

**Supplement to the agenda for**

# **Cabinet**

**Thursday 12 January 2023**

**2.30 pm**

**Herefordshire Council Offices, Plough Lane, Hereford, HR4  
0LE**

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**PUBLIC QUESTIONS TO CABINET – 15 DECEMBER 2022**

**Question 1**

**From: Mike Willmont, Hereford**  
**To: Cabinet Member, Infrastructure & Transport**

On 7 Nov 2022 I reported to BBLP a blocked drain in Commercial Street.

Their response (Enquiry 11126562) was that a job had been created for the drainage team to unblock the gully by the end of the Nov.

By 20 Dec 2022 the drain had not been cleared and Councillor Miln advised that BBLP promised him that it would be fixed by 14 Dec.

As of 8 Jan 2023 the drain remained blocked. After two months there remains a large flood in a main shopping street.

My question – BBLP appears to be an organisation that is more interested in profit and cutting corners rather than providing a public service for which they are contracted to do. How much longer do the people of Herefordshire have to accept this unresponsive and inefficient service?

**Response**

The County Council, via its partner Balfour Beatty Living Places, operates two gully emptiers on the highway network. For much of the year one of the units is focussed on programmed work and the other on reactive type work, receiving its work direct from BBLP's inspectors or from public enquiries raised on the system.

In this instance a crew visited the gully, and three others, on the 10th November. The gullies were emptied and their respective connections checked, all appeared to be working as expected. A follow up inspection was carried out by the Locality Steward following reports of further ponding in the vicinity of the Waterstones' store on Commercial Street. The reactive emptier visited again, mud and silt were found in the bottom of the gully and the unit was emptied a second time. It was evident that there is an underlying problem at this location as gullies of this type would not normally require emptying more than once every couple of years.

The gully has been added to our list of problem locations and will be subject to CCTV survey in the near future, it is being treated as a priority as it sits at a sensitive part of the network. Had the problem been identified at the time of the first emptying then Mr Willmont would have been informed of the need for additional works. This has identified a weakness in our system whereby customer enquiries that are closed as a consequence of apparently successful works are not flagged should a similar problem manifest within a short period. We will be looking to discuss this issue with the system's architects, Brightly, via BBLP.

BBLP have been asked to contact you to advise you when the investigation works are to be scheduled and to inform you of any remedial works that are identified as a consequence.

Our contract with BBLP is such that they are paid to provide a defined service, and the delivery of this service is measured via a suite of agreed operational and strategic performance indicators. In this instance we are satisfied that the approach adopted is proportionate with the problem that was originally identified, and that when additional issues were found to exist then additional works were arranged. The profitability of the contract is not determined by cutting corners and minimising cost but by delivering the agreed services in line with the expectation of both the Annual Plan and the commissioning officer responsible for the area of work.

## **Question 2**

**From: Name and address provided**

**To: Cabinet Member, Children and Families**

My supplementary question to Full Council (9/12/22) wasn't read out. A written answer was promised. None has materialized. The question was:

Will Councillors insist that alongside the draft improvement plan, there is a coherent and funded plan for dealing with the enormous and tragic legacy of years of inadequate services, and that responsibility for this is removed from the current leadership who have lost the trust of the families harmed?

The Chief Executive said at the same meeting that families who want to contact the independent reviewer should come through him (or the DCS) and that the independent reviewer will report to him. This does not feel safe for families who have lost trust in the current leadership. What will Cabinet do to ensure that reviews are truly at arm's length from those who may be implicated in failure?

## **Response**

Herefordshire council is committed to listening to families, and to working more restoratively so that we acknowledge where we have got things wrong, we apologise, and we try to put things right where we can. This is a key element of our practice principles going forward.

We are exploring a number of options to see how we can consider such representations from individuals and families by a body that is independent of the council that provides confidence and builds trust. It is hoped that we will be able to confirm who and what this is within the next few weeks.

## **Question 3**

**From: Name and address supplied**

**To: Leader of the Council**

On 9 December at Full Council, the Leader of the Council made a statement about my wife who was a key witness in the VVW investigation. The Leader said that my wife "decided not to participate" in the VVW investigation. This is wholly untrue.

My wife had several hours of conversation with the independent reviewer and submitted evidence of email exchanges with officers.

However, unlike other witnesses, such as the Leader, my wife was not given a summary of her conversations with the independent reviewer as a witness statement to sign. As a result, all her evidence, including written evidence, was excluded.

The public record needs correcting at the next Full Council meeting.

Will the Leader or other Cabinet Members be asking why my wife's witness evidence was excluded from the VVW report, and why they were misinformed by officers?

## **Response**

In my statement to Council I did not identify the person. I also said that the person "in the end decided not to participate".

My understanding is your wife supplied VVW with a number of emails and attachments setting out her evidence. This is the format in which your wife offered to provide her evidence. A brief draft statement in the name of your wife referring to those emails and attachments which would

have therefore enabled this evidence to be relied upon and quoted from was sent to your wife for signature. Your wife declined to sign this statement. In light of this the report author was unable to take into account your wife's evidence in the report.

#### **Question 4**

**From: Melissa Portman-Lewis, Hereford**  
**To: Cabinet Member, Children and Families**

A supplementary question to CYP Scrutiny on 13 December challenged statements made at Full Council on 9 December by the Chief Executive. (Video recording from c. 2:38) The statements in question clearly implied that the independent reviewer was already working with more than one family.

Parents in A Common Bond do not believe this is true. A representative from Sir Bill Wiggins' office who was at the CYP Scrutiny meeting confirmed she was aware of only one family who had been contacted by the independent reviewer by 9 December.

A written response to the supplementary question was promised. None has appeared. The answer to this question is material to whether or not families can trust what is being said by the leadership to them and about them.

Will Cabinet insist that clarification on this matter is given urgently?

#### **Response**

As confirmed by the CEx, a number of families have contacted the council with their concerns. These families will be contacted in due course. The exact number of families that have been contacted to date cannot be confirmed as this may find the council in breach of data protection legislation. This is because the figures are so small that there could be a risk that someone with a specific interest in the topic, seeing a small number, could follow up private sources of information to locate the individuals and discover more details.



**COUNCILLOR QUESTIONS TO CABINET – 12 JANUARY 2023**

**Question 1**

**From: Councillor Nigel Shaw, Bromyard Bringsty ward**

**To: Cabinet Member, commissioning, procurement and assets**

In an email of 23rd November 2022 addressed to all councillors, Cllr. Davies confirmed that she “was committed to supporting the (AUGB) group find suitable premises”, following this Council’s decision to evict them from the unit on the Three Elms industrial estate which they have been using to collect, sort and despatch humanitarian aid to the people of Ukraine who continue to suffer under daily attack from Putin’s forces.

Can the Cabinet member please advise whether this issue has yet been resolved and, if not, how she intends to resolve it?

**Response**

Officers from the Community Wellbeing Directorate have been working with AUGB to develop a longer term plan for the delivery of the much needed aid to Ukrainians both here and abroad. Proposals are progressing well and a plan is being developed for a commercial unit to be made available for the group. Council departments are working together to co-ordinate actions and are continuing to support AUGB and the services it is providing. Whilst there is no specific timeframe for the proposed plan, the Council remains committed to working with AUGB in Herefordshire.

