

To: All members of the Council

Corporate Support Centre
Alistair Neill – Chief Executive Officer

our ref: Council - 9 October 2020
contact: Matthew Evans, Democratic Services
telephone: 01432 383690
email: matthew.evans@herefordshire.gov.uk

1 October 2020

Dear Councillor,

You are hereby summoned to attend the meeting of the Herefordshire Council to be held on **Friday 9 October 2020** online only at **10.00 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 9 October 2020**

Time: **10.00 am**

Place: **Online meeting only**

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

For any further information please contact:

Matthew Evans, Democratic Services

Tel: 01432 383690

Email: matthew.evans@herefordshire.gov.uk

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 Tillett

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

(The meeting will be preceded by thought for the day.)

- | | | |
|------------|---|---------|
| 1. | APOLOGIES FOR ABSENCE | |
| | To receive apologies for absence. | |
| 2. | DECLARATIONS OF INTEREST | |
| | 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. | |
| 3. | MINUTES | 9 - 16 |
| | To approve and sign the Minutes of the annual meeting held on 11 September 2020. | |
| 4. | CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS | 17 - 20 |
| | To receive the Chairman and Chief Executive's announcements. | |
| 5. | QUESTIONS FROM MEMBERS OF THE PUBLIC | |
| | To receive questions from members of the public.
<i>Deadline for receipt of questions is 5:00pm on Monday 5 October.
Accepted questions and answers will be published as a supplement prior to the meeting. Please send questions to councillorservices@herefordshire.gov.uk</i> | |
| 6. | QUESTIONS FROM MEMBERS OF THE COUNCIL | |
| | To receive any written questions from members of the Council.
<i>Deadline for receipt of questions is 5:00pm on Monday 5 October.
Accepted questions and answers will be published as a supplement prior to the meeting. Please send questions to councillorservices@herefordshire.gov.uk</i> | |
| 7. | RE-THINKING GOVERNANCE | 21 - 42 |
| | To approve a governance model for Herefordshire Council. | |
| 8. | HEREFORD LEISURE POOL RE-OPENING | 43 - 48 |
| | To approve a new capital budget for the re-opening of the Hereford leisure pool. | |
| 9. | 2019/20 TREASURY MANAGEMENT OUTTURN | 49 - 60 |
| | To approve the treasury management outturn for 2019/20. | |
| 10. | LEADER'S REPORT TO COUNCIL | 61 - 86 |
| | To receive a report from the leader on the activities of the executive (cabinet) since the meeting of Council in July 2020 and to receive an annual report (since May 2019) on the priorities of the Cabinet and progress made in meeting those priorities. | |
| 11. | NOTICES OF MOTION UNDER STANDING ORDERS | 87 - 92 |
| | To consider Notices of Motion. | |

The Seven Principles of Public Life

(Nolan Principles)

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

- Attend all Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information. For online meetings you will be able to view the meeting live via the Council's YouTube site; <https://www.youtube.com/HerefordshireCouncil>
- 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.
- Have a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

Minutes of the meeting of Council held at On line meeting only on Friday 11 September 2020 at 10.30 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 Hardwick, John Harrington, Liz Harvey, Jennie Hewitt, Kath Hey, David Hitchiner, Phillip Howells, Bernard Hunt, Helen l'Anson, Terry James, Peter Jinman, Tony Johnson, Graham Jones, Mike Jones, Jim Kenyon, Jonathan Lester, Trish Marsh, Bob Matthews, Mark Millmore, Jeremy Milln, Felicity Norman, Roger Phillips, Tim Price, Paul Rone, Alan Seldon, Nigel Shaw, Louis Stark, David Summers, Elissa Swinglehurst, Paul Symonds, Kevin Tillett, Diana Toynbee, Ange Tyler, Yolande Watson and William Wilding

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

1. ELECTION OF CHAIRPERSON

Councillor Bob Matthews proposed and Councillor Terry James seconded the nomination of Councillor Sebastian Bowen as Chairperson of the Council.

(Councillor Sebastian Bowen declared a schedule 1 interest and left the meeting for the vote)

RESOLVED: That Councillor Sebastian Bowen is elected Chairperson of the Council for the forthcoming municipal year.

Councillor Sebastian Bowen made the statutory declaration of acceptance of office.

(Councillor Sebastian Bowen as the Chairman)

2. APPOINTMENT OF VICE-CHAIRPERSON

Councillor Johnathan Lester proposed and Councillor John Harrington seconded the nomination of Councillor Kema Guthrie as Vice Chairperson of the Council.

(Councillor Kema Guthrie left the meeting for the vote)

RESOLVED: That Councillor Kema Guthrie is appointed Vice Chairperson of the Council for the forthcoming municipal year.

Councillor Kema Guthrie made the statutory declaration of acceptance of office.

3. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor John Stone.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. MINUTES

RESOLVED: That the minutes of the meetings held on 17 July and 4 August be confirmed as a correct record and signed by the Chairman.

6. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS

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

7. ELECTION OF LEADER OF THE COUNCIL

Councillor Ellie Chowns proposed and Councillor Alan Seldon seconded the nomination of Councillor David Hitchiner.

(Councillor David Hitchiner declared a schedule 1 interest and left the meeting for the vote)

RESOLVED: That Councillor David Hitchiner is elected Leader of the Council for the forthcoming municipal year.

8. APPOINTMENTS TO COUNCIL COMMITTEES AND OUTSIDE BODIES

Council considered the report attached to the agenda relating to appointments to committees of the council and outside bodies in line with the rules of political proportionality.

Recommendation (a)

Councillor Gemma Davies proposed and Councillor Carole Gandy seconded recommendation (a) which was carried.

RESOLVED: That the list of ordinary committees listed at paragraph 9 are confirmed with their terms of reference as set out in the council's constitution

Recommendation (b)

Councillor Nigel Shaw proposed and Councillor Jonathan Lester seconded recommendation (b) which was carried.

RESOLVED: That the number of seats on each committee as set out at paragraph 9, and the allocation of those seats to political groups as set out at appendix 1 is approved.

Recommendation (c)

Councillor Jonathan Lester proposed and Councillor Alan Seldon seconded recommendation (c) which was carried.

RESOLVED: That the allocation of seats on outside bodies to political groups as set out at appendix 2 is approved.

Recommendation (d)

Councillor Carole Gandy proposed and Councillor Nigel Shaw seconded recommendation (d) which was carried unanimously by Council.

RESOLVED: That the appointment of five co-opted members of children and young people scrutiny committee are approved as follows:

- i. one representative as nominated by the diocese of Hereford**
- ii. one representative as nominated by the archdiocese of Cardiff**
- iii. one parent governor as elected from the primary school sector**
- iv. one parent governor as elected by the secondary school sector**
- v. one parent governor as elected by the special school sector;**

Recommendation (e)

Councillor Jonathan Lester proposed and Councillor Ellie Chowns seconded recommendation (e).

Councillor Jim Kenyon initially voted against the recommendation and explained that his vote was an objection to the lack of committee seats allocated to not aligned members of the Council. Councillor Kenyon agreed to change his vote against to an abstention to allow a nem con vote to be achieved. The recommendation was carried with no votes against.

RESOLVED: That the suspension of the rules of proportionality in respect of the standards panel, the River Lugg Internal Drainage Board, and the Wye Valley AONB Joint Advisory Committee is approved;

Recommendation (f)

Council moved to recommendation (f) and the appointment of chairpersons and vice chairpersons to council committees.

The consideration of each appointment was as follows:

Chairperson of the Adults and Wellbeing Scrutiny Committee

Councillor Paul Rone proposed and Councillor William Wilding seconded the nomination of Councillor Elissa Swinglehurst as Chairperson of the Adults and Wellbeing Scrutiny Committee.

There were no other nominations.

(Councillor Elissa Swinglehurst left the meeting for the vote)

Councillor Elissa Swinglehurst was appointed.

Vice Chairperson of the Adults and Wellbeing Scrutiny Committee

Councillor Felicity Norman proposed and Councillor Jennie Hewitt seconded the nomination of Councillor Jenny Bartlett as Vice Chairperson of the Adults and wellbeing Scrutiny Committee.

There were no other nominations.

(Councillor Jenny Bartlett left the meeting for the vote)

Councillor Jenny Bartlett was appointed.

Chairperson of the Audit and Governance Committee

Councillor Jonathan Lester proposed and Councillor Barry Durkin seconded the nomination of Councillor Nigel Shaw as Chairperson of the Audit and Governance Committee.

There were no other nominations.

(Councillor Nigel Shaw left the meeting for the vote)

Councillor Nigel Shaw was appointed.

Vice Chairperson of the Audit and Governance Committee

Councillor Liz Harvey proposed and Councillor Yolande Watson seconded the nomination of Councillor Christy Bolderson as Vice Chairperson of the Audit and Governance Committee.

There were no other nominations.

(Councillor Christy Bolderson left the meeting for the vote)

Councillor Christy Bolderson was appointed.

Chairperson of the Children and Young People and Scrutiny Committee

Councillor Jonathan Lester proposed and Councillor Roger Phillips seconded the nomination of Councillor Carole Gandy as Chairperson of the Children and Young People Scrutiny Committee.

There were no other nominations.

(Councillor Carole Gandy left the meeting for the vote)

Councillor Carol Gandy was appointed.

Vice Chairperson of the Children and Young People and Scrutiny Committee

Councillor Carole Gandy proposed and Councillor Graham Andrews seconded the nomination of Councillor Diana Toynbee as Vice Chairperson of the Children and Young People Scrutiny Committee.

There were no other nominations.

(Councillor Diana Toynbee left the meeting for the vote)

Councillor Diana Toynbee was appointed.

Chairperson of the Employment Panel

Councillor Ellie Chowns proposed and Councillor John Hardwick seconded the nomination of Councillor David Hitchiner as Chairperson of the Employment Panel.

There were no other nominations.

(Councillor David Hitchiner left the meeting for the vote)

Councillor David Hitchiner was appointed.

Vice Chairperson of the Employment Panel

Councillor Gemma Davies proposed and Councillor Pauline Crockett seconded the nomination of Councillor Ellie Chowns as Vice Chairperson of the Employment Panel.

There were no other nominations

(Councillor Ellie Chowns left the meeting for the vote)

Councillor Ellie Chowns was appointed.

Chairperson of the General Scrutiny Committee

Councillor Tony Johnson proposed and Councillor Paul Rone seconded the nomination of Councillor Jonathan Lester as Chairperson of the General Scrutiny Committee.

There were no other nominations

(Councillor Jonathan Lester left the meeting for the vote)

Councillor Jonathan Lester was appointed.

Vice Chairperson of the General Scrutiny Committee

Councillor Gemma Davies proposed and Councillor Jonathan Lester seconded the nomination of Councillor Tracy Bowes as Vice Chairperson of the General Scrutiny Committee.

There were no other nominations.

(Councillor Tracey Bowes left the meeting for the vote)

Councillor Tracy Bowes was appointed.

Chairperson of the Planning and Regulatory Committee

Councillor John Harrington proposed and Councillor Paul Andrews seconded the nomination of Councillor John Hardwick as Chairperson of the Planning and Regulatory Committee.

There were no other nominations.

(Councillor John Hardwick left the meeting for the vote)

Councillor John Hardwick was appointed.

Vice Chairperson of the Planning and Regulatory Committee

Councillor Yolande Watson proposed and Councillor Felicity Norman seconded the nomination of Councillor Alan Seldon as Vice Chairperson of the Planning and Regulatory Committee.

There were no other nominations.

(Councillor Alan Seldon left the meeting for the vote)

Councillor Alan Seldon was appointed.

Chairperson of the Licensing Sub-Committee

Councillor John Hardwick proposed and Councillor Jeremy Milln seconded the nomination of Councillor Alan Seldon as Chairperson of the Licensing Sub-Committee.

There were no other nominations

(Councillor Alan Seldon left the meeting for the vote)

Councillor Alan Seldon was appointed.

RESOLVED: That the appointment of committee chairpersons and vice chairpersons of the committees are approved as follows:

Committee	Position	Councillor
Adults and wellbeing scrutiny committee	Chairperson	Councillor Elissa Swinglehurst
	Vice Chairperson	Councillor Jenny Bartlett
Audit and governance committee	Chairperson	Councillor Nigel Shaw
	Vice Chairperson	Councillor Christy Bolderson
Children and young people scrutiny committee	Chairperson	Councillor Carol Gandy
	Vice Chairperson	Councillor Diana Toynbee
Employment panel	Chairperson	Councillor David Hitchiner
	Vice Chairperson	Councillor Ellie Chowns
General scrutiny committee	Chairperson	Councillor Jonathan Lester
	Vice Chairperson	Councillor Tracy Bowes
Planning and regulatory committee	Chairperson	Councillor John Hardwick
	Vice-chairperson	Councillor Alan Seldon
Licensing sub-committee	Chairperson	Councillor Alan Seldon

9. CHANGES TO THE CONSTITUTION - COVID-19 INTERIM STANDING ORDERS

Council considered a report by the Solicitor to the Council which recommended the ratification of changes to the constitution that were introduced to facilitate the hosting of virtual meetings at the Council during the coronavirus pandemic. The report was introduced by the Solicitor to the Council.

The recommendation in the report was proposed by Councillor Liz Harvey and seconded by Councillor Nigel Shaw.

The recommendation was agreed by Council.

Resolved: that the COVID-19 interim standing orders contained in appendix A are approved.

The meeting ended at 12.12 pm

Chairman

**Chairman's Announcements – Council Meeting – 9th October 2020
Events attended by the Chairman since the last
Council meeting on 11th September 2020**

20th September – Battle of Britain Service, Hereford Cathedral

All necessary decisions in cases of emergency

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 in 2020: the February floods and the coronavirus pandemic. At the meeting of the full Council on 17 July and the annual Council on 11 September schedules of emergency decisions taken in response to these emergencies were presented.

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 since the publication of papers for the annual meeting of Council on 11 September 2020.

Covid-19 – September 2020

Revision of emergency active travel measures (EATM) associated with the response to COVID -19 outbreak

Decision Maker: Director of Economy and Place

Date of decision: 03/09/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=7122&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=7122&LLL=0)

Decision to administer the test and trace support payments to individuals on low income required to self-isolate

Decision Maker: Chief Finance Officer

Date of decision: 22/09/2020

[http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=7196&LLL=0,](http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?id=7196&LLL=0)



Meeting:	Council
Meeting date:	Friday 9 October 2020
Title of report:	Re-thinking governance
Report by:	Chairperson of audit and governance committee

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

To approve a governance model for Herefordshire Council

Recommendation(s)

That:

- (a) having regard to the work undertaken by the Re thinking Governance working group and the recommendation of audit and governance committee, a hybrid cabinet model of governance be approved with implementation from annual council in May 2021**

Alternative options

1. The council could ask the working group to continue the review and not make a recommendation at this time. This is not recommended as the resolution at full council on 11 October 2019 asked for a recommendation from the audit and governance committee by no later than October 2020 and the working group have now completed their work.
2. The council could resolve to approve a different model of governance but that is not recommended based upon the evidence reviewed by the working group and the recommendation of the audit and governance committee.

Key considerations

Section 1 - Methodology and approach

3. On 11 October 2019, the council resolved to review its governance arrangements to investigate and explore options for the future. In undertaking the review, the following guiding principles were set by the council:
- To maximise member engagement and participation in decision-making.
 - To ensure decision-making is informed, transparent and efficient.
 - To welcome public engagement.
 - To enable member and officers to perform effectively in clearly defined functions and roles.
 - To assess any resource implications for any proposed changes.

4. The review was undertaken by a cross-party working group, the current membership of which is:

Member	Substitute member	Political Group	Function
Councillor Bolderson		Conservatives	Audit and Governance
Councillor Bartlett	Councillor Toynbee	Green	Scrutiny
Councillor Watson	Councillor Hardwick	Herefordshire Independents	Planning and Regulatory
Councillor Seldon	Councillor Harvey	It's Our County (Herefordshire)	Cabinet
Councillor James	Councillor Andrews	Liberal Democrats	Employment Panel
Councillor Hunt	Councillor Matthews	True Independents	Scrutiny

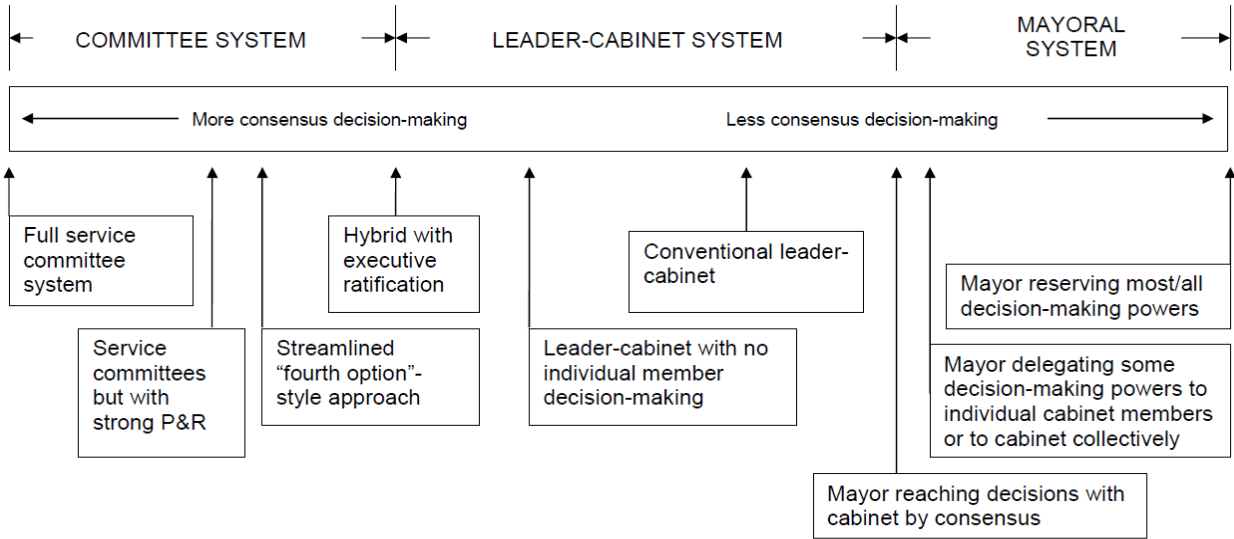
5. The Centre for Public Scrutiny (now known as the Centre for Governance and Scrutiny) (“CfGS”) was engaged to provide assistance to the working group, as they considered the options. CfGS has carried out significant national research on governance change, and has provided direct support to around two dozen councils on the subject since powers became available in the Localism Act 2010 to effect such a change. CfGS has also provided assistance to a number of councils which have chosen to explore and implement hybrid models of governance. CfGS has no “preferred” model for governance and considers that there are no clear “pros and cons” of any one given system – culture, behaviour and attitudes tend to be more important than structure.

6. The working group met on 10 occasions (27 January, 7 February, 18 March, 7 May, 20 May, 26 May, 10 July, 14 August, 21 August, 7 September and 10 September) to progress their deliberations. Those discussions plus the feedback from the Member workshops (22-23 April 2020) and the All-Members Questionnaire (June 2020) has enabled the working group to identify the following concerns with the current governance model at Herefordshire council. These are:

- insufficient communication with the public, engagement and promotion of current issues;
- political proportionality not always making the best use of members skills & experience;
- process for input into forthcoming decisions needing to be improved and could be more informative including the use of political group consultations;
- improvements needed to make the forward plan easier to find, navigate and understand;
- lack of a cross party think tank or policy development panel/committee;
- lack of a collaborative culture;
- scrutiny function could be improved and strengthened;
- balance of council work with outside employment responsibilities heavily impacts the level of members involvement;
- member development could be improved as a result of the complexity of rules and experience of members; and
- members feel uninformed and find it difficult to shape new policies and decisions.

7. These concerns have been the foundation for the working group’s discussion on which model would best meet the needs of Herefordshire council.

8. The working group also reviewed the governance change approaches taken by a number of other councils, in particular those councils which have chosen to adopt either the committee system or a hybrid model of governance. The working group found that while several formal governance “options” exist, governance approaches are a spectrum, from systems which concentrate decision-making power in a single individual at one end, to those where decision-making responsibility is far more distributed. The diagram below illustrates this breadth.



Section 2 - Main findings

9. The working group suggested and audit and governance committee recommend that the Council adopt a hybrid cabinet model of governance, allowing for a greater degree of councillor involvement in policy development, decision-making and oversight without a break from the legal structure of the Cabinet system. It is the view of the working group that an improved cabinet system can address all of the issues raised by members about the current cabinet system, whilst taking into account members different interests and time commitments during their term in office.
10. Time that members could devote to council business was identified as a significant barrier to good governance and members overall appetite gained from the survey and discussions in groups does not support a model where more meetings would be required. It was highlighted that many task and finish groups of scrutiny, which are open to all members, although not additionally remunerated, struggle to attract a membership. In addition, some members wish to focus more time on direct support to their constituents, possibly to the exclusion of “formal” business in committee, whilst others want to take roles in either oversight (through the audit or scrutiny process), leadership in licensing or planning or contribute to policy development. The hybrid model provides members with the opportunity for involvement commensurate to their availability and interests, recognising that there is likely to be more involvement in higher profile/contentious decisions.
11. Adopting a hybrid model does not require the Council to embark on a formal, legal process for governance change. A formal change (to the committee system, for example) would require the Council to continue with that form of governance for five years. The hybrid approach provides the council with the opportunity to make changes within the current system with no rigid timescales. To help ensure timely and effective implementation, the working group suggests that the model is reviewed, and altered if necessary, after one year of operation.
12. Many of the concerns with the current governance could be overcome with a change in culture, improved behaviour, attitudes and values. The working group believe that improvements can be made to the current model including improved communication, member training and development, to give members the capacity, confidence and expertise they need to play an active role within the political environment.
13. The hybrid model is recommended as the working group believe it can achieve the following outcomes which will meet the concerns identified in Section 1 above.
 - Enhanced opportunities, regardless of proportionality, for councillors to be directly involved in influencing decisions on high profile/contentious matters.
 - Improved provision of information to councillors, through the Forward Plan and forthcoming decision process and through a better approach to member briefing.
 - Refreshed member and officer training and development to reflect the cultural change required for working in a political environment.
 - Clear demarcation between members’ and officers’ roles for the smooth running of the authority.
 - Creation of activities carried out in formal, and informal, spaces. Including opportunities for the creation of more informal spaces for member dialogue.
 - A more active role for councillors in policy development.
 - Improved understanding how and where delegated decisions are made and overseen.
 - Resetting of councillors roles in review and scrutiny of council services.

- Build a more targeted role for scrutiny on performance and risk management alongside its other, external, statutory roles – such as those relating to health and community safety matters.
 - Increase the awareness of activities relating to oversight, decision-making and policy development.
 - Improved layout, accessibility and understanding of the constitution and the processes and systems in it to support good decision-making.
 - More regular and systematic member briefings.
 - Improved ability for the public to be involved.
14. This paper sets out the basic framework for what a hybrid model would address. Should the Council resolve to proceed with the implementation of such a model, the working group will continue to work together to refine and add the necessary detail to this framework with a view to a new constitution being presented to council for in May 2021. All members will be invited to participate in assisting the working group with the changes that are necessary to make the hybrid model work. The audit and governance committee will receive updates from the work of the group to ensure that the May 2021 implementation date will be met.

Community impact

15. Corporate governance is the term used to describe the systems, processes, culture and values Herefordshire Council has established to ensure we provide the right services, to the right people in a timely, open, and accountable way. Good corporate governance encourages better informed longer-term decision making using resources efficiently, and being open to scrutiny with a view to improving performance and managing risk. Periodic reviews of the models of governance adopted by the council and the established processes and culture are valuable ways in which we can demonstrate how we uphold the code of corporate governance.
16. The council is responsible, as a corporate parent, for providing the best possible care and safeguarding for children who are looked after by the council, and as part of this must consider the impact of decision making on looked after children and care leavers. Any review of models of governance and mechanisms for stakeholder engagement in decision-making must consider how this responsibility may best be discharged.

Environmental Impact

17. The development of a revised governance model will seek to minimise any adverse environmental impact and will actively seek opportunities to improve and enhance environmental performance.

Equality duty

18. 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.
19. 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. Any review of governance models and decision making processes must ensure this duty is demonstrably upheld and promoted

Resource implications

20. The review is being undertaken using existing resources. As agreed by committee external support from CfGS has been sought and payment is within the approved £6,000 budget.
21. The working group have recognised that a revised model has the potential to raise the resourcing required by officers. This will be reviewed and taken into account when designing the new model.

Legal implications

22. The council is required to have a constitution. The proposed model will provide the basis for changes to the current constitution to be adopted and implemented at the next annual council meeting.

Risk management

23. The working group will be responsible for ensuring that timescales are met and will provide updates to the audit and governance committee as part of their work programme. There is currently sufficient time to review the constitution, consult and make the necessary proposed changes.
24. There is also a risk that all members are not engaged in the process and their views are not made known to the working group. The establishment of a cross party working group was aimed to address this but given mixed attendance additional steps may be necessary to ensure all members are aware of the work being undertaken in the group.

Consultees

25. All elected members were invited to provide their views in the survey monkey and attend the workshops. All political groups are represented in the working group. The non aligned member declined to participate in the working group.

Appendices

Appendix 1 feedback from workshops which helped to inform the survey

Appendix 2 analysis of survey monkey as circulated to members on 18 August 2020

Appendix 3 revised timetable

Background papers

None.

Herefordshire Council

Notes from Member Workshops - present by Zoom conference sessions

22nd and 23rd April 2020

Report by Centre for Public Scrutiny

1. It was agreed by the Rethinking Governance Working Group that the next stage in the review process should be a workshop to allow all Members to engage in the review. The workshop would provide information on various aspects of governance change and present an opportunity for Members to explore and ask questions on the various models available.
2. Due to current restrictions on physical meetings and gatherings, it was decided to provide the workshops as small group discussion using Zoom conference technology. Four on-line workshop sessions were arranged and facilitated by Ian Parry, Head of Consultancy at the Centre for Public Scrutiny. The sessions were provided as a morning, afternoon or early evening option, with an additional morning session on the second day.
3. 37 Councillors took part over the four sessions.
4. The sessions comprised a presentation and discussion on the review process and the options available. This included:
 - Why taking an analytical approach is essential in reviewing governance
 - Present governance background – purpose of governance and options available
 - Explore the strengths and weaknesses of the current governance model
 - Brief oversight of how each works, and specific examples of where councils have adopted both models
 - Discuss examples of adapting either model to create hybrids and how these can work
 - Consider an option to retain present model but with additional features to offer greater Member inclusion. Taking a gap analysis approach to explore how to strengthen and improve. But also, to retain the option to move to a different model if satisfactory improvement cannot be achieved.
 - Consider an alternative option – if satisfactory improvements can't be found then changing the governance model is explored with an understanding of the possible improvements, implication and timescales

Outcomes from the workshops:

- Members recognised that both governance models – Cabinet or Committee both had strengths and weaknesses
- There was a balanced discussion around the benefits of improving the current structure or moving to committee
- Members appreciated and recognised that the ‘control’ and ‘power’ in both models would inevitably reside in political groups and their relative size
- Organisational culture, involving relationships, behaviours and expectation was widely seen as a key part of ensuring that either governance model is effective, and that greater focus on culture could bring significant benefits
- Councillors also acknowledged that decision making needs to be done effectively, efficiently and often at pace and this was an important consideration in adopting a governance framework
- There was interest from Members in the decision-making role of Officers in a committee structure and how this would be democratically managed
- Members expressed views on the role of Group Leaders in sharing information and the need to consider how information on key decisions, policy change and other important information can be made easier to access for Members.

Member survey

This was explained to Members as part of the evidence and opinion gathering part of the review, to ascertain Member views, expectations and preferences. The survey has been drafted by the Centre for Public Scrutiny and is due to be considered by the Review Group and then issued electronically via email to all Members.

Ian Parry | Head of Consultancy

Centre for Public Scrutiny Ltd | 77 Mansell Street | London | E1 8AN

Tel: 07831 510381 (preferred)

Tel: 020 7543 5627 (Main office)

Visit us at www.cfps.org.uk

Follow [@cfpscrutiny](https://twitter.com/cfpscrutiny) _

CfPS is a registered charity: number 1136243

Rethinking governance

31

Practical steps for councils
considering changes to their
governance arrangements

Herefordshire Council Rethinking Governance

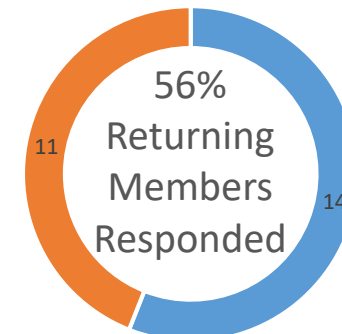
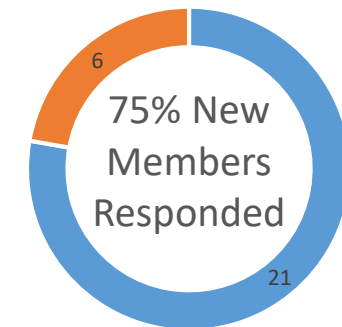
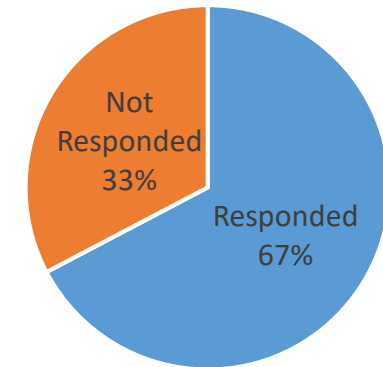
All Members' Questionnaire Summary

July 2020

Rethinking Governance & Questionnaire

- Full Council in 11 October 2019 approved a Notice of Motion to Review Governance Models at Herefordshire Council
- The Re-thinking Governance review is following 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
- The purpose of the questionnaire was to formally gather views and experiences of members on the current governance model at Herefordshire Council in an anonymous way
- It was completed between 4-26 June 2020
- With a 67% response rate, it was considered that the results can inform the future decisions by the working group
- Taking into account the Covid-19 environment, majority of members wanted the review to continue with a full comparison between the committee and cabinet system

Member Response Rate to Questionnaire



Summary – Objectives of Good Governance

Members were asked to rank 11 objectives of good governance from most to least important.

Most Important Objectives:

1. Clear leadership & accountability
2. Open & Clear Communication
3. Robust & Independent challenge/scrutiny of decisions/performance
4. Fosters an inclusive system of decision making

There was wide ranging views on Herefordshire Council's performance against the 11 objectives. Four objectives receiving very low to very high rankings. Only 4 objectives had very low rankings whilst all 11 objectives had very high rankings. Generally, returning members thought the council was performing better when compared to new members.

Best Performing Objectives

1. Clear leadership & accountability
2. Competent, fair & knowledge-based decision-making & law abiding behaviour
3. Has a system that meets the needs and makes best use of available resources
4. Everybody being clear about what their roles are

Worst Performing Objectives

- All the below objectives had an average Low ranking:
1. Fosters an inclusive system of decision making
 2. Enables meaningful engagement which is equitable and inclusive
 3. Promotes collaboration & Consensus

Summary – Barriers to Good Governance

Below is a summary of barriers as identified by the results and members free text options of the questionnaire:

Time

- Complexity of the operating model and time to understand / ask questions
- Balance of council work with outside employment responsibilities impacted all areas of involvement

Culture & Communication

- Insufficient communication with the public, engagement and promotion of current issues
- Proportionality sometimes does not make the best use of members skills & experience
- Process for input into forthcoming decisions could be improved and could be more informative
- Difficult to find officers on the phone and sometimes they are slow to respond to emails
- One member indicated that senior officer leadership could be improved in relation to speaking to officers and decision-makers or policy consultations
- lack of a cross party think tank or policy development panel/committee
- Lack of collaborative culture
- Use of jargon
- Too heavily reliant on email
- Feeling uninformed

Member development

- Returning members expressed a wish to be more involved when compared to new members in all areas except being better informed about council policy and decisions. This could highlight areas for new member development
- Complexity of rules and lack of experience/knowledge in most areas of involvement: to ask questions, submit motions, request call ins, use of forward plan, influencing committee work programs, policy development, constitution in general
- 31% of respondents had never referenced the constitution
- Only 43% of members wanted to participate in a formal policy development panel or committee

Forward Plan

- Too short-term
- Not easy to find, navigate and understand
- Too complex

Other Suggestions

- Improve data collection, sharing and analysis
- More interactive comparisons with other councils
- Operating model considerations: Hybrid model, speed of decision making, value for money and number of decisions made by officers vs members

Summary – next steps

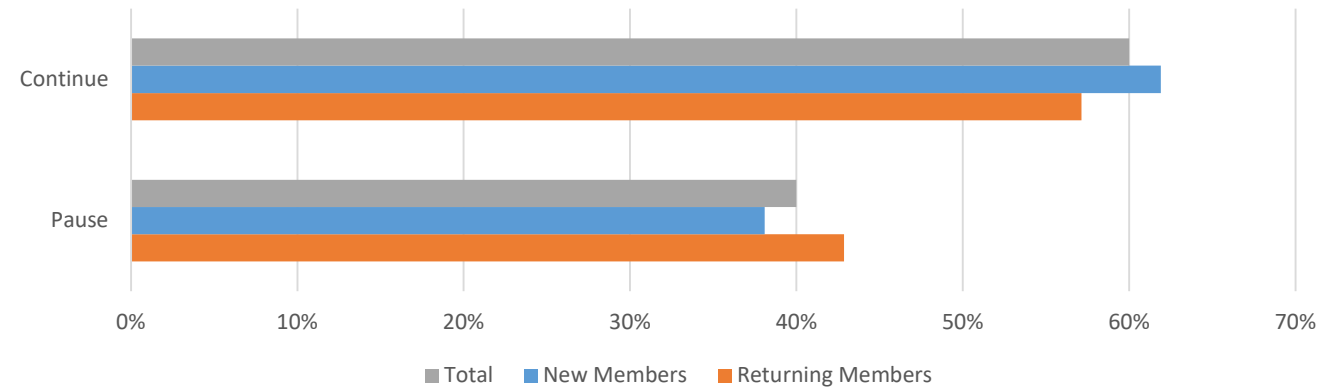
- Identify areas where changing culture and/or practice that could provide solutions
- Identify potential structural solutions
- Assess potential pros and cons (including risks) of the cultural and structural solutions to identify a preferred option (including looking at how effectively these operate in other comparator councils)

Covid-19 & Use of Constitution

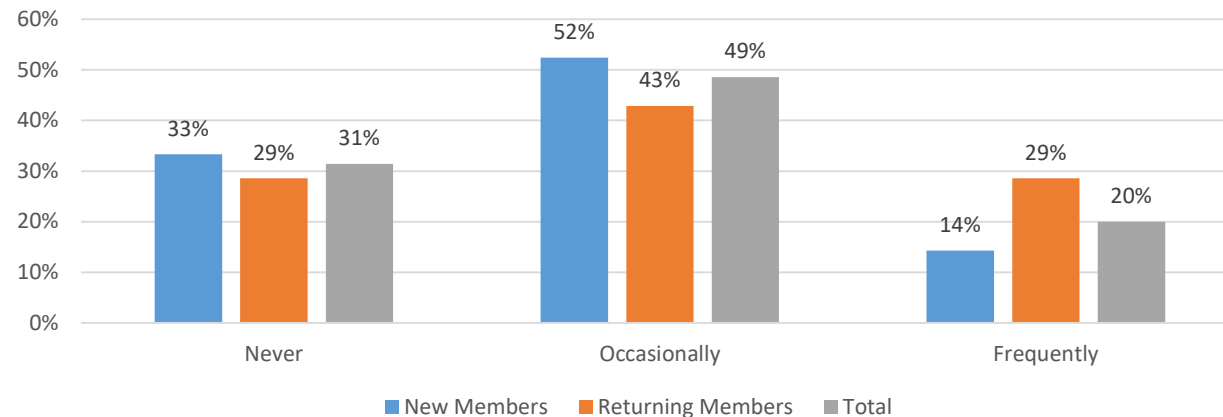
Majority of members wanted the review to continue with a full comparison between the committee and cabinet system

Length of service did not significantly impact the results

Percentage of Members wanting to Pause or Continue as a result of Covid-19



Percentage of members referencing the constitution



Majority of members have referenced the constitution during their service

Returning Members were twice as likely to frequently reference the constitution compared to new members

Objectives of Good Governance



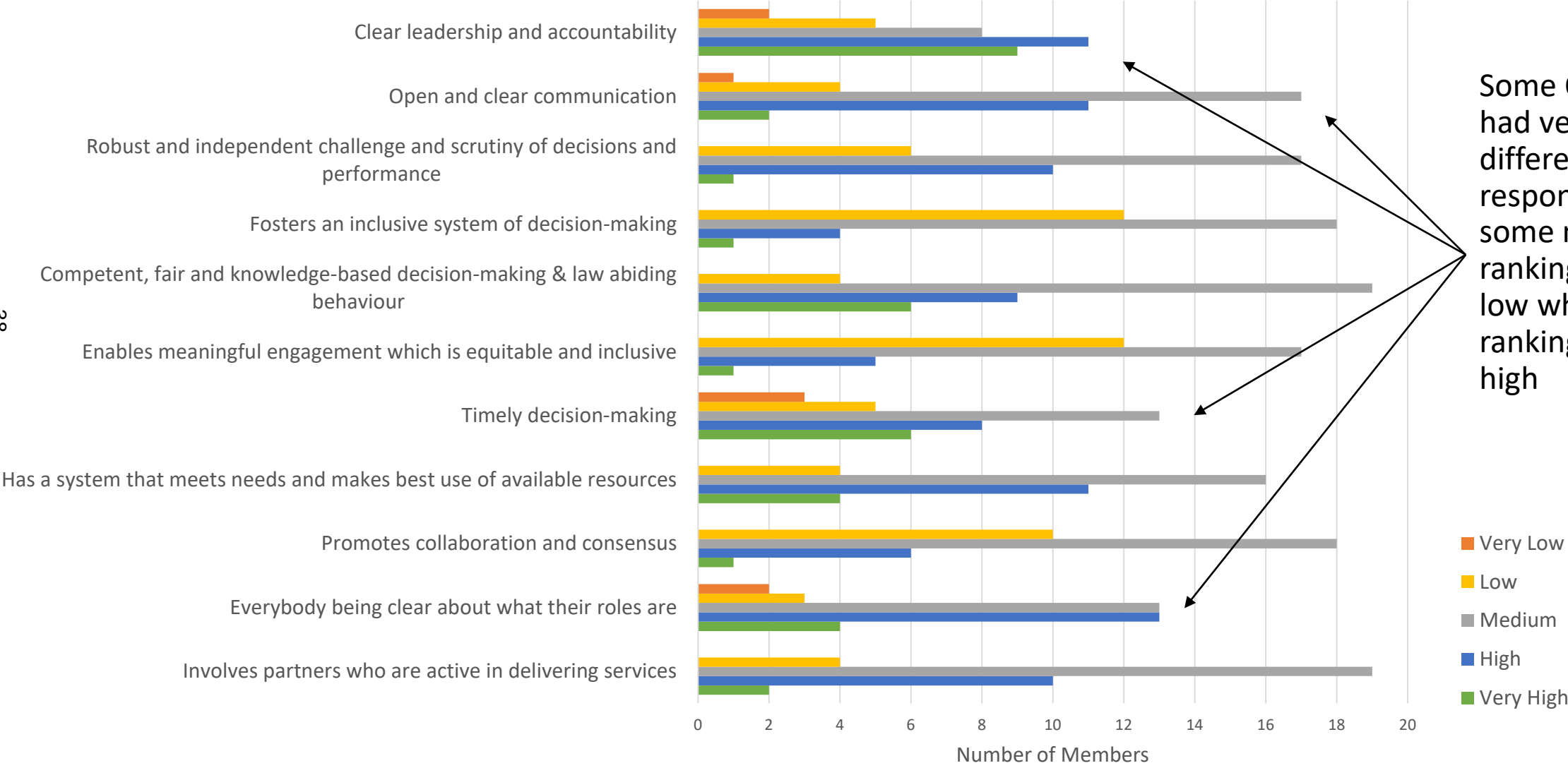
Members ranked the objectives with 1 being most important and 11 being least important

Average results demonstrate clear leadership and accountability as the most important objective

There was no significant difference in rankings when length of service was considered

How the Council is Meeting the Objectives

38

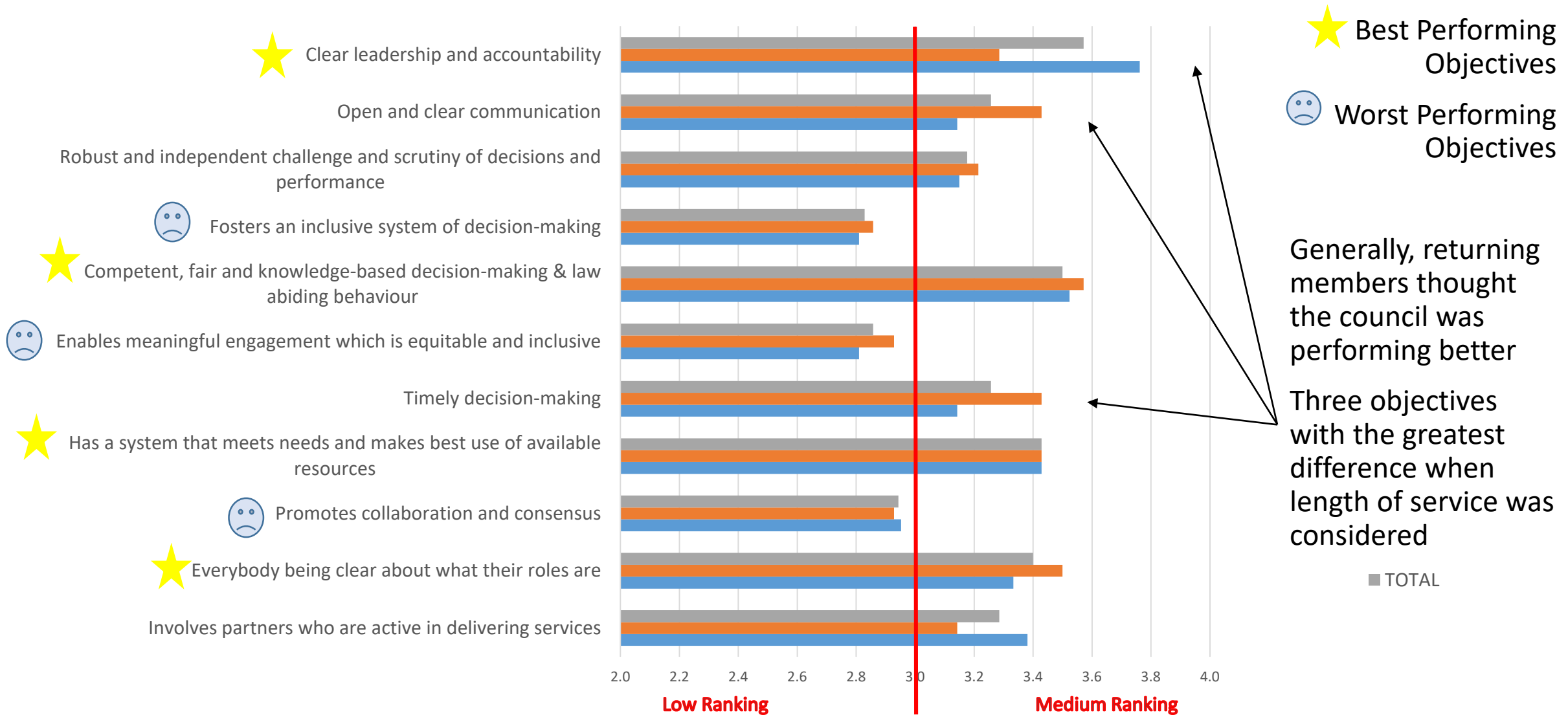


Some Objectives had very different responses with some members ranking it very low whilst others ranking it very high

- Very Low
- Low
- Medium
- High
- Very High

Meeting Objectives – Average & Service

39



★ Best Performing Objectives

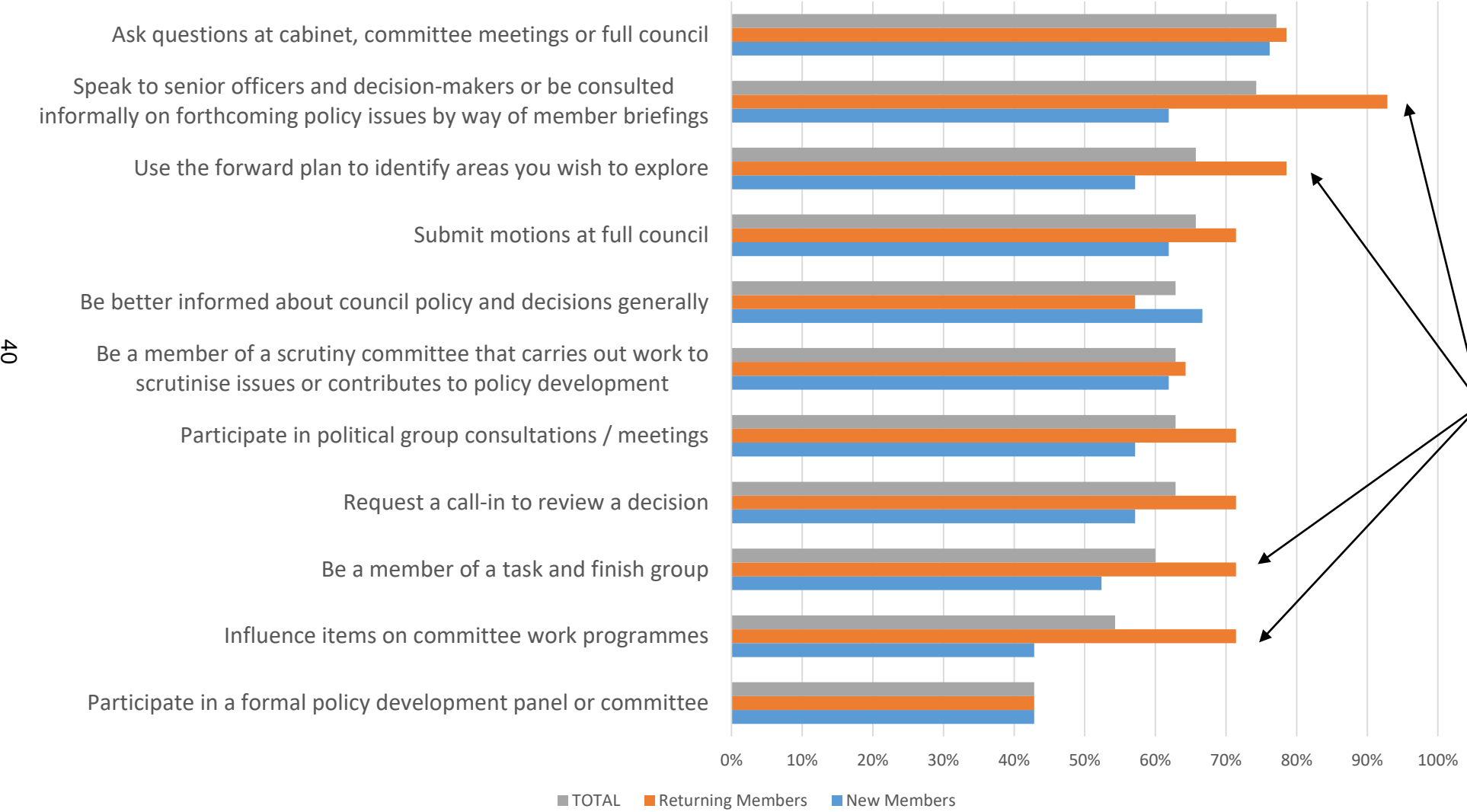
☹️ Worst Performing Objectives

Generally, returning members thought the council was performing better

Three objectives with the greatest difference when length of service was considered

■ TOTAL

Involvement of Members



Returning members wanted to be more involved compared to new members across all areas except for being better informed

There was a significant difference in 4 areas when length of service was considered

Only 43% of members wanted to participate in a formal policy development panel or committee

**Re-thinking Governance Working Group
Timetable**

Step/activity	Who	When	CfPS Step	Completed
<i>Step i) Plan the approach and assess current position</i>				
Confirm role of working group	Audit & Governance Committee	19/11/2019		√
Confirm external support from CfPS	Audit & Governance Committee	19/11/2019		√
Confirm whether scope includes impacts on partners	Audit & Governance Committee	19/11/2019		√
Confirm expectations re engagement	Audit & Governance Committee	19/11/2019		√
Assess how decisions are currently made (who by, what/how information about decisions is made available, how member engagement in decision making is enabled, the relationship between the executive and scrutiny, public and stakeholder engagement in decision making, partnership decision-making; mechanisms for review of implemented decisions, budget, and performance)	Working Group	27 January 2020	Workshop 1	√
Review current arrangements against the guiding principles established by Council to identify areas for improvement focus	Working group – facilitated by CfPS	7 February 2020	Workshop 2	√
All members’ webinars	Solicitor to the council	23 -24 April 2020		√
All member questionnaire	Working group	4- 25 June		√
Progress Report to audit and governance committee	Solicitor to the council	16 June 2020		√
<i>Step ii) Agree design principles</i>				
Guiding principles established	Council	October 2019		√
<i>Step iii) Think of ways to meet the guiding principles and put a plan in place</i>				
Identify areas where changing culture and/or practice that could provide solutions	Working group	7 August 2020	Workshop 3	√
All Members’ Seminar	Solicitor to the council	If required		Not required
Identify potential structural solutions	Working group	14 August 2020	Workshop 3	√
Assess potential pros and cons (including risks) of the cultural and structural solutions to identify a preferred option (including looking at how	Working group – facilitated by CfPS	7 and 10 September 2020	Workshop 4	√

**Re-thinking Governance Working Group
Timetable**

effectively these operate in other comparator councils)				
Produce recommendations for consideration by Council	Working group report to Audit & Governance Committee	25 September 2020		√
	Audit & Governance Committee report to Council	9 October 2020		
	Resolution by Council	9 October 2020		
<i>Step iv) Make the change</i>				
Review constitution to align it to any decision made by Council	Monitoring Officer, using working group as a reference group, and reporting to Audit and Governance Committee bi monthly	By end March 2021		
Independent Remuneration Panel undertake review of member allowances scheme in light of any decision made by Council	Monitoring Officer to co-ordinate	By end March 2021		
Approve revised constitution and allowances scheme	Council	Annual meeting May 2021		
Implementation of any changes		From annual Council May 2021		
<i>Step v) Return to the issue after a year and review how things have gone</i>				
Undertake a survey of members to capture views	Monitoring Officer	June 2022		
Determine whether the changes have produced the intended outcome and, if not, identify further actions.	Audit & Governance Committee	September 2022		



Meeting:	Council
Meeting date:	Friday 9 October 2020
Title of report:	Hereford leisure pool re-opening
Report by:	Cabinet Member Commissioning, Procurement and Assets

Classification

Open

Decision type

Budget and Policy Framework

Wards affected

(All Wards);

Purpose

To approve the addition of a new capital budget to ensure the swift reopening of the Hereford leisure pool that has been closed since suffering from flooding in October 2019.

The majority of reinstatement work costs are funded from insurance cover however to open the centre to the public uninsured works require funding. The funding of these costs is proposed to be from a combination of existing and new capital budget, funded from prudential borrowing.

Recommendation(s)

That:

- (a) To approve the addition of a new capital budget to fund un-insured regulatory and essential works required at the Hereford leisure pool. To be funded by existing budgets wherever possible and, failing that, new prudential borrowing not expected to exceed £505k.**

Alternative options

1. To not approve the decision at this time. Any delay in approval would result in the inability to complete the required works in tandem with the insurance funded works. This would result in additional time and cost.
2. To not fund the uninsured works required. The council could decide not to fund the uninsured works required, the contractors on site are able to complete the insured works and return the site to the council, as landlord, however the building could not re-open. To re-open the building the council would then need to scope and procure the essential and regulatory works that are needed. This would result in additional cost, time and delay.
3. To look at the longer term position of the pool. This report is to re-open a popular facility in a timely manner. The council could decide not to do this and instead seek an alternative site. This is expected to take a substantial time with no facility being available during that time. It would be preferable to approve this report and review the location of the pool as part of the core strategy and leisure strategy developments.

Key considerations

4. Hereford leisure pool is a council owned asset with Halo, as tenant, responsible for the provision of leisure facilities. In October 2019 the Hereford leisure pool suffered a flood event that resulted in the electricity supply to the on-site water pumps failing. The site has remained closed whilst insurance funded works took place to reinstate the electricity supply however a subsequent flooding event in February 2020 extended the damage to the site before these works concluded.
5. A new electrical entry point is now in place and testing is on-going. The damage to the site is substantial and multi-million insurance settlement works are well underway however on site investigations have highlighted a need to spend additional funds on uninsured works to enable a certified building to be re-opened for public use.
6. The works required are not covered by insurance due to the site investigations discovering legacy remedial works that require addressing. Due to the nature of the uninsured works required the council has appointed a quantity surveyor and mechanical and electrical engineer to verify that the works are required, correctly allocated and appropriately costed. This works includes obtaining competitive quotes.
7. It would be beneficial to complete the uninsured works at the same time as the insured works to save costs, time and duplication. The council is able to do this through utilising an available medium construction related works procurement framework agreement UOW741 Framework Agreement for the Provision of Medium Construction Related Works and Building Refurbishment. This framework complies with our contract procedure rules and allows for a direct award of a contract to the contractor that has already undertaken significant works on the current site.
8. The recommendation is to approve the addition of a new capital budget to fund the works required. The exact value to be agreed following confirmation of costs and utilising existing budgets wherever possible, it is expected that prudential borrowing will be required.
9. The site is subject to future flooding however a permanent site pump has been agreed by insurers as a satisfactory mitigation measure. A new electrical entry point (higher than previously sited) and a back-up generator socket to the new pump will ensure flood water is effectively pumped outside of the building as future flooding events occur.

10. This report recommends using the on-site contractor to complete the uninsured works required to reopen the site to the public, this is expected to be before spring 2021.

Community impact

11. There is a need to re-open the site as quickly as possible to enable county residents to use the Halo facility, this includes the provision of swimming lessons to school children. Whilst the site remains closed a number of physical well-being activities are not being provided.

Environmental Impact

12. The council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
13. Whilst this is a decision on re-opening an existing asset and will have minimal environmental impacts, consideration has been made to minimise waste and resource use in line with the Council's Environmental Policy wherever possible.

Equality duty

14. 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.
15. 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 is a decision to reinstate previous service provision, we do not believe that it will have an impact on our equality duty.

Resource implications

16. The regulatory and essential uninsured works required are expected to be in line with the table below:-

Site area	Regulatory works £
Plant room lighting	15,830

Electrical upgrade	169,802
Lightening protection	23,817
Fire alarm replacement	172,697
Plant room flat roof	14,736
Roof anti climb measures	8,358
Concrete repairs	77,000
Roof mounted pipework	22,000
Totals	504,239

17. The actual cost detail continues to be assessed and reviewed however the above is a good indication of the expected contribution required. Work continues in reviewing current budgets to identify underspends that could be redirected to fund this new commitment. However if the above sum requires funding from prudential borrowing the cost of repaying this borrowing in future years would be approximately £31k per annum.
18. The indicative costs exclude site preliminary costs based on the assumption that the works will be carried out on a concurrent basis to the main reinstatement program and overall period. If this was not the case the preliminary costs would be incurred in addition to the costs shown above.

Legal implications

19. Section 1 of the Localism Act 2011 provides for the council a General Power of Competence, which means that the council has the power to do anything that an individual may do. This power allows the council to both commission the recommended works and, if necessary borrow the money to fund the works. Any borrowing will have to be in accordance with the prudential code on borrowing.
20. The contractor undertaking the insured reinstatement works can be procured directly by the council through an available framework contract for such works and appropriate contractual documentation will be put in place to protect the council's interests in undertaking the additional essential non-insured remediation works.
21. Section 106 of the Local Government Finance Act 1992 precludes a councillor from voting on any recommendation, resolution or other decision which might affect the calculation of the Council's budget, if he or she has an outstanding council tax debt of over two months. If a councillor is present at any meeting at which relevant matters are discussed, he or she must disclose that section 106 applies and may not vote. Failure to comply is a criminal offence.

Risk management

22. There is a risk of on-going site testing resulting in additional spend being required. This is mitigated by the good progress being made on site and the completion of an independent quantity surveyor cost review of the estimation provided.
23. There remains a risk that the site will flood at future dates. This is mitigated by the installation of an on-site pump coupled with a new electrical entry site and back-up generator plug should that be needed.
24. There is a risk that using the on-site contractor may not provide the best value. The onsite contractor is well regarded and cost estimations provided are subject to an independent quote comparison.

Consultees

25. Consultation on this key decision has been taken with the political groups whom support the recommendations proposed.
26. The true independents support the proposal.
27. The green party support the proposal with it being in clear public interest to re-open this important non-profit community facility that has clear public health benefits.
28. Councillor Kenyon responded as an ungrouped councillor. He supports bringing the swimming pool back online and the measures the council are taking to ensure value for money, also suggesting an upgrade to the slide.

Appendices

None

Background papers

None identified



Meeting:	Council
Meeting date:	Friday 9 October 2020
Title of report:	2019/20 Treasury Management Outturn
Report by:	Cabinet member finance and corporate services

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

To approve the treasury management outturn for 2019/20.

The 2019/20 net treasury budget outturn was a surplus (underspend) of £0.7m, the main reason being the lower interest cost payable compared to budget, at £0.3m, due to no new additional borrowing being secured in 2019/20.

Cabinet reviewed the outturn at its meeting on 25 June and recommended it for approval.

An annual report is presented to Council in line with the CIPFA's Code of Practice on Treasury Management.

Recommendation(s)

That:

- (a) The treasury management outturn for 2019/20, as detailed in appendix 1, be approved.**

Alternative options

1. There are no alternative options, the council's treasury management activity is underpinned by CIPFA's Code of Practice on Treasury Management. Before the start of every year the Code requires local authorities to produce Prudential Indicators and a Treasury Management Strategy Statement detailing the policies and objectives of the council's treasury management activities for the forthcoming year, report on this performance during the year and the treasury management outturn after the year end. This outturn report compares actual activity to the Council approved strategy's policies and objectives.

Key considerations

2. Treasury management is where the council manages the cashflow position, through investments and borrowings, with the security of funds being the paramount objective.
3. The net treasury budget outturn was a surplus (underspend) of £0.7m, this is detailed in Appendix 1 and summarised below.

Treasury Management Budget	Budget £m	Outturn £m	Variance £m
Interest receivable	(0.2)	(0.4)	(0.2)
Interest payable	5.7	5.4	(0.3)
Minimum revenue provision (provision for repayment of loan principal)	6.9	6.7	(0.2)
Totals	12.4	11.7	(0.7)

4. The main reason for the underspend being no new borrowing, short or long term, being secured in 2019/20. External borrowing decreased by £7.2m in 2019/20 from £137.5m to £130.3m. The expectation to borrow did not happen following an underspend in capital investment in 2019/20.
5. In addition, during 2019/20 the council's investment balances averaged at £44m. A combination of higher investment balances and higher interest returns, the average interest rate achieved during 2019/20 was 0.82%, delivered an underspend.
6. The council's borrowing strategy is determined each year within the treasury management strategy, which is approved as part of the budget setting process. External borrowing is taken out to support the council's capital programme and borrowing limits are set in accordance with the Prudential Code for Capital Finance in Local Authorities.
7. Appendix 1 provides the detailed outturn report and includes an analysis in line with the CIPFA code of practice on treasury management. Herefordshire Council has adopted the recommendations made in CIPFA's Treasury Management in the Public Services: Code of Practice, which was revised in 2017. One of the clauses (identified in Section 5 of the code) is that full Council will receive reports on treasury management policies, practices and activities, including, as a minimum, an annual strategy and plan in advance of the year; a mid-year review; and an annual report after its close.
8. The Council complied with its Prudential Indicators, Treasury Management Policy Statement and Treasury Management Practices for 2019/20 as detailed in Annex 1

contained in Appendix 1. A prudent approach has been taken in relation to investment activity with priority being given to security and liquidity over yield.

Community impact

9. The effective management of resources enables the council to direct those resources to support corporate plan priorities.
10. In accordance with the code of corporate governance, Herefordshire Council must ensure that it has an effective performance management system that facilitates effective and efficient delivery of planned services. Effective financial management, risk management and internal control are important components of this performance management system. To support effective accountability the council is committed to reporting on actions completed and outcomes achieved, and ensuring stakeholders are able to understand and respond as the council plans and carries out its activities in a transparent manner. Providing a report on the performance of our treasury management activity ensures openness and transparency is maintained.

Equality duty

11. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:
12. 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.
13. 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 is a factual summary of the performance in 2019/20, we do not believe that it will have an impact on our equality duty.

Resource implications

14. None arising from the recommendations, the outturn report is a factual summary of performance in 2019/20.

Legal implications

15. Regulation 24 of the Local Authorities (Capital Finance and Accountancy) (England) Regulations 2003 states that a local authority shall have regard to the Code of Practice on Treasury Management in the Public Services: published by CIPFA, as amended or reissued from time to time.
16. There are no direct legal implications arising from the recommendations in this report which are not covered in the body of the report. The council has complied with its statutory obligations arising from the Local Government Act 2003, and all relevant CIPFA guidance.

17. The constitution states that approval of the Treasury Management Policy, Treasury Management Practices and prudential indicators including the Minimum Revenue Provision are the function of council. This approval of the outturn forms part of the annual approval process.

Risk management

18. Council approves the treasury management strategy for the year ahead as part of the annual budget setting process which details the risk mitigation processes. Council is then required to approve the treasury management outturn position under financial reporting requirements with monitoring reported to cabinet throughout the year.

Consultees

19. None.

Appendices

Appendix 1 Treasury Management Outturn 2019/20

Background papers

None identified

Annual Treasury Management Outturn Report 2019/20

1. Introduction

- 1.1. The council's treasury management activity is underpinned by CIPFA's Code of Practice on Treasury Management. Before the start of every year the Code requires local authorities to produce Prudential Indicators and a Treasury Management Strategy Statement detailing the policies and objectives of the council's treasury management activities for the forthcoming year. This outturn report compares actual activity to those policies and objectives.
- 1.2. The council borrows and invests substantial sums of money and is therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of these risks are central to the treasury management strategy.

2. Economic Background

- 2.1. **Growth:** Economic growth in the UK and globally has slowed sharply amid the disruption caused by the impact of the Coronavirus Covid-19.
- 2.2. **UK Monetary Policy:** The Bank of England announced "a comprehensive and timely package of measures to help UK businesses and households' bridge across the economic disruption that is likely to be associated with Covid-19." The bank rate was reduced by 0.5% to 0.25% on 11th March 2020 and then, at a special meeting on 19th March reduced again by 0.15% to 0.10%. At the same time the bond buying programme was increased by £200bn to a total of £645bn.
- 2.3. **Inflation:** CPI inflation was at 1.7% at the end of February 2020, down from 1.8% in January and 1.5% at the end of March.

3. Borrowing

- 3.1. The council continues to choose to utilise accessing lower cost short-term loans from other local authorities, should it need to, rather than more expensive longer term debt due to the differential between short and longer-term interest rates. This policy is expected to continue in 2020/21 but should this differential decrease and short term borrowing costs increase, the council will begin securing additional fixed long term debt to fund its borrowing requirements.
- 3.2. In 2019/20 the weighted average interest rate paid on council borrowing was 3.96% (3.90% in 2018/19) with the increase being due to no new borrowing, at a lower interest rate, during the year. This is the weighted average cost of long term borrowing, there was no short term borrowing.
- 3.3. It is council strategy to maintain borrowing and investments below their underlying levels by using "internal borrowing", this means utilising usable reserves to manage the cashflow position. This maintains borrowing and investment balances to a minimum level reducing borrowing costs and restricting investment counterparty exposure.
- 3.4. During 2019/20 Public Works Loan Board (PWLB) lending rates were generally on a falling trend until 9th October 2019 when, without any prior warning, all lending rates were increased by 100 basis points (1%).
- 3.5. The premium charged by the PWLB for the early repayment of PWLB debt remained too expensive for existing loans in the council's portfolio to be repaid and rescheduled. No

Annual Treasury Management Outturn Report 2019/20

rescheduling activity was undertaken in 2019/20, this option will continue to be constantly considered.

3.6. Borrowing activity during the year is summarised below:

Borrowing Activity in 2019/20	01/04/19 Balance £m	New Borrowing £m	Debt Maturing £m	31/03/20 Balance £m
Short-term borrowing	0.0	0.0	0.0	0.0
Long-term borrowing	137.5	0.0	(7.2)	130.3
TOTAL BORROWING	137.5	0.0	(7.2)	130.3
Other long-term liabilities*	53.3	0.3	(2.7)	50.9
TOTAL EXTERNAL DEBT	190.8	0.3	(9.9)	181.2
<i>*Other long term liabilities represent existing commitments under PFI arrangements included in the medium term financial strategy</i>				

3.7. Total borrowing decreased by £7.2m due to repayments exceeding the need to borrow funds through the utilisation of internal borrowing to fund capital programme spend in 2019/20.

3.8. The council's underlying need to borrow as measured by the Capital Financing Requirement (CFR). As at 31/03/2020 this totalled £314.5m. The difference of £133.3m between the CFR and total external debt shown in the table above represents internal borrowing from usable reserves, which totalled £134.3m.

3.9. The council's capital financing costs in 2019/20 were as follows.

Capital financing costs for 2019/20:	Budget	Outturn	Over / (under) spend
	£m	£m	£m
Minimum Revenue Provision (provision for repayment of loan principal)	6.9	6.7	(0.2)
Interest payable on all loans	5.7	5.4	(0.3)
TOTAL	12.6	12.1	(0.5)

3.10. The variances to budget have arisen from an underspend in capital budgets in 2019/20 and previous years resulting in a smaller minimum revenue provision cost and no need to secure additional borrowing delivering an underspend in interest payable.

4. Investments

4.1. The council invests significant funds, representing income received in advance of

Annual Treasury Management Outturn Report 2019/20

expenditure plus balances and reserves. During 2019/20 the council's investment balances averaged at £44m and ranged from £27m in April 2019 to £60m in January 2020.

4.2. Security of capital remained the council's primary objective. Investment income remained low due to the continued low interest rate environment.

4.3. Investments held at the start and end of the year were as follows:

Investments	01/04/19 Balance £m	Investments Made £m	Maturities/ Withdrawals £m	31/03/20 Balance £m
Instant Access Accounts	17.21	301.88	(300.09)	19.00
Notice Accounts	5.00	5.00	(5.00)	5.00
Fixed Term Deposits	5.00	19.00	(10.00)	14.00
Total	27.21	325.88	(315.09)	38.00
Increase in investments				10.79

4.4. Interest received during the year was as follows:

Month	Average amount invested		Average rate of interest earned		Budget £000	Interest earned £000	(Surplus) /deficit £000
	Actual £m	Budget £m	Actual %	Budget %			
Apr-19	37.6	30	0.89	0.67	17	27	(10)
May-19	40.6	30	0.87	0.67	17	29	(12)
Jun-19	39.1	30	0.87	0.67	16	28	(12)
Jul-19	46.3	30	0.83	0.67	17	33	(16)
Aug-19	45.3	30	0.83	0.67	17	31	(14)
Sep-19	42.0	30	0.81	0.67	16	28	(12)
Oct-19	44.3	30	0.80	0.67	17	30	(13)
Nov-19	45.6	30	0.80	0.67	17	30	(13)
Dec-19	43.7	30	0.81	0.67	16	30	(14)
Jan-20	53.2	30	0.78	0.67	17	36	(19)
Feb-20	46.8	30	0.81	0.67	17	30	(13)
Mar-20	38.7	30	0.80	0.67	16	26	(10)
Outturn					200	358	(158)

4.5. The interest received in the year was higher than budget due to higher balances being maintained.

4.6. The average interest rate achieved during 2019/20 was 0.82%, higher than budgeted due to the increase in bank base rate. This compares favourably with the generally accepted

Annual Treasury Management Outturn Report 2019/20

benchmark of the average 7-day London Inter-Bank Bid (LIBID) rate of 0.54%.

- 4.7. In addition to interest earned on balances interest has been accrued in relation to the energy from waste plant loan to Mercia waste. This totalled £2.3m, the net loan position is set aside to fund increased waste disposal costs in future years.

5. Compliance with Prudential Indicators

- 5.1 The Council complied with its Prudential Indicators, Treasury Management Policy Statement and Treasury Management Practices for 2019/20 as detailed in Annex 1. A prudent approach has been taken in relation to investment activity with priority being given to security and liquidity over yield.

Annual Treasury Management Outturn Report 2019/20

Annex 1

Performance Indicators**1. Treasury Management Indicators**

The council measures and manages its exposures to treasury management risks using the following indicators.

1.1 Interest Rate Exposures

This indicator is set to control the council's exposure to interest rate risk. The indicator sets upper limits on fixed and variable rate interest rate exposures, expressed as the proportion of net principal borrowed.

	2019/20 Approved Limit	2019/20 maximum exposure
Upper Limit for Fixed Rate Exposure	100%	100%
Upper Limit for Variable Rate Exposure	50%	0%

The above indicator relates to net debt, if the council has variable rate investments at the same level as its variable rate debt it is deemed to have no variable rate exposure (all council investments are regarded as being at variable rate because no investments are for more than one year).

1.2 Maturity Structure of Fixed Rate Borrowing

This indicator is to limit large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates.

Maturity Structure of Fixed Rate Borrowing	Lower Limit %	Upper Limit %	Actual Fixed Rate Borrowing 31/03/20 £m	% Fixed Rate Borrowing 31/03/20
Under 12 months	0%	35%	3.48	3%
12 months and within 24 months	0%	30%	2.37	2%
24 months and within 5 years	0%	25%	15.93	12%
5 years and within 10 years	0%	25%	18.23	14%
10 years and within 20 years	0%	40%	27.41	21%
20 years and within 30 years	0%	40%	20.86	16%
30 years and within 40 years	0%	40%	32.00	24%
40 years and within 50 years	0%	40%	10.00	8%
Total			130.28	100%

Two LOBO ("Lenders Option then Borrowers Option") bank loans of £6m each are repayable in 2054 however if the lenders seek to increase the interest rate charged, currently 4.50%, the council has the opportunity to repay the loans.

1.3 Upper Limit for Total Principal Sums Invested Over 364 Days

The purpose of this limit is to contain exposure to the possibility of financial loss that may arise as a result of the council having to seek early repayment of the sums invested.

Annual Treasury Management Outturn Report 2019/20

Upper Limit for Total Principal Sums Invested Over 364 Days	2019/20 Approved £m	2019/20 Actual £m	2020/21 Estimate £m	2021/22 Estimate £m
Total	5	0	5	5

During 2019/20 no long-term investments were made for a period exceeding 364 days.

2. Prudential Indicators

2.1 Estimates of Capital Expenditure

This indicator is set to ensure that the level of proposed capital expenditure remains within sustainable limits and, in particular, to consider the impact on council tax.

Capital Expenditure	2019/20		2020/21 Estimate £000	2021/22 Estimate £000
	Estimate £000	Actual £000		
Total	88,463	35,820	103,712	25,280

Capital expenditure has been and is expected to be financed or funded as follows:

Capital Financing	2019/20		2020/21 Estimate £000	2021/22 Estimate £000
	Estimate £000	Actual £000		
Capital grants	44,315	24,149	43,899	13,563
Capital receipts	14,571	2,911	2,978	-
Revenue funding	-	-	-	-
Prudential borrowing	29,577	8,760	56,835	11,717
Total	88,463	35,820	103,712	25,280

Generally prudential borrowing finance is provided where the return on the investment exceeds the debt financing cost.

3. Capital Financing Requirement (CFR)

Estimates of the council's cumulative maximum external borrowing requirement for 2019/20 to 2021/22 are shown in the table below:

Capital Financing Requirement	2019/20 Estimate Approved £000	2019/20 Actual £000	2020/21 Estimate £000	2021/22 Estimate £000
Total CFR	378,018	314,520	380,369	390,149

Total debt is expected to remain at or below the CFR during the forecast period.

4. Authorised Limit and Operational Boundary for External Debt

The Local Government Act 2003 requires the Council to set an Affordable Borrowing Limit or Authorised Limit. This is a statutory limit which should not be breached.

Annual Treasury Management Outturn Report 2019/20

The Operational Boundary is based on the same estimates as the Authorised Limit but reflects the most likely, prudent but not worst-case scenario without the additional headroom included within the Authorised Limit.

	2019/20 Approved Operational Boundary £m	2019/20 Approved Authorised Limit £m	Actual External Debt as at 31/03/20 £m
Borrowing	330.0	350.0	130.3
Other Long-term Liabilities	60.0	70.0	50.9
Total	390.0	420.0	181.2

5. Ratio of Financing Costs to Net Revenue Stream

This is an indicator of affordability and highlights the revenue implications of existing and proposed capital expenditure by identifying the proportion of the revenue budget required to meet financing costs, net of investment income.

Ratio of Financing Costs to Net Revenue Stream	2019/20 Approved %	2019/20 Actual %
Net Revenue Stream	150,987	150,523
Financing Costs	12,999	12,078
Percentage	8.6%	8.0%

6. Adoption of the CIPFA Treasury Management Code

This indicator demonstrates that the council has adopted the principles of best practice.

The council has incorporated the Chartered Institute of Public Finance and Accountancy's *Treasury Management in the Public Services: Code of Practice 2017 Edition* into its treasury policies, procedures and practices.



Meeting:	Council
Meeting date:	Friday 9 October 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 previous meeting of the Council and an annual report on the priorities of the Cabinet and progress made in meeting those priorities. A brief summary of decisions taken by the executive is provided at appendix A and all decision reports and notices are available on the council's website.

The report provides a summary of progress made against the areas of focus identified in the County Plan. More detail about the council's performance and how that is reported is available on the performance management page of the [council's website](#).

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. I am pleased to provide to Council my annual report as Leader of this council on the priorities of the cabinet and progress in meeting priorities covering a period which includes and is understandably dominated by the impact of two major flooding events and the ongoing battle to minimise the continuing threat from Covid 19 This report also covers the period from my last report to the date of this report
3. In the period up to the beginning of the Covid 19 crisis the Cabinet had put in place a new County Plan, considered and approved the budget for 2020/21, as well as progressed many aspects of the last year of the Corporate Plan 2016/2020.
4. The COVID 19 crisis has dominated affairs in the County and Country since March 2020.
5. Councillors continue to receive weekly updates from the Chief Executive, and the Cabinet has continued through this crisis to receive a weekly briefing from the Chief Executive and the Director of Public Health.
6. I wish to thank our Chief Executive, Alistair Neill, for the leadership shown by him during this crisis. While we remain worried and vigilant about the challenges that lie ahead over the coming months, Herefordshire's relatively low numbers of Covid 19 cases can be attributable to the actions Alistair, his senior leadership team and other officers have taken. The scrutiny by the Cabinet, individually and collectively, has also played its part. Of course every death from Covid 19 is a tragedy, and our hearts and thoughts go out to all of those in our community who have experienced the loss of family members or friends.
7. Notwithstanding the crisis the Cabinet has made progress towards delivery of the County Plan. Detail is given in the report below but of particular note is
 - The purchase of the leasehold interest in Maylord Orchard site enabling the County to take control of this strategic asset.
 - Support for education through the commissioning of building projects at Marlbrook Primary School, John Kryle School, Brookfield School and the accommodation block at Station Approach for Hereford College of Arts and, on a more temporary basis, New Model in Technology and Engineering (NMiTE).
 - Progress towards the review of the constitution which was promised by some of the members of the Coalition in their manifestos, the principle of which had cross party support at the Audit and Governance Committee on Friday, 25 September.
 - Progress towards significant improvement in the delivery of the Balfour Beatty Living Places (BBLP) Public Realm Contract.
 - The recommissioning of Hillside has been brought this facility back into use by Herefordshire Council and is now open as a care and rehabilitation facility for health and social care admissions.
 - Our decision to pause and review the South Wye Transport Package (SWTP) and the Hereford Transport Package (HTP), and the detailed review of options. The decisions this council is considering on our local transport measures need to be the right ones for the people of Herefordshire especially in the context of the climate emergency.

- The agreement to a new Carbon Management Plan.
- Greater engagement with stakeholders and communities including the market towns.

Other less visible changes are being made in the Children's and Families, and Adults and Communities Directorates through the introduction of new policies and the Peer on Peer abuse review, and also new ways of working in the Council.

8. Following the Chief Executive's announcement about his retirement, we now move forward to begin the recruitment of a new Chief Executive. We are seeking employment panel views on alternatives and, if appropriate, approval to progress with the recruitment process in the next few weeks and expect the recruitment to be concluded early in the New Year.
9. This report is not merely a constitutional requirement. It is an important route by which all members can be reminded of the many essential decisions taken by this council during a time when our communities have needed our support most. As democratically elected representatives, we all know our communities well and understand their intrinsic local needs. I understand that communities want decisions that enable and support them in their day to day lives. They also – quite rightly - expect that the decisions they entrust to us, maintain our beautiful county of Herefordshire as a great place to live, visit, work, learn and do business.
10. I have been immensely proud of the strength, determination and resilience of our local communities and businesses who have unflinchingly endured throughout this past year of unprecedented weather and health emergencies. We have all in some way been impacted.
11. Of course, some of our planned council business has needed to flex, react and respond to the events around us. But I am very encouraged to see the ambitions we have set out in our County Plan remaining relevant and progressive as we seek to recover from these very difficult times.
12. A list of the decisions taken by cabinet and cabinet members since the last report to Council (covering the period between 10 July to 1 October, 2020) is provided at appendix A. Details of all these decisions, and of those taken by officers under delegated authority, are published on the councillors and democracy pages of the council's website.
13. Since my last report, No key decision was taken under the general exception provisions (giving more than five but less than 28 days' notice) as identified in appendix A. None were taken under the urgency provisions (less than five days' notice) and no decisions were subject to call in.
14. To ensure that progress towards achieving our County Plan priorities is reported transparently, we will be publishing a corporate delivery plan later this month. The report will set out our areas of focus for the coming years ahead in greater detail and will be presented to Cabinet at the end of this month.
15. There are a number of significant areas I would like to highlight before I report against our progress against the ambitions we have set out in our county plan in para. 31, below.

Constitutional arrangements:

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

16. During these challenging times, the instinct of all of us as councillors is to work as closely together as possible and to be able to influence policy development and decision-making. We will be discussing – at our October council meeting – the recommendation that we move as an authority to a hybrid cabinet model of governance to be agreed by full Council with implementation effective from annual council in May 2021. This fulfils a commitment made at the very start of our administration to review our current constitutional arrangements.
17. A hybrid model will provide members with the opportunity to increase their involvement and interests, and gives members from across the political spectrum scope for more influence. This is a hugely important principle to this administration – it is fundamental that the skills, insights and experiences of all elected members are utilised. I look forward to listening to members views on this matter. I also wish to thank the re-thinking governance working group for their time, energy and commitment in considering this issue and for their ongoing commitment should council agree to make this important change to our working practices.

Acquisition of a leasehold of The Maylord Orchard Site

18. In June the council secured control of the Maylord Orchard shopping centre in Hereford, a key strategic site at the heart of the city centre. In recent years the shopping centre had been suffering from neglect and under investment, with increasing numbers of vacant units. The previous long term lease holders were seeking to sell their interest and there was a real risk that an alternative occupier would seek to acquire the site to asset strip the remaining leases, letting the shopping centre further decline.
19. Through acquiring the site the council has already made a significant short term difference, improving the maintenance of the site, seeking pop up independent shops through offering cost covering short term leases, and seeking new uses such as events space/ cultural activities. The first new shop opened on 1st October. Despite the economic challenges there is interest in the other available units. In the longer term, like every town and city across the country, we need to consider how we diversify these areas as we move away from a dependence on retail as a footfall driver.
20. We are reviewing the wide range of new opportunities there are to regenerate the Maylord Orchards site to the benefit of the city as a whole with social value a key consideration, such leisure, tourism, residential, educational, and community uses.

Repairing our county's roads following Storm Dennis

21. 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. In total, 728 premises, comprising 524 residential properties and 204 businesses, were affected. 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.
22. 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 met the Bellwin criteria would be delivered within the spend period up to 28 March 2020 and would be funded by central government.

23. Members will recall, however, that significant flood repair works remained that were not included. Over the course of this year I, the Cabinet member for infrastructure and transport and the Chief Executive have argued strongly that repairs to the B4224 and various other storm damaged road repairs should be allowable as part of our Bellwin claim.
24. Member will recall that in July I reported that if external funding is not forthcoming, we will have to fund these works from the council's capital budgets and that capital programme priorities would need to be reconsidered for this and subsequent financial years. In August the very difficult decision was taken to ask full Council to agree to new prudential borrowing totalling £4.027m, to repair of the B4224 near Fownhope and various other road sites damaged in the floods.
25. I still fervently believe that all of these repairs should have been covered by Central Government and remain disappointed that we have seen no further movement from government on this matter.

The Marches Local Enterprise Partnership (LEP)

26. Since May 2019, significant amounts of money have been provided and/or promised by the Marches LEP to Herefordshire. This includes over £10m to NMITE for the development of the Blackfrairs Street campus site, the development of the Centre for Timber Technology and the Centre for Advanced Manufacturing, £5.4m to the Hereford Enterprise Zone to enable the development of the North Magazine, £1m for an integrated wetlands project to reduce phosphates in the river Lugg which will lift the planning moratorium, £3m for a package of public realm improvement works in Hereford City Centre, and £440K for a marketing and PR campaign to support the recovery of the visitor economy from Covid 19 across Herefordshire.
27. Previous funding support from the LEP is also now coming to fruition, including a contribution towards the Shell Store Business Incubation space, and the Midlands Centre for Cyber Security developments both of which will be completed in 2020. I provide this summary for context for the next paragraph to show that the relationship between the Marches LEP and the Council is and remains positive and hugely beneficial for the County.
28. Members will be aware of the claim being made by Shropshire Council as Accountable Body for the Marches LEP for £3.8m. The latest correspondence has been published. This matter is currently in the hands of the s151 Officer and the Monitoring Officer who are working on an appropriate response to Shropshire Council which is due to be provided very shortly after the publication of this report.

Update on Shire Hall

29. You will be aware of damage to the Shire Hall. It is, as you will know a Grade 2 listed building which requires specialist conservation. As such, any works we undertake require appropriate design and building standards to meet listed building requirements.
30. In June, we experienced a further ceiling collapse which has meant that the Shire Hall has been closed for general use since this occurred. Consequently repair works are required – these are explained to me as being undertaken in three main areas:
 - Immediate works to stabilise the structural integrity of court room 2 and clear out court room 1 plus patch ceiling and roof repairs to main hall

- Undertake further detailed structural and fabric of the building surveys to inform all future works, throughout the building.
- Undertake the holistic combined renovation to ceilings, roof and electrical equipment required to the building. This may include additional works based on the surveys above.
- Listed building approval will be required and it is likely that building regulation approval will also be necessary for any structural alterations and or improvements.

Annual reporting against stated ambitions in the County Plan

31. The following table provides a brief summary of the council's 'year 1' progress against the priorities we said we would deliver on in our 4 year County Plan.

<i>Our County Plan says we will...</i>	<i>The steps and decisions we have taken ...</i>
<p>Minimise waste and increase reuse, repair and recycling</p>	<p>Progress has been made towards the strategic review of the Council's Waste Management Strategy.</p> <p>The council's waste disposal contract, a joint contract with Worcestershire County Council, will expire on 10 January 2024. In addition, the government's Resource and Waste Strategy for England 2018 promises the greatest change to waste policy in a generation, including a more consistent approach to waste management with the rest of Europe, Scotland and Wales.</p> <p>In November 2019 the General Scrutiny Committee established a Task and Finish Group to consider how we provide the council's waste management service in future. I am hugely grateful for their time and attention on this matter as we approach this significant local decision. I thoroughly commend the task and finish group's report which sets out a comprehensive analysis of the policy context and delivery options for our future waste collection services. A central transition we will need to make as a county is to move away from seeing our waste as a bag to be sent off to landfill, but instead a resource. For example, our waste being used to make energy; creating new local markets and jobs through more refined recycling and maximising the re-use of materials as opposed to throwing them away. There are two very promising new waste management packages being considered as options for the council to pursue. Both of those packages will be carefully consulted on with our communities.</p> <p>Our waste services are our most widely used service and is essential in supporting our communities every day. It supports the economy and business and is a source of jobs and economic opportunity. Recycling, treating and disposing of waste more effectively and tackling waste crime reduces emissions, safeguards resources and protects our natural environment.</p> <p>The impact of these changes will be significant in terms of resourcing, performance and cost. But the benefits of being bold and ambitious with our approach to waste management in the county will be significant.</p>

<p>Improve and extend active travel options throughout the county</p>	<p>Hereford and South Wye Transport packages</p> <p>The cabinet member for infrastructure and transport determined to pause and review the new road elements of the Hereford and South Wye Transport packages in his decision of 22 October 2019 in order to help determine the next steps.</p> <p>In his decision of 24 January 2020 the cabinet member confirmed the scope of the review and that it would have two principal elements:</p> <ul style="list-style-type: none"> • A review of the transport strategy for Hereford City (the Hereford Transport Strategy Review – HTSR) including assessment of alternative options to the southern link road and western bypass. This review work would need to include public consultation and stakeholder engagement; and • A peer assessment of the evidence base for the HTP and SWTP and consideration of the road schemes in the context of emerging policy and guidance on climate emergency. <p>Whilst it was agreed that the review would conclude by 31 July 2020, the strategy review programme was affected by the Covid 19 pandemic resulting in the need to redesign and allow more time for stakeholder engagement. In addition, more time was required for briefings to confirm the combination of packages for assessment during the final stage of the review. As a result, the review has taken around 6 weeks longer than originally envisaged and this has impacted the original scrutiny timetable to review the strategy findings. General scrutiny will review the current set of transport package options on 12 October, with the Cabinet looking to discuss these options on 29 October, along with considering any recommendations made by the scrutiny committee.</p>
<p>Identify climate change action in all aspects of council operation</p>	<p>Carbon Management Plan</p> <p>In May of this year, the cabinet approved the council’s new Carbon Management Plan. This plan sets out the council’s approach to delivering carbon neutrality by 2030/31 and sets an interim target of a 75% reduction of the council’s own carbon emissions by 2025/26. This is the Council’s third Carbon Management Plan and builds on strong momentum reducing the council’s organisational carbon emissions. This plan sets out the Council’s aspiration to become carbon neutral by 2030 and is the first of two plans each setting out our approach for the 5-year periods 2020/21 – 2025/26 and then 2025/26 – 2030/31.</p> <p>This plan is underpinned by an extensive evidence, research and analysis into how best to approach the challenging target, and setting an interim target for 2025/26. The associated action is a dynamic plan which needs to constantly evolve as goals are met, new challenges and opportunities arise. Based on the information available; (including previous emissions data and projections of future programmes’ savings), there is a sound basis to expect a range of potential reductions in between 65% and 84% during the period to 2025/26. 75% is realistic, achievable and a substantial move towards the net carbon neutral target by 2030/31. This isn’t just a plan on a piece of paper – this shows that this council is driven and committed to reducing our</p>

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

	<p>carbon emissions in all aspects of the work we undertake. All of our council reports now explain how and where we are achieving this through our decision reports and our implementation.</p> <p>I also very much look forward to reading the outcomes and recommendations of the Climate Change Task and Finish later this year and the recommendations that the general scrutiny committee may wish to direct toward my executive as a result.</p>
<p>Protect and enhance the county's biodiversity, value nature and uphold environmental standards</p>	<p>The construction and management of Integrated Wetlands as tertiary treatments for waste water treatment works to reduce phosphate levels within the River Lugg catchment area.</p> <p>As many members will know, both the River Wye and River Lugg catchment areas have seen worrying increases in the levels of phosphate in land adjoining the rivers and in our river water. The annual mean has been calculated as 0.071mg/l and is in exceedance of the phosphate conservation target as set by Natural England and the Environment Agency. This in turn has severely curtailed local growth plans within the Lugg catchment areas being prevented until phosphate levels can be safely managed.</p> <p>The council is liaising with all interested parties including; Natural England, The Environment Agency, Welsh Water and the National Farmers Union, through the Nutrient Management Board to reduce phosphate levels within the River Lugg and River Wye SAC.</p> <p>My cabinet and I have sought to take action by allocating £2m from the Council's 2020/21 capital programme from the New Homes Bonus to purchase land, to design, construct and manage integrated wetlands set in strategic locations in order to provide tertiary treatment to waste water treatment works within the River Lugg catchment area. An interim delivery plan, including a phosphate calculator and a suite of recommended mitigation measures appropriate to the River Lugg catchment area is planned. This will enable developers to calculate the phosphate load of their development proposals and therefore agree measures independently with landowners to mitigate or offset the identified phosphate load, although this has to demonstrate with scientific certainty that it will be phosphate neutral or show betterment and any offsetting has to comply with the Habitat Regulations.</p> <p>In addition to improving the water quality of the River Lugg, this proposal will also positively contribute toward the delivery of the environmental and economic priorities within the County Plan 2020-2024; enhancing local biodiversity, enabling sustainable housing growth in the north of the county and reducing carbon emissions through carbon sequestration.</p>
<p>Ensure all children are healthy, safe and inspired to achieve</p>	<p>Executive response to the task and finish group concerning Child Exploitation.</p> <p>The Children and Young People's Scrutiny Committee established a task and finish group to review child exploitation. The committee agreed that the review would cover the issues of child sexual exploitation (CSE)</p>

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

	<p>and child criminal exploitation (CCE). The topic was identified by the scrutiny committee as a priority over concerns regarding county lines activity, as a form of child criminal exploitation, in the West Midlands. My Cabinet and I have accepted, or part accepted, all of the recommendations made by the committee.</p> <p>Peer on Peer Abuse.</p> <p>Last Autumn I commissioned, through the Chief Executive, a review of historic cases of peer on peer abuse. This review considered the number and type of cases that were referred to the Multi Agency Safeguarding Hub (MASH) during a specific period (between January 2017 and November 2019) to see if the advice given was robust enough, the actions taken by the schools and the council were appropriate and whether or not the council could have done anything differently.</p> <p>The review was completed in September 2020 and was shared with the children’s scrutiny committee, before being submitted back to the executive. The review took far too long to complete and I trust that we will be much quicker in future.</p> <p>The report shed light on incidents of peer on peer abuse in schools and educational settings in Herefordshire. These incidents are potentially life changing, leaving victims and families with lasting physical, emotional and mental scars to endure and recover from. There was evidence to suggest that the council’s historic handling of peer on peer abuse fell short of what we should be delivering. The report contains reassurance that the situation has improved with many recommendations for the future.</p> <p>I and my cabinet members are considering our response to the report’s findings and will make these public in due course. Our response will be framed around ensuring that no child is ever allowed to be placed in an un-safe school setting following a serious peer on peer abuse assault.</p> <p>I believe that the work that has been done in this area, particularly by the Assistant Director for Education Development and Skills will enable us to influence future guidance in this area at a national level.</p>
<p>Ensure that children in care, and moving on from care, are well supported and make good life choices</p>	<p>I am particularly proud of improvements to the support to the children who are in our care or are moving on from care.</p> <p>Accommodation based support service for care leavers.</p> <p>In September 2019, cabinet approved the commissioning of a service to provide vulnerable care leavers with support to develop their skills, resilience, opportunities for training and employment, engagement with relevant services and integration with their community to enable them to move towards independent living. This service will also help our young people to understand their rights and responsibilities as tenants and what to expect of Landlords. To assist with this the council has purchased a property in Hereford City that is now being converted and refurbished to accommodate care leavers with complex needs.</p>

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

	<p>Accommodation based support is required to support young people to live more independently and manage their lives safely and confidently.</p> <p>Corporate Parenting Strategy 2020 to 2023.</p> <p>More recently, at our September cabinet meeting this year, we approved and endorsed the Corporate Parenting Strategy and Care Leavers covenant. It also enables Cabinet to receive an annual report on Corporate Parenting to allow progress of the strategy to be monitored. As part of this decision the cabinet also agreed to sign up to the Care Leavers covenant. The Council is a “trailblazer” local authority working with the national organisation responsible for the covenant which seeks to lead the way in improving outcomes for care leavers. The Children and Social Work Act 2017 introduced a duty on councils to have regard to the following corporate parenting principles. To be able to evidence the Council’s commitment and action in relation to this responsibility it is necessary to have a strategy. This council believes that our strategy is very well placed to enable children and young people in our care to succeed as well as their peers. Corporate parenting is a responsibility of all elected members and officers within the Council. This strategy enables the Council and its partners to be clear about priorities, what needs to be done and by who if change is to be achieved.</p> <p>Children’s 16+ champion.</p> <p>I am also delighted to announce that I have appointed a Children’s 16+ champion to assist with this work. Cllr Helen l’Anson will be taking on this incredibly important role and I am sure you will all wish to join me in giving her our full and enthusiastic support in her new role. Cllr l’Anson is working with the cabinet member for children’s and families, the cabinet member for environment, economy and skills and our children’s services teams to determine the areas of advocacy and support our young care leavers need. Areas of high priority will be supporting the council with the covenant for care leavers, advancing the case for more local jobs for our younger people and ensuring our care leavers skills, experiences and ambitions are advocated at local business boards and in local decision making.</p>
<p>Build publicly owned sustainable and affordable houses and bring empty properties back into use</p>	<p>Options for delivering council owned housing</p> <p>In May 2020, the Cabinet member housing, regulatory services, and community safety, authorised The Programme Director Housing and Growth to commence expenditure from the earmarked financial resilience reserve of £150,000, to fund the commissioning of an investigation of different models of delivering council housing.</p> <p>Herefordshire has experienced a housing affordability gap for a number of years and is regularly identified as having one of the worst house price to earnings ratios in the West Midlands. There is also evidence that there is significant unmet housing need in the County with only a limited supply of affordable housing being released through the housing</p>

	<p>waiting list each year. Access to the private rental sector, which might ordinarily represent an alternative route to housing, is similarly limited due to high rental values being out of reach to many households.</p> <p>It is a central concern to me and my cabinet that the people of Herefordshire have access to affordable housing, housing that maintains the highest build standard and is affordable for our county residents.</p>
<p>Support communities to help each other through a network of community hubs</p> <p>And</p> <p>Protect and improve the lives of vulnerable people</p>	<p>Talk Community strategic overview.</p> <p>I was delighted that Cabinet and I were able to approve this flagship project and commit £2m towards its development. This vital local initiative has widespread support from all members, our national and local partners and most importantly of all, our local communities.</p> <p>Talk Community is the strategic delivery vehicle for the community ambition of the Herefordshire County Plan 2020-2024 to improve the sustainability, connectivity and wellbeing of our county by strengthening our communities. It is the council’s strategic approach to prevention, enabling people to get the assistance they need and managing demand for more specialist services. The key message and vision of Talk Community is “to make independence and wellbeing inevitable” for all of our members of society. Recent events such as the floods and Covid-19 nationally have highlighted the need for new vision, different solutions and new business models to come forward. At its heart, Talk Community is about a focus on prevention, health, wellbeing and independence at all stages of life for all ages. It does this by harnessing specific and locally defined solutions and building upon a core approach across the county;</p> <ul style="list-style-type: none"> • People; as participants in communities, as volunteers and community leaders, including people who are vulnerable and may need some support. • Place and space; making use of and sharing community places, creating the buildings and open spaces that local people want and will use, co-location of public and community services including the arts and leisure services, ensuring accessibility and connectivity and considering the impact of and upon new communities created through large scale housing developments. • Economy; recognising and developing the role of businesses in communities, promoting the county’s buoyant social enterprise sector, developing the wellbeing of the workforce and healthy workplaces, whilst recognising the contribution to the local economy of the health and social care sector.
<p>Use council land to create economic opportunities and bring higher paid jobs to the county</p>	<p>Enterprise Zone Capital Interventions Phase 5</p> <p>In August 2019, the decision was taken by the Cabinet Member for Corporate Strategy and Budget to develop further the Hereford Enterprise Zone (HEZ), establishing the critical infrastructure or site remediation required to bring remaining plots into economic use. This decision brought forward the next phase of capital expenditure</p>

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

	<p>(£5.231m) at the HEZ drawing down the remaining finance from within the approved £16m capital programme.</p> <p>The HEZ is critical to the economic success of the City and wider county, enabling businesses to grow and creating new jobs and investment in the economy. The development of a Cyber Security Centre and business incubation space will enable the county to establish a foot hold in new emerging markets, generating longer term, higher value employment opportunities.</p> <p>Previous expenditure has been incurred in demolitions, site clearance, land remediation, ground raising (for flood mitigation) and infrastructure including access roads, cycleways, and all utilities at the right capacity and to enable easy connections at a plot level, including an ultrafast broadband network. To date the HEZ has secured 20 land sales, £48m of investment and a predicted 842 new jobs will be created.</p>
Invest in education and the skills needed by employers	<p>NMITE</p> <p>NMITE continue to make significant progress towards becoming a fully operational Higher Education Institute. The development of Hereford College of Arts and NMITE will have a transformational impact on Hereford and the wider county, potentially playing an even more critical role as we seek to recover from the impacts of Covid 19. Attracting thousands of students to study, live and eventually work in the county, helping to balance our aging demographics, establishing a higher skills base, which will lead to economic growth and investment and higher value employment opportunities.</p> <p>Through partnership working between NMITE, the council and the Marches LEP, in the coming months NMITE will complete the redevelopment of their Blackfriars Street campus site, and commence the construction of their Centre for Advanced Timber Technology and Centre for Automated Manufacturing on the Hereford Enterprise Zone. The completion of Number 1 Station Approach by the end of 2020 will establish the first 178 bespoke student accommodation in the city, supporting the growth of both HCA and NMITE over the next few years.</p> <p>College Road Campus</p> <p>The council acquired College Road Campus from the Royal National College for the Blind in 2019, and was bought during the time of the previous administration as is a strategic site in the city to support the growth of further and higher education in the city. It is currently the home of both the Herefordshire College of Arts and NMITE, and we are continuing to explore how the site can be best utilised as a focal point for education on the edge of the city centre.</p>
Enhance digital connectivity for communities and business	<p>Fastershire Broadband Strategy</p> <p>In November 2019, the Cabinet Member for Environment, Economy and Skills approved the latest iteration of the Fastershire Broadband Strategy. This strategy will direct the approaches available to the</p>

	<p>Fastershire project to drive the deployment of high-speed broadband infrastructure throughout Herefordshire and Gloucestershire through to 2022.</p> <p>The Fastershire project is a partnership between Herefordshire Council, Gloucestershire County Council and national government to provide a fibre broadband network where commercial companies would not use their own investment. This revised strategy aims to continue to increase the coverage through delivery of existing contracts along with a new grant scheme to communities introduced in 2020. Commercial providers will also be operating their own schemes which will add to the superfast and ultrafast coverage.</p>
<p>Protect and promote our heritage, culture and natural beauty to enhance quality of life and support tourism</p>	<p>Covid 19 Support for Recovery of the Visitor Economy</p> <p>In July of this year the Cabinet Member for Environment, Economy and Skills approved expenditure to deliver the Covid 19 Support for Recovery of the Visitor Economy project. On 27 May 2020 the Marches Local Enterprise Partnership (LEP) approved a £444,220 revenue grant to the council to support the recovery of the visitor economy from Covid 19. The project supports the visitor economy (defined as tourism accommodation attractions, leisure, culture, hospitality and retail businesses) through promoting opportunities for day and overnight ‘staycation’ visits to the county. This is a vital lifeline for these businesses who are so critical to our local and visitor economy during this very challenging Covid 19 operating environment.</p> <p>Heritage Action Zone – Leominster</p> <p>This decision enabled the council to enter into a funding agreement with The Historic Buildings and Monuments Commission for England (HBMCE) to deliver the Heritage Action Zone Programme in Leominster as per the Delivery Plan with an anticipated total budget of £3.6m from the capital programme (£1.8 of which is match funded) and £1.8m from HBMCE. The nationwide initiative is designed to secure lasting improvements to historic high streets for communities who use them. Herefordshire Council has worked closely with Leominster Town Council in the development and submission of the Delivery Plan which forms the basis of the High Streets Action Zone for Leominster. The scheme is funded by the Ministry of Housing, Communities and Local Government and run by Historic England.</p>
<p>Spend public money in the local economy wherever possible</p>	<p>Stronger Market Towns Investment Fund.</p> <p>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. 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 tasked with producing the Investment Plan and Town Deal for Hereford.</p>

	<p>The Board will lead on the development of the Town Investment Plan which will set out investment priorities to support the development of Hereford as a thriving city that delivers sustainable improvements in residents' wellbeing. The submission deadline for the Town Investment Plan is January 2021 with business case development expected to take a further 6 to 12 months. 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.</p> <p>Secretary of State Jenrick Visit - 11 September.</p> <p>In positive recent developments, I was delighted that Robert Jenrick Secretary of State for Housing, Communities and Local Government visited Hereford on the 11th September. The SoS met with members from the Towns Fund Board including the local MP, Jessie Norman and Cllr Chowns. The discussions centred around the emerging Town Deal priorities for investment within the city. The Minister was complementary of the progress made to date under the Towns Fund and was aware of the opportunity that exists within the city and wider county, he is looking forward to seeing a full range of proposals when we make our submission in January 2021.</p> <p>He also visited the Greyfriars NMITE development and met with a number of staff. It is encouraging that he took the time out of a very busy schedule to visit us.</p>
--	--

32. As members will be aware, our County Plan 2020 to 2024 is in its first year of operation. A year impacted significantly by natural and health related emergencies. The above summary of our decisions does not present, and should not be considered as, a complete picture of our activities.

33. These are the first steps to delivering and embodying our commitment to the people of Herefordshire. *Respecting our past, shaping our future - we will improve the sustainability, connectivity and wellbeing of our county by strengthening our communities, creating a thriving local economy and protecting and enhancing our environment.*

Community impact

34. The County plan shapes the future of Herefordshire and aims to encourage and strengthen our vibrant communities, create a thriving local economy and protect and enhance our environment to ensure Herefordshire remains a great place to live, visit, work, learn and do business. The plan guides the work of the council and our relationship with individuals, families, communities and partners over the next four years.

35. 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.

Environmental Impact

36. A central underpinning of Herefordshire Council's County Plan is healthy, connected and vibrant ecosystems strongly support the local economy, improve health and wellbeing and make the county an attractive place to live and to visit. It is a commitment of the plan to protect and enhance this environment while stewarding it for future generations.

Equality duty

37. 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.

38. 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. Our providers will be made aware of their contractual requirements in regards to equality legislation.

39. The Equality Act 2010 established a positive obligation on local authorities to promote equality and to reduce discrimination in relation to any of the nine 'protected characteristics' (age; disability; gender reassignment; pregnancy and maternity; marriage and civil partnership; race; religion or belief; sex; and sexual orientation). In particular, the council must have 'due regard' to the public sector equality duty when taking any decisions on service changes.

Resource implications

40. There are no financial implications arising from the recommendations of this report. The financial 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

41. 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, on the priorities of the cabinet and (except in a year when there are ordinary elections) progress made in meeting those priorities. Appointment of cabinet members and allocation of portfolio responsibilities are responsibilities of the Leader of the Council, and the constitution requires that any changes are subsequently reported to Council. This report ensures these requirements are met.

42. 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

43. There are no risks arising from the recommendations of this report. The risks of any decisions of the executive listed at appendix 1 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

44. None.

Appendices

- Appendix A - Executive decisions taken from 10 July to 1 October 2020.
- Appendix B – Cabinet Member Portfolios

Background papers

None

Executive decisions taken from 10 July to 1 October 2020.

	Decision and purpose	Decision Type	Implementation Date	Taken by
1.	Covid 19 Support For Recovery Of The Visitor Economy: On 20 April 2020 the Marches LEP Board took a decision to award the three Local Authorities (Herefordshire Council, Shropshire Council and Telford and Wrekin Council) Marches Investment Funds (MIF) for strategic tourism and business interventions to support those affected by Covid 19. The LEP allocated £444,220 of revenue funding to Herefordshire. Following the LEP Board approval they asked that the council in partnership with Herefordshire Business Board submit a business case identifying where the funds could be targeted to support recovery from Covid 19, considering local circumstances.	Non-Key	27 July, 2020	Cabinet member environment, economy and skills
2.	Loan For Courtyard Expansion Project: The Courtyard was the first major new build Art Council funded national lottery capital project in England. The council are the owners of the freehold of the building. The tenant of the building, The Courtyard Trust, is an independent registered charity and is a key provider for cultural services in Herefordshire. It is a thriving venue operating 7 days a week, it is now running at capacity and with no space to expand beyond its current operations. To address this the Courtyard proposed a £1.11m expansion project. In October 2018 the Courtyard secured conditional Arts Council funding of £500k towards the project and have been actively seeking other sources of funding to ensure it could be completed, including a request for loan funding from the council. In February 2019 council allocated a loan to the Courtyard of up £0.611m which, together with the Arts Council grant, would enable the completion of the building works.	Key	29 July, 2020	Cabinet member commissioning, procurement and assets
3.	Allocation of Pothole and Challenge Fund 2020/2021 grant for highway maintenance. Reallocation of capital programme budgets for priority flood works: This decision sought Council approval for the allocation of funding to enable priority flood damage repairs and as able works to enhance the resilience of the county's infrastructure. The Bellwin scheme will not fund all repair needs following flooding in February 2020. With no further funding having been specifically made available by Government for recovery from Storm Dennis, the significant gap between what Bellwin provides and the cost of all necessary repairs must be met from within the capital programme.	Key	30 July, 2020	Cabinet
4.	Better Ways of Working Revised Implementation: The decision was to support a review of the council's "better ways of working" (BWOW) initiative that enables employees to work flexibly and to consolidate use of premises. This decision responds to the impact and implications of Covid-19 on the plans that were set out and agreed by Cabinet on 27 February 2020. The decisions specifically relates to the future occupancy of the Elgar House offices and the Nelson House building with a focus on Plough Lane as the key office location, along with maximising the potential of home working and use of multi-agency	Key	30 July, 2020	Cabinet

	Decision and purpose	Decision Type	Implementation Date	Taken by
	offices in the market towns. A key intention of BWOW is to reflect contemporary work practices that enable adaptable and flexible working arrangements that supports the workforce, aids staff morale and increases productivity. The proposed approach to BWOW also supports the council's ambitions to reduce carbon emissions with a decreased number of sites using utilities and staff having less travel to work. The decision also put in place approval of the revised BWOW proposals. Particularly to give notice on the Elgar House lease in time to meet the break clause otherwise the tenancy would continue until July 2023.			
5.	Heritage Action Zone – Leominster: This decision enabled the council to enter into a funding agreement with The Historic Buildings and Monuments Commission for England (HBMCE) to deliver the Heritage Action Zone Programme in Leominster as per the Delivery Plan with an anticipated total budget of £3.6m from the capital programme (£1.8 of which is match funded) and £1.8m from HBMCE. The nationwide initiative is designed to secure lasting improvements to historic high streets for communities who use them. Herefordshire Council has worked closely with Leominster Town Council in the development and submission of the Delivery Plan which forms the basis of the High Streets Action Zone for Leominster. The scheme is funded by the Ministry of Housing, Communities and Local Government and run by Historic England.	Key	30 July, 2020	Cabinet
6.	Herefordshire Multi- Agency Protocol for Children and Young People with Disabilities and Complex Needs - Preparing for Adulthood: In agreeing this protocol we are facilitating a pathway for clear the transition planning and review processes that prepare and support the move from adolescence to adulthood. The protocol is for Herefordshire young people with special education, disabilities and complex needs. Specifically our young people who: are in Education, Health and Care (EHC) Plan; meet the national eligibility criteria from the Care Act (2014); are in receipt of services from the Children with Disabilities Team; have or may have continuing health care needs; have complex needs (a combination of multiple and profound impairments, challenging behaviour and learning disabilities and acute and chronic medical conditions), and others who are not covered by the above but still have significant support needs This period extends from year 9 when a young person is approximately 14 years of age up until their 25th birthday.	Non-Key	30 July, 2020	Cabinet
7.	John Kyrle High School and Sixth Form: new permanent accommodation: This decision approved a new permanent building at John Kyrle High School & Sixth Form Centre to accommodate additional pupils admitted from September 2021. There are rising numbers of pupils in Ross-on-Wye. John Kyrle High School & Sixth Form Centre is rated Good with Outstanding features by the Office for standards in in education, children's services and skills (Ofsted) and has been consistently oversubscribed since 2009. In recent years additional permanent accommodation has been provided and funded by John Kyrle to enable additional children to attend. Funding has been identified in the council's capital	Key	30 July, 2020	Cabinet

	Decision and purpose	Decision Type	Implementation Date	Taken by
	programme, using basic need government grant, to enable John Kyrle High School & Sixth Form Centre to expand by one form of entry. A grant will be provided to John Kyrle High School & Sixth Form centre to deliver a new science block which will provide additional classrooms and associated support spaces. The project will be delivered and managed by John Kyrle.			
8.	Car Parking Review: A review of countywide car park charges, where work had started prior to the Covid-19 outbreak, will be continued and concluded to ensure that strategic, operational and financial objectives are met as outlined in the Local Transport Plan and County Plan 2020-24. Consultation with key stakeholder groups, such as Town Councils, Hereford City Council, Wye Valley Trust (NHS), Hereford Business Improvement District, Herefordshire Disability United and local Shop-mobility groups will be undertaken to prepare a revised permanent charging structure.	Key	30 July, 2020	Cabinet member Infrastructure and transport
9.	Extension of European Regional Development Fund (ERDF) Sustainable Energy in Public Buildings programme: This decision authorised acceptance of the offer by the Ministry of Housing Communities & Local Government (MHCLG) of further ERDF capital and revenue funding to the council, in order to administer the Sustainable Energy in Public Buildings project covering the Marches local enterprise partnership (LEP) area on behalf of Herefordshire, Shropshire and Telford & Wrekin councils. This funding allows public authority applicants to apply for grant funding in order to enable the installation of energy efficiency measures in public buildings.	Key	5 August, 2020	Cabinet member environment, economy and skills
10.	Capital Investment in Infrastructure 2020/21 Public Realm Annual Plan: This decision authorised spend / investment in the highway asset and infrastructure following resolution at council meeting 14 February 2020 to allocate £2m from Hereford Transport Package to repair and maintain C and U roads in 2020/21. It also authorised spend of Investment in Infrastructure budget £2m in 2020/21 from capital programme to deliver improvements to the infrastructure assets set out within this report to improve resilience and safety of the highway network.	Key	6 August, 2020	Cabinet member Infrastructure and transport
11.	Capital spend on the development of Gypsy and Traveller sites within the County: This decision gave approval to the first of two projects which sought to begin works to modernise and upgrade traveller sites owned/managed by the council. The six sites and 53 pitches require works of further improvements. The proposed works include, improvements to fencing, doors, electric meter and supply upgrade, improved security on sites, play areas and general site repairs identified in the stock condition survey. Approval was also given to begin works to develop three additional traveller pitches. The pitches consist of two at the Bromyard Site and one at the Grafton Site. Both sites are owned and managed by the council. The development of the new pitches will attract an annual income of £11,700 and there is a waiting list of potential residents to take up tenancies for all these pitches. The	Key	10 August, 2020	Cabinet member commissioning, procurement and assets

	Decision and purpose	Decision Type	Implementation Date	Taken by
	second project was approved to commence the design stage of the four proposed pitches and entrance works on a new site adjacent to the already existing site at Pembridge, complete a tender process and award a contract for the works and then carry out the construction works required to complete the project.			
12.	West Midlands Combined Authority: This decision gave approval to withdraw as an observer from the West Midlands Combined Authority (WMCA) and to stop paying the £25k membership fee starting this financial year 2020/21. This decision was taken because, to date, there has been no ascertainable benefit to the council and its administrative area in this option. WMCA's strategic investment decisions on transport, housing, planning, policing and economic development do not include Herefordshire.	Non-Key	10 August, 2020	Cabinet member corporate strategy and budget
13.	The construction and management of Integrated Wetlands as tertiary treatments for waste water treatment works to reduce phosphate levels within the River Lugg catchment area: This decision approved the design, land acquisition, construction and management of integrated wetlands, providing tertiary treatment to waste water treatment works in order to reduce phosphate levels within the River Lugg catchment area. It will enable the design, construction and management of up to 8 integrated wetland sites set in strategic locations in order to provide tertiary treatment to waste water treatment works within the River Lugg catchment area. And allow the development an interim delivery plan including a phosphate calculator and a suite of recommended mitigation measures appropriate to the River. This will enable developers to calculate the phosphate load of their development proposals and therefore agree measures independently with landowners to mitigate or offset the identified phosphate load. This will need to demonstrate that development will be phosphate neutral or show betterment and any offsetting has to comply with the Habitat Regulations.	Key	10 August, 2020	Cabinet member Infrastructure and transport
14.	Executive response to the task and finish group concerning Child Exploitation: This decision approved the executive response to the recommendation from the task and finish group review concerning child exploitation. The task and finish group review considered the Herefordshire approach to child exploitation and made ten recommendations. The Children and Young People's Scrutiny Committee established a task and finish group review to review child exploitation. The committee agreed to undertake this review as part of the setting of its work programme priorities. The committee agreed that the review would cover the issues of child sexual exploitation (CSE) and child criminal exploitation (CCE). The topic was identified by the scrutiny committee as a priority over concerns regarding county lines activity, as a form of child criminal exploitation, in the West Midlands.	Non-Key	14 August, 2020	Cabinet member children and families

	Decision and purpose	Decision Type	Implementation Date	Taken by
15.	Writing and Publishing Council Plans, Policies and Procedures: This decision gave agreement on the approach to the production and publication of plans, policies and procedures produced by the council. It includes a framework for producing policy documents whilst recognising the purpose and intended audiences will influence different requirements. The report also covers the publishing of documents that meet the accessibility standards required by law.	Non-Key	21 September, 2020	Cabinet member finance and corporate services
16.	Hereford leisure pool re-opening: This decision makes a recommendation to Council that additional new capital budget is made available to ensure the swift reopening of the Hereford leisure pool that has been closed since suffering from flooding in October 2019. The majority of reinstatement work costs are funded from insurance cover however to open the centre to the public uninsured works require funding. The funding of these costs is proposed to be from a combination of existing and new capital budget, funded from prudential borrowing. Hereford leisure pool is a council owned asset with Halo, as tenant, responsible for the provision of leisure facilities.	Key	1 October, 2020	Cabinet
17.	Major contract performance review: Herefordshire Council has carried out a review in relation to the Public Realm services and Property and Facilities Management services contracts provided by Balfour Beatty Living Places to identify possible improvements to the current contract management processes. The review was conducted via both desktop review of documents in relation to contract administration and contract management as well as interviews with key stakeholders in the Council to obtain qualitative data from multiple perspectives on what is considered to work well and does not with the contract. Following this review, Cabinet have agreed the following improvements are implemented in a timely manner to improve the performance of the major contracts for Public Realm services and Property and Facilities Management services, specifically: a. Build technical knowledge within the Council; b. Improve internal communication and education; c. Increase the involvement of the procurement team; d. Set up a contract management framework, and e. Consider an appropriate Contract Management System (CMS)	Non-Key	1 October, 2020	Cabinet
18.	Quarter 1 Budget and performance report: Cabinet approved the performance for Quarter 1 2020/21 and the budget forecast. Assurances have been provided 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. The 2020/21 forecast outturn is a £15,919k overspend as at the end of June 2020, however the council has been allocated COVID-19 grants of £11,878k from Ministry of Housing, Communities and Local Government, therefore reducing this net overspend of £4,041k. It is important to note that this forecast is predicated on no further significant expenditure on COVID-19 matters.	Non-Key	1 October, 2020	Cabinet

	Decision and purpose	Decision Type	Implementation Date	Taken by
19.	Performance Management Framework: The cabinet have agreed a refresh of the councils Performance Management Framework; setting out the councils approach to business planning, risk management and performance monitoring. The current Performance Risk and Opportunity Management Framework (PROM) was approved by Cabinet in July 2016. This refreshed approach sets out the council's approach to Performance Management; including business planning, risk management and performance monitoring. It allows for effective triangulation of planning, risk management and performance monitoring is key to ensuring that the strategic priorities within the County Plan are achieved, and where unexpected events occur, these are understood and integrated in to the plan in order to minimise, or mitigate their impact.	Non-Key	1 October, 2020	Cabinet
20.	Corporate Parenting Strategy 2020 – 2023: This decision approved and endorsed the Corporate Parenting Strategy and Care Leavers covenant. It also enables Cabinet to receive an annual report on Corporate Parenting to allow progress of the strategy to be monitored. As part of this decision the cabinet also agreed to sign up to the Care Leavers covenant. The Council is a “trailblazer” local authority working with the national organisation responsible for the covenant which seeks to lead the way in improving outcomes for care leavers.	Non-Key	1 October, 2020	Cabinet
21.	Talk Community strategic overview: This decision approved the Talk Community strategic approach and its implementation, including the development and delivery of a comprehensive Talk Community programme and strategy. Talk Community is the strategic delivery vehicle for the community ambition of the Herefordshire County Plan 2020-2024 to improve the sustainability, connectivity and wellbeing of our county by strengthening our communities. It is the council's strategic approach to prevention, enabling people to get the assistance they need and managing demand for more specialist services. Talk Community was cited positively in the recent LGA Corporate Peer Review of the council and as the preferred vehicle for delivering much of its priorities relating to communities.	Key	1 October, 2020	Cabinet

Section1 - Cabinet member portfolios

Leader (corporate strategy and budget): Councillor David Hitchiner

Support members: Councillor John Hardwick; Councillor Peter Jinman (European and national matters); and Councillor Alan Seldon (LGA/CCN)

- Corporate policy and strategy
- Corporate budget
- External liaison and relationships
 - Local Government Association (LGA)/County Councils' Network (CCN)
 - European and national matters
 - Regional matters
 - Marches Local Enterprise Partnership
 - NMiTE
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any initiative not specifically allocated to any other portfolio

Children and families: Councillor Felicity Norman (Deputy Leader)

- Deputise for the leader of the council in his absence
- To provide leadership and ensure coordination across the range of council children's services, and through engagement with partners, with a particular focus on children and young people's health & wellbeing, safeguarding, education and attainment
- Services for vulnerable young people/children/families
- Lead member for children's services in accordance with the Children's Act 2004
- Children and young people's education and attainment
- Corporate parenting
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader

Commissioning, procurement and assets: Councillor Gemma Davies**Support member: Councillor Jenny Bartlett (parish shared services and assets)**

- Commissioning and procurement strategy and policy
- Contract management policy
- Waste management strategy
- Waste collection and disposal
- Council asset and property strategies
- Council property services including facilities management
- Common land
- Community services:
 - Parks and countryside
 - Leisure Services
 - Cultural services
 - Libraries
 - Heritage Services
 - Archives
 - Public conveniences
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader

Environment, economy and skills: Councillor Ellie Chowns

- Economic development and regeneration (including development and regeneration programme and partnership)
- Tourism
- Post 16 education, training and skills development
- Environmental promotion, protection and sustainability including response to climate emergency.
- Broadband
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader

Finance and corporate services: Councillor Liz Harvey

- Agreeing and leading the process for developing revenue and capital budgets, medium term financial strategy, council tax and NNDR
- Financial policy, fees and charging policy, financial control and reporting
- Council tax benefits
- Council ICT services
- Human Resources
- Information governance and modern records
- Equality and human rights
- Health and safety, emergency planning and business continuity
- Performance, improvement, risk management, research and intelligence
- Land charges
- Legal and democratic services including member development and training
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader

Health and adult wellbeing: Councillor Pauline Crockett**Support member: Councillor Yolande Watson (adults and communities)**

- Provide leadership and ensure coordination across the range of council adult social care services, and through engagement with partners
- Services for vulnerable adults
- Adult safeguarding
- Leadership of Health and Wellbeing Board and partnership working with health
- Public Health
- Community engagement and development
- Customer services
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader

Infrastructure and transport: Councillor John Harrington

- Transport and highways policy strategy and operations
- Planning, conservation and land use strategies including Core Strategy
- Land drainage, flood alleviation, rivers and waterways
- Public Rights of Way
- Streetscene design, policy and delivery
- Traffic Management
- Car parking policy and services
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader

Housing, regulatory services, and community safety: Councillor Ange Tyler

- Strategic housing, homelessness, housing allocation and condition
- Communications and web presence
- Bereavement services including Coroner services
- Registration services
- Gypsy and traveller services
- Animal health and welfare
- Environmental health and trading standards
- Markets and fairs
- Licensing
- Community Safety including the Community Safety Partnership
- Policy development, quality assurance, external liaison, performance improvement and risk assurance relevant to the portfolio at all times having regard to the cross cutting priorities of the council
- Any other specific responsibilities as allocated by the leader



Meeting:	Council
Meeting date:	9 October 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 motion listed at paragraph 6 is 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 One motion has been received and will be debated at the meeting. The motion for discussion is set out below:

Motion – Decline in hedgehog population

(Proposed by Councillor Elissa Swinglehurst, Seconded by Councillor Yolande Watson)

A recent study has shown that the UK population of Hedgehogs has declined from around 30 million to only 1 million. Whilst it is not yet a European Protected Species it is a British mammal where the population is in steep decline and I am calling upon our executive to please consider ways in which Herefordshire Council can include measures for adaptation, mitigation and for the protection of Hedghogs to a level comparable to that required for European Protected Species.

- 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 six 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 2018	Video Casting of Council Meetings	<p>A decision to initiate a procurement process has been delegated to the level of officer decision. A procurement 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	Review of core strategy has started and the executive will consider response to this as part of formal decisions

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

	Corridor	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 recommendation on the proposed model is contained in the papers for the October council meeting.
<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>		

- 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
6 March 2020	20mph speed limits	A number of 20mph speed limits were introduced in August 2020 in Hereford city and the five market towns as part of the implementation of the first phase of Emergency Active Travel Measures supported by funding from the Department for Transport. These new limits are being monitored to determine effectiveness and to consider if they should be made permanent and if implementation can be extended to other areas of the market towns and major villages subject to funding.
<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
17 July 2020	Tree Strategy	An executive response is being prepared for consideration.
<p>RESOLVED:</p> <p>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.</p> <p>The Government is currently consulting on an England Tree Strategy and we ask for the council to respond to this consultation.</p> <p>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.</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