

Meeting:	Council
Meeting date:	Friday 6 March 2020
Title of report:	Leader's report to Council
Report by:	Leader of the Council

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

To provide an update on the work of the Cabinet since the meeting of Council held on 11 October, 2019. A brief summary of decisions taken by the executive is provided at appendix A; all decision reports and notices are available on 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. It is a constitutional requirement that the Leader of the Council provides a report to each ordinary council meeting, other than the budget meeting, on the activities of the work of the cabinet since the last meeting including a summary of those matters decided by the cabinet, cabinet member or any executive joint committee, and any decisions taken under the urgency provisions and of those subject to call in.

3. It is customary for the decisions to be listed in an annex to this report (attached at appendix A). These decisions have been made available on the council's website as they are taken, so all councillors and members of the public have the opportunity to study these decisions as they are being made. Of the decisions taken since the last report to Council, one key decision was made under the general exception provisions (giving more than five but less than 28 days' notice) and one taken under the urgency provisions (less than five days' notice).
4. Since my last report no decisions have been called in.
5. I am also including in my report a summary of what I consider the most significant decisions supporting achievement of the current corporate delivery plan, as well as some additional subjects that I hope will be of interest.

Enable residents to live safe, healthy and independent lives

6. **Major flood incident response (October/November, 2019):** Herefordshire Council as the Lead Local Flood Authority (LLFA) for Herefordshire has a number of duties and responsibilities in relation to managing flood risk across the county. A major and prolonged flooding event occurred in Herefordshire in late October 2019 and early November 2019. Herefordshire experienced significant surface water and river flooding, with at least 130 properties believed to have been impacted.
7. Herefordshire Council staff and contractor, Balfour Beatty Living Places (BBLP), together with the emergency services and voluntary sector organisations, dealt with a large number of road closures, flooded properties, stranded people and abandoned vehicles. BBLP drafted in significant extra resources to deal with flooded roads and affected communities by putting road closures in place, where necessary, and supporting the police and fire services with rescue and evacuation across Hereford City and the county.
8. Despite the Government announcing financial support for people and businesses in the north of England who had been affected by this flooding, this offer was not extended to Herefordshire. The cabinet member for infrastructure therefore took an urgent decision on 9th December to provide grants for the households and businesses affected by the floods in October and November 2019. The community recovery grant scheme and business recovery grant scheme were approved with a budget of up to £225k
9. **Major flood incident response (February 2020).** This incident is ongoing. An update will be provided at the Council meeting.
10. **Novel coronavirus (COVID-19).** You will have received regular updates from our Director of Public Health who is in regular contact with central government. Enquiries have been received from schools and colleges in Herefordshire, regarding their staff/pupils returning from Northern Italy and the risks associated with the novel coronavirus (COVID-19). We will be updating guidance and considering any emerging situation and response as necessary and keeping the situation under review.
11. **Renewing the priorities and membership of the Health and Wellbeing Board (HWBB):** The current HWBB membership commissioned a Local Government Association (LGA) review of the board's membership and function. The review considered the board's alignment to the evolving Herefordshire and Worcestershire health and social care systems and the Talk Community initiatives in the county. As the statutorily recognised forum bringing together political, community and health leaders the review identified where

change is required and built renewed consensus around the value of the HWBB partnership and its shared values.

12. A key focus of the board will be to strengthen collaborative partnership working to maximise resources across the county; improve quality of life through healthy ageing; identifying climate change action in all aspects of operational delivery within our health and social care sectors and improve social mobility including housing, economic opportunities and learning. Aligning the HWBB to the recently updated county plan for Herefordshire Council, the NHS long term plan and evolving integrated care strategy are key priorities. The proposed working arrangements will be recommended to the audit and governance committee, with a view to seeking full Council approval for the new board membership.
13. ***The executive's response to the general scrutiny committee review of highways maintenance – pothole repairs:*** The review was commissioned by the general scrutiny committee who appointed a task and finish group to consider the highway maintenance plan. It also sought to seek and address concerns expressed within the community about the potential mismatch between policy and practice on pothole repairs. The review made a number of recommendations. All of the recommendations directed to the executive were accepted or partially accepted and will now be implemented. This included a commitment to:
 - The council should continue to take a risk-based approach to prioritising repairs as part of a proactive asset management strategy.
 - BBLP should reinforce, emphasise and implement a 'cluster-based' strategy to fixing potholes i.e. to fix all defects within an appropriate length of road at the same time, unless essential emergency work needs to be done elsewhere.
 - The service (Highways and Transport) consulting with Parish Councils about the proposed Rural Routes Maintenance Hierarchy, and involve them in any decisions about which roads to prioritise.
 - The important contribution that the lengthsman can make should be recognised and parish councils encouraged to support lengthsman schemes, exploring scope for co-operation between parishes in doing so, and the council should review whether reinstating a financial contribution to the scheme would be prudent, for example, via match funding.
 - The council should invest further in independent inspection of repair quality, including inspection of 'making-good' work done by utilities companies.
 - The council should adopt a policy of making a different type of repair in certain locations where evidence shows a standard approach would not be effective in achieving the 'fix right first time approach', and adopt a performance measure of the effectiveness of this approach in reducing occasions where more than one visit is required to fix a defect.
 - The full set of recommendations and executive response can be viewed [here](#)
14. ***Herefordshire and Worcestershire Living Well with Dementia Strategy, 27 November 2019:*** Over the last five years the delivery of dementia care in Herefordshire and Worcestershire has evolved into a multi-agency approach with each county having separate strategies. As strong as our foundations are, we know that we have more to do to ensure we provide timely diagnosis and that people with dementia and their carers get the right support whatever their individual circumstances. Cabinet has agreed a strategy which it sets out a shared vision for a collaborative approach across both counties. It will build upon the successes of our local dementia partnerships delivered by a wide range of local stakeholders who are key to supporting people living with dementia, their family, friends and communities.

15. ***Homelessness prevention and rough sleeping strategy***, 19 December 2019:

Tackling homelessness and rough sleeping is a high priority for the council. Nationally, many housing associations have taken a risk adverse approach to rough sleepers as potential tenants and avoided letting to people on benefits. In Herefordshire the strategic housing forum has been relaunched and the council has identified the importance of outreach and navigation workers to help individuals to sustain tenancies. The council, working with Hope Scott House in Hereford, is developing provision for homeless persons and capital investment to provide an additional 5 self-contained apartments with office space alongside for use by support services, being self-contained the accommodation was available to both males and females. As part of this strategy, specific reference will be made to ensure the strategy includes provision for migrants and pets.

16. ***Community seed funding grant***: On the 18 December, we approved the implementation of the Talk Community Hub seed funding. The aim of the grant is to help address local wellbeing challenges by working through community hubs and other means focusing on how people support themselves, and can be supported in their local communities. The council is working with communities to help them support people at a local level by providing access to information, advice and signposting within their own community settings. The grants will help people to connect with each other and to engage in activities in their community, through a community group/hub supporting people to help themselves and each other to remain well and independent. The purpose of the seed funding is to help communities to provide local signposting, information and activities in a local hub or community setting, promoting wellbeing and independence.

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

17. ***Short breaks capital grant scheme***: On October 10, we approved a decision to create a capital grant scheme to provide short breaks for children in our care. Breaks provide opportunities for disabled children and young people to have enjoyable experiences away from their primary carers, thus contributing to their social inclusion and personal and social development. They also provide the parents and carers of disabled children with a necessary and valuable break from their caring responsibilities. The grant scheme will ensure maximum benefit for children with disabilities and special educational needs across Herefordshire.
18. The aim of the scheme is to improve access to universal and targeted activities across Herefordshire to create greater opportunity for spending time with friends, and developing independence. The maximum capital funding available for this scheme is £118,000, which is non-recurrent. It is intended that all funding will be committed by the end of March 2020. If required, further bidding rounds will be scheduled during 2020 until the budget has been fully allocated.
19. ***Improvement of Children's social work practice***: On 22 November, approval was given to use earmarked reserves to recruit and improve the quality of children's social work in the county. Cabinet has recognised that the council can support children's social care work further by enabling more staff to be recruited within this financial year. This is in conjunction with work that the council has already done to increase the number of social work posts, expand the early help service and family support service to work with families and business support to take some tasks off social workers. This will enable the service to potentially recruit five social work posts (including a senior practitioner post) and a manager to provide further capacity that would be located in the assessment service and carry out assessment team work.

20. **Approval of the revised business case and budget for the expansion of Marlbrook primary school within the approved capital allocation:** On 27 November cabinet took the decision to approve the business case and budget for this decision. Provision of £6.141m is included within the approved capital programme to complete the expansion of Marlbrook Primary School from 420 to 630 statutory age pupils, increasing its planned admission number from 60 to 90.
21. **Ofsted visit.** Ofsted carried out a focused visit on the 18 and 19 December, focusing on Child in Need, Child Protection, peer on peer concerns, neglect, any issues the local authority wishes to discuss. This involved a huge amount of work for our children and families directorate and in particular our safeguarding and family support services. It is reassuring to note that no child was seen to be left at significant risk and all were receiving intervention. There were no priority areas for action. Ofsted recognise the continued challenges we face in recruitment and retention and that turnover of agency staff in particular effects the quality of work. However they noted that little progress has been made since the last inspection in terms of the quality of practice in our Child Protection/Court teams and that a number of areas are still to be resolved. The Directorate will continue to work to improve in these areas.
22. Ofsted recognised the investment that is taking place, the strong understanding of the service by senior managers, informed by a growing audit programme that accurately reflects practice. There saw gaps in supervision and recording. They noted the strong work in the Children with Disabilities team, including plans focused on the child's needs, packages of support tailored to their needs, social workers having a clear understanding of the child's needs and consistent guidance and reflection from supervising managers.
23. The feedback from Ofsted will help us to continue to improve our services, despite the significant challenges that we face. There is more detailed feedback on the [Ofsted website](#), which does not come with any change to our rating.
24. **A new local 16+ years champion:** In line with Herefordshire Council's constitution, and in my capacity as leader of the council, I am able to appoint individual councillors or other individuals to champion a particular issue within the council, with its partners, in communities, across the council, regionally or nationally. I am seeking to appoint a new 16+ years champion and I am seeking interest from all local members who may wish to take on this role.

Support the growth of our economy

25. **Update on Phosphate levels in the Lugg and Wye Catchment:** As members will be aware, new development that would increase Phosphate levels in the Lugg catchment remain under review following the judgment handed down in November 2018 by the Court of Justice of the European Union (CJEU). Natural England provided initial advice to Herefordshire Council on 22nd July 2019 and subsequent further advice that: In the light of the interpretation of the Dutch judgment where a site is failing its water quality objectives, and is therefore classed as in unfavourable condition, there is limited scope for the approval of additional damaging effects.
26. There remains potential for a positive Appropriate Assessment to enable development to proceed, on Natural England's advice, where it can be demonstrated that development is nutrient neutral where avoidance / mitigation measures included in the plan or project, counterbalance any phosphate increase from the plan or project. I and my Cabinet colleagues place great importance around reducing phosphate levels in our rivers. To that

end, we are redirecting £2m from the new homes bonus scheme to develop water catchment projects in the Lugg catchment area to help reduce phosphate levels.

27. Nutrient Management Board met on 29 January. On 14th February a note was circulated to all member providing an update.
28. **New Model Institute for Technology and Engineering (NMITE) Phase 2 Local Enterprise Partnership (LEP) Funding:** NMITE, the council, the LEP, Shropshire Council, and the Ministry for Housing, Communities and Local Government have been working together to finalise the next phase of Growth Deal funding for NMITE. The £5.6 million grant will enable NMITE to develop a Centre for Advantaged Timber Technology, and Centre for Automated Manufacturing on a site next to the council's business incubation space in a former WW1 Shell Store on the Hereford Enterprise Zone. Negotiations the grant funding will be transferred from the LEP to Herefordshire Council to oversee the delivery of the project locally. Government has confirmed that the funding being allocated would not be subject to clawback.
29. **Herefordshire Council is committed to invest in the support and development of tourism and our valuable visitor economy.** Over the past couple of months we have continued to work strategically across the Marches with colleagues from Shropshire and Telford and Wrekin Councils to develop closer working on tourism projects and data collection and representatives of the three local authorities are looking at different models for supporting the tourism sector. The LEP is not directly involved in tourism but has funded the development of a Visitor Economy Strategy which was launch of The Marches LEP Visitor Economy Strategy in January 2020. As a follow on some work has begun on the value of tourism in the region which will enable us to benchmark progress in future years
30. A key project for tourism is the development of the DBID and we are working with partners to support the next steps of the project which would take it, if successful, to the launch of the new BID. Local partners in Herefordshire organised a Marches Tourism Forum at the Green Dragon which was very well attended with delegates from across the Marches. As part of her sum up at the end of the event Cllr Trish Marsh confirmed the support of the council to the development of a Destination BID and Tourism Partnerships.
31. Our budget request for 2020/2021 of £160k will be used to deliver the next phases of the Herefordshire Destination Business Improvement District (DBID) and enable the continuation of the Visit Herefordshire website and tourism marketing until the Destination BID can be developed.
32. **LEP Funding:** On 28 February the council will submit three detailed business case proposals to the Marches LEP seeking a total of circa £12 million of funding. This will support the development of: the Shell Store business incubator; a further package of infrastructure works (including sustainable transport provision); open up employment land on the Hereford Enterprise Zone, and support the development of the Ross Enterprise Park project. The council were invited to submit business case proposals for these projects following the successful submission of Expression of Interest applications in December 2019. At the end of March the LEP are due to consider which projects will receive funding which will need to be spent by 31 March 2021.
33. **Hereford Transport and South Wye Package review:** On 24 January the decision was taken by the cabinet member for infrastructure and transport to commence this review. The review is essential to ensure that the council's decision making is fully informed by the latest information and best practice. We need to ensure any major scheme has a positive

impact on the county to address travel issues, such as congestion and air quality, as these schemes have a permanent impact upon the environment which last for generations to come.

34. The current Local Transport Plan (2016-2031) describes the vision: A transport network that supports growth enabling the provision of new jobs and houses, whilst providing the conditions for safe and active travel, which reduces congestion and increases accessibility by less polluting and healthier forms of transport than the private car. The Cabinet is keen to understand how alternative options address emerging local and national policy such as those resulting from the declared climate emergency, considering new solutions and approaches which have developed over the last twenty years and which are now being implemented in other urban areas.
35. It is incumbent on the council to ensure that projects are consistent with the council's declaration of a climate emergency and will contribute to reducing the carbon output of the county whilst also addressing the transport problems of the city and supporting economic growth. Whilst the review is being carried out the council will continue to deliver agreed improvements to encourage a shift of travel mode and reduce congestion.

Secure better services, quality of life, and value for money

36. **Review of Governance Models:** Following the resolution passed by Council on 11 October a cross party working group has been formed, reporting to the audit and governance committee, to undertake a review of the models of governance open to the council. Council authorised the Monitoring Officer to determine membership following consultation with political group leaders. The work is likely to be reasonably intensive in order to meet Council's requirement for recommendations to be presented no later than October 2020. At the working group meetings, members will be expected to provide a communication channel between the working group and their respective political groups as well as members of the function that they represent. I urge all members to attend the rethinking local governance drop in session on 18 March to share your views and to influence the council's constitutional arrangements.
37. **Corporate peer challenge:** The Local Government Association (LGA) conducted a peer challenge in February 2018 and paid the council a return visit in October last year. This visit was to assess how the council has progressed with their original recommendations. A lot has changed between the visits so it was important to understand where there is continued room for improvement. In summary the LGA report outlines there is a sense the organisation is moving forward and would encourage us to be confident in what is achieved. Relationships between members and officer are good and though members' training has been well received, it is now timely to identify next steps. LGA considered strategic communications needs to ensure corporate priorities are promoted and to promote what Herefordshire the "place" stands for.
38. **The new County Plan:** Our County Plan seeks to shape the future of Herefordshire and aims to encourage and strengthen our vibrant communities, creating a thriving local economy and protecting and enhancing our environment to ensure Herefordshire remains a great place to live, visit, work, learn and do business. The plan will guide the work of the council through from 2020 to 2024. It also provides a platform to strengthen our relationship with individuals, families, communities and partners over the next four years. Underpinning this plan are the themes of connectivity, wellbeing and sustainability, which sit at the core of our policy making, planning and design for the future.

39. **New cabinet support members:** I have appointed two new cabinet support members since my last report. Cllr Ellie Chowns will provide cabinet support and a leading role in taking action on climate change and ecology. Cllr Jenny Bartlett will provide cabinet support and a leading role working with town and parish councils to develop a shared service partnership model and enable parishes to have an active role in delivering or managing local priorities and assets.
40. **Finance.** I am pleased to report that results for the period for Quarter 3 showed a protected outturn for the year of an overspend of £51,000 which is impressive on a gross budget of £385m. Performance measures showing an improvement or remaining the same is 70%. This is an improvement on last year. Thanks is due to everyone in the Council for this projected achievement. The recent floods will make this outcome difficult to achieve without resource to using reserves, but events like this are unprecedented. Government have initiated the Bellwin scheme to allow the council to reclaim certain costs of the recovery from central government.

Community impact

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

Equality duty

39. 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.
40. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. As this report provides a summary of activity undertaken, we do not believe that it will have an impact on our equality duty. These considerations are set out in each of the relevant reports informing the decisions listed at appendix A, and will inform any future decision making.

Resource implications

41. There are no resource implications arising from the recommendations of this report. The resource implications of any decisions of the executive listed at appendix A have been

set out within the relevant decision report and taken into consideration at the time the decision was taken and will inform any future decision making.

Legal implications

42. The council and committee, and cabinet rules within the constitution require the Leader to provide a report to Council on the work of the cabinet since the last meeting of Council and, at the first meeting to follow the annual meeting of Council (except in a year when there are ordinary elections), on the priorities of the cabinet and progress made in meeting those priorities. This report ensures these requirements are met.
43. 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

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

Consultees

45. None

Appendices

Appendix A: Summary of executive decisions made from 11 October, 2019 to 6 March, 2020.

Background papers

None identified.