20 corporate budget and performance report. This report reviews performance for 2019/20 and the budget outturn. It provide assurance that progress is being made towards achievement of the agreed revenue budget and service delivery targets, and that the reasons for major variances or potential underperformance are understood and are being addressed to the cabinet's satisfaction.	Non-Key	25.06.2020	Cabinet



Meeting:	Council
Meeting date:	17 July 2020
Title of report:	Motions on notice
Report by:	Solicitor to the Council

Classification

Open

Key decision

This is not an executive decision.

Wards affected

Countywide

Purpose

To consider motions received on notice.

Recommendation

THAT: the motions listed at paragraph 6 are debated and determined by Council.

Alternative options

- 1 There are no alternative options to the recommendation; the constitution makes provision for motions on notice to be debated and decided by Council.

Key considerations

- 2 The constitution provides that members of Council may submit written notice of motions for debate at Council. A motion must be signed by the proposer and seconder and submitted not later than midday on the seventh working day before the date of the meeting. A member cannot propose more than one motion on notice per meeting and a maximum of three motions will be debated at meetings of full Council.
- 3 Motions must be about matters for which the council has a responsibility or which affect Herefordshire.
- 4 Motions for which notice has been given will be listed on the agenda in the order in which notice was received unless the member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.
- 5 Up to one and a half hours will be allocated to debate motions on notice but that time may be varied at the discretion of the chairman.

6 Two motions have been received and will be debated at the meeting. The motions for discussion are set out below:

Motion – Tree Strategy

(Proposed by Councillor Christy Bolderson, Seconded by Councillor Elissa Swinglehurst)

We call upon the executive to expedite the delivery of a detailed tree strategy for the county. A 2014 draft document exists that might provide the basis for a new strategy which will reinforce our commitment to the environment and align with our declaration of a climate emergency.

The Government is currently consulting on an England Tree Strategy and we ask for the council to respond to this consultation.

Furthermore, in the interim and as a matter of urgency, we ask the executive to consider what can be done to protect existing trees and to take immediate action by planting, maintaining and protecting trees in order to have established growth by 2030.

Motion – Building back better; a green and fair recovery from coronavirus

(Proposed by Councillor Ellie Chowns, Seconded by Councillor Alan Seldon)

In light of the coronavirus crisis of recent months, we:

- **Fully recognise, and express our deep sorrow over, the devastating impact of coronavirus on local people’s lives and livelihoods;**
- **Express our heartfelt thanks to all who have worked so hard to care for others and keep essential services going;**
- **Reaffirm our determination to improve the lives of all Herefordshire residents, based on the three County Plan pillars of environment, community, and economy;**
- **Welcome the recent commitments to the principles of ‘building back better’ and a ‘green recovery’ that have been expressed across the political spectrum, including by central government and its local representatives;**
- **Ask the executive to integrate these principles into all its decisions; and to work with all parts of the community to promote a green and fair recovery;**
- **Recognise the need to ensure that partnerships are strengthened across all sectors in public life in Herefordshire so that all partners are engaged in working together to achieve this common goal, because we cannot do it alone;**
- **Urge central government to provide the resources needed to sustain local services and to invest in Herefordshire’s green recovery as we work together to build back better.**

7 The constitution provides that the report to Council containing notices of motion on hand will also include detail of progress of all outstanding resolutions. There are outstanding resolutions with respect to seven motions considered at earlier meetings of full Council. The resolutions and updates of progress against these resolutions are provided below:

Date of meeting	Motion	Current Status
9 March	Video Casting of	A decision to initiate a procurement process has been delegated to the level of officer decision. A procurement

Further information on the subject of this report is available from Matthew Evans, democratic services officer on Tel (01432) 383690

2018	Council Meetings	<p>process will be undertaken and a further report will be produced to recommend the appointment of an approved supplier.</p> <p>Under current practice all Council meetings are being run virtually; video-enabled and live-streamed. This experience is feeding into the procurement process and will be in effect until May 2021 at which point the current regulations for remote meetings come to an end.</p>
<p>RESOLVED:</p> <p>That, to align this council with best practice elsewhere, the executive is asked:</p> <p>a) to consider again the merits of 'up-grading' from audio to live on-line video streaming so that the public meetings of Herefordshire Council and its elected members would be publically open and visible to those unable to attend, and that the recordings should be archived and made available on-line.</p> <p>b) To consider a trial period for live video streaming with the opportunity during the trial for feedback from elected members and the public.</p>		

Date of meeting	Motion	Current Status
8 March 2019	Eastern City Bridge Protective Corridor	Review of core strategy has started and executive will consider response to this as part of formal decisions associated with the review. Progress has been delayed as a result of Covid 19.
<p>RESOLVED:</p> <p>That this council asks the executive to consider including in the forthcoming core strategy review a consideration of options for a route corridor for a full city ring road for Hereford to include an Eastern city bridge.</p>		

Date of meeting	Motion	Current Status
12 July 2019	Community Infrastructure Levy	The core strategy review has commenced and a response to this will be included in formal decisions regarding the review. Progress has been delayed as a result of Covid 19.
<p>RESOLVED:</p> <p>That this Council asks the executive to investigate the adoption of the Community Infrastructure Levy as a matter of urgency, ensuring it is implemented for Herefordshire no later than January 2021.</p>		

Date of meeting	Motion	Current Status
11 October 2019	Review of Governance Models	A progress report was presented to the audit and governance committee on 16 June 2020. An all members survey has been undertaken and the re-thinking governance will be considering the results to determine their next steps.
<p>RESOLVED:</p> <p>The Council resolves that:</p> <p>a) The Audit and Governance Committee oversee a review of governance models for a recommendation to Council no later than October 2020.</p> <p>b) The review be undertaken by a cross-party working group, reporting to the Audit and Governance Committee. To contain representation from each political group, from the executive, scrutiny and other functions. The Monitoring Officer be authorised to determine membership following consultation with political group leaders.</p> <p>c) The review should follow guidance from the Local Government Association and from the Centre for Public Scrutiny guidance; 'Rethinking Governance: Practical steps for councils considering changes to their governance arrangement, and</p> <p>d) The review be undertaken having regard to the following guiding principles;</p> <ul style="list-style-type: none"> - To maximise member engagement and participation in decision making - Ensure decision making is informed, transparent and efficient - Welcome public engagement - Enable member and officers to perform effectively in clearly defined functions and roles - To assess any resource implications for any proposed changes. 		

Date of meeting	Motion	Current Status
11 October 2019	General Permitted Development Order	A letter has been sent to the MHCLG and a response has been received. The correspondence will be shared with members shortly.
<p>RESOLVED:</p> <p>This Council resolves that: the executive is requested to write to government to ask them to review the policy regarding part 3 class Q (General Permitted Development Order as amended) applications under the General Permitted Development Order.</p>		

Date of meeting	Motion	Current Status
6 March 2020	20mph speed limits	Executive response is being prepared for consideration.
<p>RESOLVED:</p> <p>That this Council requests that the executive undertakes an investigation concerning the introduction of area-wide 20mph speed limits across Herefordshire's towns and major villages.</p>		

Date of meeting	Motion	Current Status
6 March 2020	Minor Injury Units (MIU) closures	A letter has been drafted and will be sent once finalised.
<p>RESOLVED:</p> <p>That this Council agrees that the decision by Wye Valley NHS Trust to close Minor Injury Units in Herefordshire for the last 3 winter periods be referred to the Secretary of State for Health because Herefordshire Council has not been consulted on these changes to service and is not satisfied with the reasons given by the Trust not to consult.</p>		

Community impact

- 8 Herefordshire Council's adopted code of corporate governance provides the framework for maintaining high standards of corporate governance in order to achieve the council's vision of "people, organisations and businesses working together to bring sustainable prosperity and well-being for all, in the outstanding natural environment of Herefordshire."
- 9 In accordance with the code, the long-term nature of many of Herefordshire Council's responsibilities mean that we should define and plan outcomes and that these should be sustainable. Decisions should further the council's purpose, contribute to intended benefits and outcomes, and remain within the limits of authority and resources. Input from all groups of stakeholders is vital to the success of this process and in balancing competing demands when determining priorities for the finite resources available.

Equality duty

- 10 Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to –

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

11 The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. If any motion results in a request that the executive (cabinet) consider taking some action, the cabinet will have regard to the equality duty when determining its response to the request.

Resource implications

12 None arising from the recommendation; if any motion results in a request that the executive (cabinet) consider taking some action the implications of such action will inform any decision by cabinet.

Legal implications

13 None arising from the recommendation; if any motion results in a request that the executive (cabinet) consider taking some action the implications of such action will inform any decision by cabinet.

Risk management

14 None arising from the recommendation; if any motion results in a request that the executive (cabinet) take some action the risks associated with such action will inform any decision by cabinet.

Consultees

15 None.

Appendices – none

Background papers – none identified