

**Minutes of the meeting of Cabinet held at The Council Chamber -
The Shire Hall, St. Peter's Square, Hereford, HR1 2HX on
Thursday 22 June 2017 at 2.00 pm**

Present: Councillor AW Johnson (Chairman)
Councillor PM Morgan (Vice-Chairman)

Councillors H Bramer, DG Harlow, JG Lester, PD Price, P Rone and NE Shaw

Group leaders in attendance Councillors TM James, RI Matthews and AJW Powers

Scrutiny chairmen in attendance Councillors WLS Bowen, CA Gandy and J Stone

Other councillors in attendance: Councillors EJ Swinglehurst, PP Marsh and CR Butler

Officers in attendance: Alistair Neill, Geoff Hughes, Chris Baird, Claire Ward, Andrew Lovegrove and Donna Etherton

1. APOLOGIES FOR ABSENCE

There were no apologies from members of the cabinet.

2. DECLARATIONS OF INTEREST

None.

3. MINUTES

RESOLVED: That the Minutes of the meeting held on 4 May 2017 be approved as a correct record and signed by the Chairman.

4. QUESTIONS FROM MEMBERS OF THE PUBLIC

No questions were received from members of the public.

5. QUESTIONS FROM COUNCILLORS

Question from Councillor E J Swinglehurst

Cladding on public buildings

The fire at Grenfell Tower highlighted potential risks inherent in using certain exterior cladding on high rise buildings. I understand this, and the adequacy of building control regulations, may be the subject of urgent review. If such cladding has been used in the refurbishment of housing or public buildings in Herefordshire what assessment has been made of the risks to residents, and what steps have been taken to reassure them?

Answer from Councillor Harry Bramer, cabinet member contracts and assets

Herefordshire does not have any high rise buildings. However, in light of the potential risks associated with certain types of exterior cladding, officers are liaising with the housing providers to establish what steps they are taking to identify and assess any risk relating to the housing stock they own.

A similar assessment of risk is being carried out in relation to council buildings including schools; these are low rise buildings with more than one fire exit. Regular fire drills and inspections are carried out at all council premises, and improvements in practice identified as necessary; the importance of this basic good practice cannot be overstated.

Our thoughts go out to all those affected by the Grenfell Tower fire, but I am assured that we are taking all steps necessary to identify risks and, if appropriate, take mitigating action.

The building control service remains available to provide advice to property owners.

The advice from Government is fast moving, we have received further guidance this morning. There is a wide range of propriety cladding systems that have been used over the years and these are constructed from a wide range of materials. Government advice is that some (ACM) Aluminium Composite Material cladding systems may not provide sufficient fire resistance. The guidance issued this morning requires council's to notify the Fire and Rescue Service of the existence of any Aluminium Composite Material cladding in council buildings. The council has complied with this requirement.

Requests from Government

We have responded to all information requests from Government. We have confirmed that we do own any properties in Herefordshire (residential or other, clad or other) over 18m

Properties owned by the Council

We do not have any properties that have significant cladding. We have identified a small number of properties that have decorative cladding panels, e.g. in modular window systems. These tend to be in the form of a glazed opening in the top half of the unit and the lower half is a cladding panel. . We have assessed these as low risk installations on the basis that they are not cladding the whole wall, and the buildings are not occupied by people sleeping. We are liaising with the Fire and Rescue Service in respect of these buildings.

Social Housing

The council does not own any social housing. We are having an ongoing dialogue with the major social land lords operating in Hereford, including HHL. They have all confirmed that they do not have any high risk properties, i.e. residential units above 18m. They are confirming that they have some properties that have been clad, but using a different technique (EWI) External Wall insulation. This involves a layer of insulating material being fixed to the external walls with no gap. This is then covered with a coat of render.

Blueschool House

External Wall Insulation (EWI) Cladding has been used on part of the structure, this has been installed and rendered over. In addition the plan is to provide some external cladding using a form of cladding which complies with current building regulations, we are awaiting confirmation that this material is fire resistant. We are also exploring options of changing to a different type of cladding if this is deemed necessary.

Properties not belonging to the Council.

We are aware of one block of flats outside the ownership of the council, which is below 18m in the city of Hereford that has a form of ACM cladding. Investigations are continuing to identify any risks associated with this property. The council is liaising with the Fire and Rescue Service regarding this building.

We have reminded care home providers and schools of the need to ensure that their fire risk assessments are up-to-date and of the need to have regular evacuation drills.

6. END OF YEAR CORPORATE BUDGET AND PERFORMANCE REPORT 2016/17

The cabinet member economy and corporate services introduced the report. The focus of the report was on the final budget position for 2016/17 and the successes and challenges for each directorate of the council. The cabinet member stated that careful management of the budget had protected services and that there had been an overall underspend of £600k.

A number of successes were highlighted, linked to the council's corporate priorities:

Enable residents to live safe, healthy and independent lives

- 177 disabled facilities grants had been funded, a small increase on the previous year, allowing more residents to stay in their own home for longer;
- more residents over the age of 65 were being supported to live at home;
- Herefordshire was now ranked 18th best out of all English authorities.

Keep children and young people safe and give them a great start in life

- early years outcomes had improved, Herefordshire was now ranked in the top 25% of councils for a key measure;
- recruitment of foster carers had improved, against a regional trend of falling numbers of foster carers.

Support the growth of our economy

- good progress had been made on the south wye transport package;
- the new city link road was expected to open before Christmas 2017;
- the new economic vision for the county was about to be launched;
- EnviRecover Energy-from-Waste plant had been completed and was reducing the council's reliance on landfill for disposing of waste while generating power.

Secure better services, quality of life and value for money

- the use of agency staff had reduced;
- the council's new website had been launched successfully and had been submitted for a national award.

Group leaders were asked to make comments on behalf of their group.

The leader of the Herefordshire independents group raised the following points:

That inspections of adults' services often criticised a lack of front line support and management and that the director for adults and wellbeing should visit frontline staff more often. In response it was noted that Herefordshire was rated the 5th highest authority for quality of life provided and that the management team was clearly delivering good results.

That the telecare service was a credit to everyone involved.

The group leader queried why the council had seen an increase in foster carers. The cabinet member for children and young people responded that a targeted approach had been used to recruit more carers and that there was good support and training in place which was valued by carers.

The group leader commented on the inclusion of the Hereford Bypass in the Midlands Connects regional transport strategy and asked what benefits this would bring. The cabinet member for infrastructure explained that the bypass scheme was in the early priority stages of the strategy programme and that the system was complex. More information would be provided as the strategy was firmed up. Funding may be available if the scheme meets the relevant criteria for each stage.

The group leader asked how often neighbourhood plans would be reviewed. It was stated that it was not intended that such plans be reviewed annually, the frequency of review would depend on the circumstances.

The group leader asked whether the rural grant was ring fenced. The chief finance officer confirmed that it was not ring fenced and that it could be used as the council saw fit.

The group leader asked for details of how the write off of business rates compared with other years. The chief finance officer agreed to provide a written response.

The leader of the It's Our County! group made the following points:

That requests had been made previously for reports to show gross budget figures rather than net figures but this had not been implemented.

That adults and wellbeing directorate had seen a 40% increase in overspend in the final quarter. The cabinet member for health and wellbeing responded that this overspend was regrettable but should be set in context of a gross budget of £20m and the national picture where virtually every council in the country was overspending on adult social care.

The group leader stated that there was a failure to provide suitable short breaks for children with challenging needs. The cabinet member for children and young people responded that the new service for short breaks was providing choice and opportunities depending on the needs of each child. Any councillor who was aware of a family with needs that were not being met was urged to direct them to the cabinet member for children and young people or to relevant officers. The chief executive highlighted positive feedback received from a parent of a young person who had previously used the Ledbury Road centre but was now accessing short break provision through the new system.

The group leader queried why the percentage of pupils in schools rated by Ofsted as good or outstanding had fallen and what the pressures were that schools were facing to cause such a drop. The interim director for children's wellbeing responded that the drop was due to a single large high school which had fallen in rating. Work was continuing to build on the council's approach to school improvement which included being clear with schools about expectations.

The group leader queried how effective the delivery of rural connectivity through the Fastershire programme had been. The cabinet member for economy and corporate services responded that super-fast broadband had been rolled out to 83% of the county. The council's definition of super-fast broadband was a speed of 30Mbps. Work had begun to look at how this could be rolled out to the remainder of the county in a joint programme with Gloucestershire. There was an aim to reach 94% of the county by the end of 2018.

The group leader commented that the report painted a positive picture of the county but that it was wrong not to reflect all challenges and risks. He stated that a list of detailed questions had been sent to the chief finance officer and requested that a written response be provided.

The leader of the Liberal Democrats group commented that the service performance most of the public were concerned about was the state of the roads. He noted that there had been some improvements but felt that the county's roads were in the worst state they had ever been. The leader of the council responded that this comment could apply

almost anywhere in the country and that the council was looking at how to make additional resources available.

The representative of the Green group raised the following points:

Whether the energy-from-waste plant was at full capacity. The cabinet member for contracts and assets responded that it was presently operating at around 90% capacity but it was anticipated that as recycling rates improved, additional spare capacity would be produced.

Whether the reduction in funding for Herefordshire from 2010 to 2020 was correctly calculated at 22%. The chief finance officer responded that the nature of grants had changed over the period and so it was difficult to compare like with like. A reduction of 22% was correct but did not reflect other grants which had been removed and not replaced. The cabinet member for health and wellbeing noted that the pressures on the council's services had increased and would continue to increase over the rest of the decade.

Resolved:

THAT:

- (a) performance and financial outturn, including debt write off for 2016/17 as set out in appendices A, B, D and E are reviewed and the cabinet identifies any additional actions to be considered to achieve improvement;**
- (b) the treasury management outturn report at appendix C be recommended to Council for approval; and**
- (c) the annual performance report at appendix F be approved for publication.**

7. BUDGET PLANNING/CONSULTATION

The cabinet member for financial management and ICT introduced the report. The chief finance officer stated that the planned consultation exercise was similar to that carried out in the past and would be primarily a digital consultation, supplemented by use of existing meetings with stakeholder groups.

Group leaders were asked to give the views of their groups.

The leader of the It's Our County! group advocated working in partnership with town councils and larger parishes to build a budget rather than take a top down briefing approach. It was suggested that ward members could help facilitate this.

He also suggested that questions on levels of council tax should enable respondents to see and respond to what any rise in council tax would actually be spent on.

He stated that an entirely online consultation would fail to include those most in need of council services. The equality duty section of the report did not mention any of the demographics who might not be able to take part in an online questionnaire.

The cabinet member for financial management and ICT responded that any local councillor could engage with local events or bodies to give feedback on the budget consultation. The planned level of engagement took account of time constraints on council officers. He noted that online consultation was becoming the default medium for many organisations and that use should be made of greater online access.

The cabinet member for health and wellbeing stated that the planned consultation was at a high level and that where there were specific proposals for changes to services more

targeted consultation would take place in ways which would take account of the needs of the service group.

The cabinet member for infrastructure stated that the investment made in broadband for the county should lead to a digital by default approach and that he had not received any feedback at parish meetings to say that residents were unable to respond to online questionnaires.

The leader of the Liberal Democrat group queried what difference the proposed tiered approach would make. The leader of the council responded that there were differences in providing services in the city, the market towns and the very rural areas of the county. The three tiers proposed would allow adjustments to be made in design and delivery of services to even out these differences.

Resolved:

THAT:

(a) the approach for consulting on budget priorities for the coming four years and the capital programme and budget proposals for 2018/19 as set out in the report be approved.

8. AWARDING HONORARY TITLES - POLICY STATEMENTS

The cabinet member for economy and corporate services introduced the report. Following the instalment of Sasha Kindred CBE as the first honorary freeman of Herefordshire the purpose of the report was to approve the procedures and criteria to be used for future nominations.

The leader of the It's Our County! group commented that the approach suggested was very welcome and common sense. He suggested that clear criteria should be used although he recognised that it was difficult to put into words the principle behind the award.

The leader of the council responded that the criteria had been discussed but that it was hard to decide where to draw the line. The director of economy, communities and corporate stated that the criteria set out in the appendix to the report required outstanding commitment and eminent service to the county. Awards would only be made in very special circumstances.

The leader of the Liberal Democrats group urged members to be discreet in making nominations and supported the process of taking informal soundings before a formal nomination was made.

Resolved:

THAT:

- (a) The policy statement and procedure at appendices 1 for nominating honorary freemen/women is agreed and adopted;**
- (b) Awards of honorary titles are limited to a maximum of 4 titles held within the county at any one time; and**
- (c) The democratic services manager be delegated responsibility to oversee and administer the process of nominations.**

9. 16-19 LOCAL AUTHORITY COMMISSIONED SPECIAL SCHOOL

The cabinet member for children and young people introduced the report. He noted that this was an exciting opportunity to extend provision for children with special educational needs (SEN) in the county. The proposed new school would meet an identified need for additional places and would be a proactive measure to provide for future growth. There was a need to progress sooner than hoped in order to take advantage of external funding. While there was some risk involved it was considered to be a good opportunity.

Group leaders were invited to present the views of their group.

The leader of the Herefordshire Independents group asked what facilities were presently in place. The cabinet member for children and young people responded that there was existing provision but that there was an identified need for extra capacity for future years. Rather than have overcrowding on the existing sites, the proposal was to open a new facility to cater specifically for this age group. The interim director for children's wellbeing stated that both Westfield and Barr Court schools offered good and outstanding SEN provision for 16-19 year olds as judged by OfSTED but that their sites were challenging in terms of expansion to provide for expected growth.

The leader of the It's Our County! group welcomed the proposal. He commented that the ward member for the proposed site for the new school recognised the need and supported the proposal. He asked what would happen to the private nursery provision which was operating on the site. The interim director of children's wellbeing responded that notice had not been served on the nursery provider but they had been made aware of the proposals and discussions were ongoing.

The cabinet member for financial management and ICT asked what level of funding might be invested in Herefordshire. The interim director for children's wellbeing responded that the potential funding for the building of the new school could be between £1.5m and £2m but that this would be determined by the department for education and met by them in accordance with the rules of the scheme.

The leader of the Liberal Democrats group supported the proposal and welcomed the planned improvement in the service.

Resolved:

THAT:

- (a) approval is given to progress to the next stage of the DfE Free School Special School initiative following the success of Herefordshire's expression of interest to commission a 16-19 SEND free school in accordance with the specification in appendix 1;**
- (b) approval in principle is given to the allocation of the former Broadlands School site for the development of the 16-19 SEND free school subject to a satisfactory business case being approved and planning consent being obtained; and**
- (c) necessary feasibility works to further develop the business case and scheme to a maximum of £250k be approved and authority delegated to the director of children's wellbeing to take operational decisions necessary to inform a further decision.**

