

Supplement to the agenda for

Council

Friday 10 February 2023

10.00 am

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

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3. MINUTES – 9 DECEMBER 2022 - UPDATED APPENDIX 1 – PUBLIC QUESTIONS (TO INCLUDE WRITTEN RESPONSES CIRCULATED ON 8/9 FEBRUARY)	3 - 26
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Appendix 1 - Questions from members of the public

Question Number	Questioner	Question	Question to
PQ 1	Mr Leaton, Credenhill Parish Council	For what operational reason does the Council wait until December to publish the base rate? Why does Herefordshire Council not help Parish Council's by publishing the base rate earlier OR change the deadline for submission of the Gross Precept until after the Base Rate is published and Parish Council's have had time to meet and approve its budget and precept?	Cabinet member finance, corporate services and planning
<p>Response: Parishes determine their budgets requirements according to the ambition of their own work programmes, the needs of their communities and the operational cost of running the parish council itself. S50 of the Local Government Finance Act does not require Parish Councils to use the tax base to calculate their budget requirement.</p> <p>In order to calculate the council tax base, the County Council needs the most accurate information on new homes and any exemptions from council tax charges. All the information needed to make this calculation is not available to us until close to the end of the calendar year.</p> <p>The Council provides the tax base to all Parish Councils by 31 December in each financial year in sufficient time for parish council meetings in February/March which approve the precept calculations for the coming financial year.</p>			
PQ 2	Mr Kirwan, Bredenbury	<p>A council funded study foresees a footpath/cycle track/bridleway along the former Worcester Leominster railway. There is ambition to embed this proposal into the 2021-2041 Local Plan and Transport Plan.</p> <p>Bredenbury residents provided a corresponding report, highlighting shortfalls in the original report:</p> <p>Lack of consideration given to existing residences, businesses and heritage assets along the route; Lack of environmental assessment.</p> <p>Local examples:</p> <p>Our home, Rowden Mill Station, a privately maintained heritage asset, sits directly on the route and is key to our income.</p> <p>Noakes 'Riding School for the Disabled', one of few in the country, sits across the track. Neither are considered in the report.</p>	Cabinet member infrastructure and transport

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		To protect property values and business investment confidence, can Cllr Harrington give assurance that this proposal will not be embedded in policy without the caveat that no PRow will be established without landowner agreement?	
<p>Response: The proposal for a greenway along the former Leominster-Worcester railway has been sponsored by the Worcester Bromyard Leominster (WBL) Greenway Community Interest Company (CIC). Herefordshire Council (HC), in response to the Hereford Transport Strategy Review in 2020, funded a number of community-led feasibility studies of active travel packages, including two other greenways projects that also seek to follow the alignment of former railways in the county.</p> <p>We have seen the reports prepared by the three sponsoring bodies' consultants and are aware that there are number of constraints and issues that would need to be explored further to understand the practicality and viability of such schemes.</p> <p>In 2023, HC will be developing a Local Cycling and Walking Infrastructure Plan (LCWIP) for the county. A large number of walking and cycling infrastructure schemes, that will likely include the three greenways, will be considered and reviewed as part of the development of the plan. Schemes will undergo an appraisal process that will consider their value for money and deliverability among other criteria, before being prioritised and ranked into a pipeline of schemes for delivery over the next 3,5 and 10 years. Clearly, issues such as land ownership, local support, economic and environmental considerations will play a key factor in that appraisal process.</p> <p>Draft proposals for the LCWIP will be subject to public consultation before the plan is finalised. In addition, the LCWIP will need to support the ambitions of the Hereford Masterplan, the Local Plan and the Local Transport Plan which will also provide opportunities for public engagement and consultation before they can be agreed by the council.</p> <p>In relation to the specific question around the potential creation of any Greenway, I can give assurance that no routes, or parts of that route, will be supported by this administration without landowner consent. Landowner engagement is crucial for any of the proposed routes to become viable. I will ask that that caveat is included in any and all policy documents related to Greenways.</p>			
PQ 3	Ms Chavez-Brandon, Bredenbury	<p>The WBL Greenway 'Feasibility Study-Implementation Plan' https://wblgreenway.org.uk/ (funded through cabinet portfolio for Infrastructure and Transport) does not contain within its terms of reference any consideration of tourism businesses already contributing to the visitor economy, nor its impact on historical assets (heritage sites at Fencote and Rowden Mill stations, destinations in their own right), nor the impact on private dwellings sitting across the railway alignment or depending on it for access.</p> <p>It does not consider existing business infrastructure (impact on farm access / biosecurity), nor include a whole-route ecological assessment (corridor disused for 70 years).</p> <p>All issues concern the Environment and Economy. Can Cllr Chowns assess this report from her portfolio perspective?</p>	Cabinet member environment and economy

		As it stands, any consideration of the proposal being adopted into council policies would have detrimental effects on property values, on business investment confidence, on existing ecology.	
<p>Response: Through the council's Covid Recovery Plan the council supported two local groups in the county to commission feasibility studies exploring the future potential development of greenways. As such Worcester, Bromyard, Leominster Greenway CIC commissioned and own the feasibility study and have shared the findings with the council. The feasibility study is not an adopted council policy document. The report highlights the significant potential benefits of greenways, improving active travel infrastructure and enhancing the county's tourism offer. However, there is no intention at this stage to make any commitment to implementing the greenway. Any future further development of the idea would be in full consultation with local businesses and landowners.</p>			
<p>Supplementary Question: As the original question is not specifically addressed in the answer provided:</p> <p>Within her response Cllr Chowns has referenced the WBL Greenway feasibility study: 'highlights the significant potential benefits of greenways' and states 'there is no intention at this stage to make any commitment to implementing the greenway'.</p> <p>However, this feasibility study may in the future become a component of a consultation process regarding this greenway proposal. It's terms of reference being limited to feasibility and benefits without consideration of negative impacts, should be fully understood in order to properly establish the value of this report in any future consultation.</p> <p>Does Cllr Chowns recognise that due to its limited terms of reference, this feasibility study does not provide a balanced view on potential benefits versus negative economic, heritage and ecological impacts that implementation of this greenway, as proposed, may impart?</p>			
<p>Response to supplementary question (cabinet member environment and economy) A written response would be provided after the meeting.</p> <p><u>Written response to supplementary question – sent on 23 December</u></p> <p><i>It is acknowledged that the report submitted to the Council regarding the WBL Greenway presents only one side of the case for the creation of a new route for a Greenway.</i></p> <p><i>Should the Council decide that the creation of a Greenway is desirable then any study undertaken will consider both the positive and negative impacts of any such scheme. Whilst the contents of the feasibility report will be considered as a part of that exercise, the team charged with progressing any further report will need to consider the full ramifications of any proposal and I can commit to ensuring that terms of reference for any future work will include a requirement to identify and address any potential negative effects in consultation with all relevant stakeholders.</i></p>			
PQ 4	Ms Currie, Hereford	Following the Panorama expose, OFSTED report, EGM (30.09.22) and the recent Scrutiny Management Board (28.11.22) I am disappointed at the apparent public denial still prevalent regarding the toxic culture within the council departments. The inability by scrutiny members to publically ask questions relating to the response rate of the employment survey (56%) or ask if open to non permanent members of staff (unconfirmed) leads me to conclude the committee has no grasp on what is important to residents or to deal with the pink elephant in the room	Cabinet member children and families

		when attempting to attract new permanent professionals. I suggest the employment of agency/fixed term staff is a DELIBERATE CHOICE to allow the council to avoid accountability when facing scrutiny and to ask it to confirm how many disciplinary/dismissal/termination actions have been taken in the directorate following the recent /ongoing Children's Services Scandal.	
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Response:

We are working hard to build an appropriately skilled, experienced, and permanent workforce to support children and families and we are actively recruiting. Our stated ambition is to become an employer of choice and have recently launched our new recruitment microsite ([Home - Spirit of Herefordshire](#)) and introduced a welcome payment for experienced social workers, to boost our efforts in a very challenging national recruitment market.

The reality is that at present we do not have sufficient permanent staff to effectively run our children's services and as such we have to also employ agency staff in the short term. Many of our agency colleagues bring significant skills and experience having worked for other authorities. Where possible we mitigate the impact of agency staff by being able to offer longer term contracts and the flexibility provided by agency social workers has been helpful in managing peaks and troughs in demand within our services.

The recent staff survey referred to in the question was open to agency as well as employed staff. The employment of agency or fixed term staff is unrelated to issues of accountability.

Since Jan 2021, 11 disciplinary, dismissal or termination actions have taken place in the directorate.

Supplementary Question

The toxic/corrupt culture isn't even addressed in the answer given by the cabinet member nor on your new website– so still the pink elephant is being ignored. No change. The recent HR focused scrutiny meeting is available to watch online and seems to be an extension to the sales pitch video by Paul Walker rather than dealing with what might deter people from applying to work for an organisation that is and remains in disrepute.

The welcome payment and relocation package seems to be a repackaging of the disastrous project to recruit Romanian social workers that not long ago was offered by the council. Your memories may be short but ours (your residents) is not.

Only in September the cabinet member was saying about the lack or limited powers the council has to take against agency workers and is now effectively trying to say this doesn't relate to accountability issues.

In terms of the new staff and agency workers in the past two months would the cabinet member like to comment on the use of Google translate by them in meetings with families and professionals? Or how they can record accurately in such important documentation? Is this really how low your recruitment standards are! You cannot say as members you are not aware of this unacceptable calibre of staff joining your work force. This is the reality at the coal face and gives you a clear understanding. Yet you would feed us lies from the tabletop.

There is no confidence in you now even after all this intervention from your residents. The lack of confidence extends much further than the children's directorate. You should be hanging your heads in shame!

Please confirm how many agency workers in the children's social care directorate left or had contracts terminated since 2021 and how many issues have been referred to social work England (or equivalent) and the police since 2021?

Response to supplementary question (cabinet member children and families)

A written response will be provided.

I would like to say that I think if you look back over what we have said over the past year there is no complacency at all about the work that we have to do. I invite anyone to get in contact with me directly if they would like to have a chat with me.

Written response to supplementary question – sent on 8 February 2023

We are not aware of any staff members requiring Google translate for themselves. This is however something that may be used with service users who are non-English speaking or where English is a second language. This might be used in addition to other interpreting services, as and when required.

All new recruits are required to practise in accordance with professional standards set by the service in accordance with legislative, regulatory and best practice. Where this is found not to be the case, action is taken via professional supervision to provide support and address capability concerns using formal HR procedures where required.

The social work recruitment market remains challenging and highly competitive, not just in Herefordshire but most local authorities. The service has recently stepped up its recruitment activity with the launch of a new micro site to improve its visibility, attract applicants and eventually become an employer of choice. The refreshed workforce strategy includes consideration of international recruitment options, and whilst no final decisions have been made, Romania is not a country currently being considered.

Overseas recruitment for qualified social workers is an option many local authorities are pursuing. Lessons have been learnt about how to do this well, including by sharing good practice with other local authorities and the NHS. All future overseas recruits will of course be subject to appropriate interview and vetting, and successful candidates will be qualified and satisfy the Social Work England regulatory requirements.

The council does not hold data centrally on agency workers who will have been sourced over recent years from a variety of agencies so it is not possible to easily provide an answer to the question asking how many have left since 2021 without a manual search of lots of individual systems. We do though expect the same standards of conduct from our agency workers as we do from directly employed staff. Where those standards fall short we notify the worker's agency and take any other necessary action, including ending the contract with the agency and/ or notifying Social Work England. None have been referred to Social Work England since 2021.

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PQ 5	Mr Jones, Hereford	<p>Why are the Taxi policy/conditions on the agenda when it is full of flaws and legal errors?</p> <p>Conditions must be Reasonable and Necessary many of the conditions do not meet those criteria nor are they in accordance to the Regulatory Code that all councils should be adhering to.</p> <p>The licensing department has already conceded that there will be a need to make amendments for minor changes which they will have the authority to do but the changes are not minor and there are too many for it to be safe to vote on the present set of conditions/policy as they have been presented to you.</p> <p>Can this matter be deferred to prevent strike action that has been called for by the trade because of the cavalier attitude of the licensing department?</p>	Cabinet member housing, regulatory services and community
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Response:

The policy and conditions have been extensively consulted upon over two separate consultation exercises in December 2021 and latterly August 2022. In addition, the trade were written to only in October asking for any further details, such as mistakes or errors within the policy and its conditions in case these had been missed, but no responses were forthcoming. Both the local and national associations were then chased again only last month

for any additional comments and although responses were received this time, the comments were considered minor and where at all possible the policy and its conditions were amended to accommodate them.

As opportunities had been given for responses beyond the second consultation deadline of 28th August, it was determined that no meeting with the Taxi Association was necessary. Likewise it was not considered appropriate to open up a third consultation stage to just part of the trade when the points your Taxi Association had raised had already been considered.

As the original draft of both the policy and its conditions were written by one of the UK's leading taxi licensing specialist lawyers, we are comfortable with its legality. That said and with such a large document, it is possible that there could be some typos and future minor amendments required as legislation alters. Therefore it is normal practice to allow such amendments and corrections to take place by delegated authority, which today's report recommends.

As to the Regulator's Code, having attended the many meetings I am confident that the consultation process was meaningful and transparent and that the second revision will support the trade with an even playing field, whilst also protect the public through a set of fair and risk based documents which follow statutory codes and best practice.

Supplementary question:

Why are you voting on something that has not been finalised? It is cheaper to apply for a judicial review of the policy than comply with the conditions in the policy.

There should have been a final meeting with the taxi association.

Response to supplementary question (cabinet member housing, regulatory services and community)

It is unfortunate that we did not have the final meeting. However there had been discussions with officers and legal services and it was felt at the time that a further meeting would cause problems, particularly in respect of judicial review, as everyone would not have been party to that negotiation. The Policy has been brought to this meeting of the full Council to discuss the issues you are raising. We have continually tried to talk with you and bring in the matters. I'm hoping we can amend or change things as we go through this process.

PQ 6	Ms Allen, Leominster	At the moment there is an acute shortage of taxi drivers, and vehicle numbers are also declining. This is causing not only a problem because there are not enough vehicles to service the needs of School Contracts, but a public safety issue is also arising because of this. Are the council aware that if the Taxi policy that is presented to you today is voted through, there will be further loss in greater numbers? This policy will force more people to rethink their position, and viability of their business.	Cabinet member housing, regulatory services and community
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Response:

Herefordshire Council is aware that that there has been reduction in the number of licensed drivers, although this mirrors the national trend for this area of employment. Nationally it has been widely accepted that this was inevitable after the many Covid lockdowns and business restrictions to the nighttime economy, as taxi drivers moved into alternative areas of employment, like parcel and supermarket deliveries and HGV driving, later choosing not to return to taxis. However, I am pleased to report that recently there are promising signs that this trend is changing as new applications are now above average for this time of year.

As a consequence of a second consultation of the conditions, the policy was significantly changed specifically to ensure that drivers are not discouraged from joining or remaining in the profession. Although the Council has had to retain a number of public safety and safeguarding obligations, most of these had previously existed in the present policy and the Council is reluctant to relax any conditions which would increase risk to passengers.

PQ 7	Mr Reynolds, Hereford	With the shortage of drivers causing safeguarding issues in Herefordshire, Do councillors believe this proposed policy reduces red tape effectively enough, to encourage new drivers and owners?	Cabinet member housing, regulatory services and community
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Response:
The Council must consider its public safety and safeguarding responsibilities above all other considerations. It is not the intention of any policy or condition to fetter this responsibility by reducing the mandatory checks required by legislation and its statutory guidance. That said, some elements of the policy and conditions were altered after the second consultation exercise to ensure that existing and new drivers would not be disadvantaged. For example, the requirement for existing drivers to sit a knowledge test has reverted to only new drivers and sat navs are now recognised as being appropriate tools to assist drivers in their duties.

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PQ 8	Mr Rudge, Hereford	<p>Why in the proposed conditions is it worried about servicing regime of vehicles when we already have strict testing?</p> <p>It is stated that a vehicle should pass a test at any point. Any vehicle will suffer a break down at some point in its life including minor issues that would fail a test and yet a driver may be unaware of until checked.</p> <p>Similarly it is stated that Service history must be present.</p> <p>We already undergo tests up to three times a year to check actual vehicle roadworthiness and these are far more important as they check many parts of the vehicle not checked at a service interval. This could cause loss of vehicles that are perfectly safe and cause a further public safety issue.</p>	Cabinet member housing, regulatory services and community
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Response:
Appropriate maintenance and recording of works is essential to ensure that vehicles remain safe for use as licensed vehicles. When a vehicle is being used as a licensed vehicle it must be safe, so that any licensed vehicle that breaks down or requires repair cannot be dangerously used. This is the reason for the testing regime and why tests have been increased for older vehicles, to ensure that any faults or safety issues can be discovered and rectified. A service history has to be required to provide evidence of this.

PQ 9	Mrs Reynolds, Hereford	<p>How can the council pass conditions that include CCTV conditions that licensing staff say will only need the existing systems to be slightly modified when in fact they will all have to be scrapped because according to the Operational Technical Specifications Ref Specification Details as published on the agenda “SD cards will not be acceptable” The specification also records that the systems must incorporate the following “Hard disk with both mechanical anti-vibration and anti-shock mechanism and self-recovery and selfcheck file writing system.”</p> <p>Our current systems operate by SD cards and do not have hard drives.</p> <p>Also I can't seem to find where the CCTV conditions have a lead up period before it comes into force.</p> <p>Warrington council found themselves in much the same situation as Hereford and they had to pay for the replacements.</p>	Cabinet member housing, regulatory services and community
<p>Response:</p> <p>It is correct that the conditions state that an SD card cannot be used. This is because new systems have to rely upon a flash based SSD (100% industrial grade) as well as a hard disk with both mechanical anti-vibration and anti-shock mechanism and self-recovery and self check file writing system, as the technology used these past 10 years has now moved on, hence the higher standard. Consultation with the National Private Hire and Taxi Association has also confirmed this to be the acceptable national standard.</p> <p>As it is recognised that this will place a burden upon those already with CCTV, it has been recommended that there will be a lead in time of 12 months which the condition will reflect as and when the policy is presumably adopted later today.</p> <p>The case concerning Warrington Council concerned the manner in which the CCTV was required to be used when the cabs were not in public use and was not about the technology. Our policy clarifies and therefore overcomes this.</p>			
PQ 10	Ms Portman-Lewis, Hereford	<p>The PR messaging from the Council sits in stark contrast to the lived experience of families affected by the historic and ongoing inadequacy of Children's Services.</p> <p>Families contacting the careconcerns helpline have still not had responses and for most there is no sign of the apologies promised on TV.</p> <p>Families affected by historic and ongoing failings in Children's Services still experience a toxic culture of parent blame and the characteristic delay and denial. Families still struggle to be heard and to have issues dealt with properly and swiftly enough to prevent harm.</p> <p>The needs of those affected by historic failure are being overlooked in the quest to set up a safe service for the future. Is it not time for an independent body to be set up to deal fairly, competently and urgently with the families affected by historic inadequacy?</p>	Cabinet member children and families
<p>Response:</p>			

Our response to the Panorama programme included an apology by The Chief Executive, the Corporate Director for Children and Young People, the Leader of Herefordshire Council and the Cabinet member for Children's and Family Services. This apology was shared with the media and published on our [website](#).

We believe that all families who have contacted Care Concerns who provided their contact details have been responded. A number of families did not identify themselves and as such a response was not possible. Cases raised were reviewed by independent reviewers and these reviews informed the Local Authority's response. At present we are not aware of any families for whom a response has not been forthcoming but anyone who believes that a response is still owed to them is welcome to contact myself or the Corporate Director for Children and Young People, and we will look into this.

Gladys Rhodes White OBE has been appointed as Herefordshire's Improvement Adviser and the Secretary of State has appointed Eleanor Brazil as the Commissioner for Children's Services in Herefordshire. Both are independent to the Local Authority.

Supplementary question:

I contacted the care concern helpline myself on 28/4/22 - no acknowledgment or response. I followed this up several weeks later, still no response. Your answer seeks to locate the blame onto the public in cases where there was no response, by suggesting the public did not leave their details. This is not a plausible suggestion: you cannot email the care concerns line without leaving a contact email address. If anyone wanted to respond to my care concerns email, they simply had to press "reply".

When I had no response, I brought my case again to my MP, Sir Bill Wiggin. He wrote directly to the Chief Executive on 18 May 2022. Still no response. In October I emailed Darryl Freeman and Paul Walker directly – no substantive response. I have copied Cllr Toynbee in several times no response at all. I have added in desperation Eleanor Brazil after approaching her directly at the Public meeting held by " A Common Bond " Protest group where Ms Eleanor Brazil on hearing my raised concerns advised me to email so I dutifully did just this making contacted yet again with the LA & copied her in where she did in fact informed me she would not be responding directly to my email . It was further explained to myself that it is not her remit, nor that of Gladys Rhodes White, to deal with families directly.

I can evidence all of the above with an email trail.

After the Ofsted report was published it was stated on the BBC Midlands news that families impacted by the inadequate Children's Services would receive a written apology. To date I know of no family who has received a written apology. Through A Common Bond, I know many other families who are still struggling to have their concerns dealt with.

So, since it is not the job of either Eleanor Brazil or Gladys Rhodes White to deal with the legacy of historic failure, my original question is unanswered. Let me repeat it.

Is it not time for an independent body to be set up to deal fairly, competently and urgently with the families affected by historic inadequacy?

Response to supplementary question (cabinet member children and families);

I can't speculate on any recommendations that Eleanor Brazil might make and I can't comment on particular cases. The Director of Children's Services is following up on this case and it's important that our complaints procedures are made clear to everyone. I am happy to meet with members of the public to chat.

PQ 11	Mr Lane, Weobley	The current licensing policy has decimated the licensed industry though-out the rural areas and market towns of Herefordshire. Could it please be explained how this new policy will benefit rural Herefordshire and help elderly or less mobile residents?	Cabinet member housing, regulatory services and community
<p>Response: The current taxi licensing policy has been in place since 2019 and a notable reduction in drivers had not been observed until the recent pandemic lockdowns. So I differ on your view that our current policy decimated the licensed industry, as we believe it was the impact of Covid on both retail and the night time economy which then brought numbers down. This was a phenomenon mirrored nationally.</p> <p>If the taxi policy put before members today is adopted then this shortage in drivers should not be worsened, as the latest revision has overcome the majority of issues which the trade perceived to be burdensome in the first draft. For example, the requirement for existing drivers to sit a knowledge test has reverted to only new drivers, sat navs are now recognised as being appropriate and most other requirements have returned to the level previously required rather than elevated.</p> <p>Since 2002 no new Hackney Carriages have been issued to non-wheel chair access vehicles and as a consequence we have seen a steady increase in vehicles which the elderly and our less mobile residents can use. At about this time, the council also implemented government guidance to de-zone the county so that drivers can operate all over the county rather than in their former district council areas. As a consequence, some drivers inevitably choose not to routinely operate in the more rural areas due to travelling times, selecting instead to start or finish their journeys in the city where there is more trade. Whilst we licence all taxi drivers and their vehicles, the Council cannot control how the businesses operate in terms of area – to do so would conflict with statutory guidance.</p>			
PQ 12	Ms Gallagher, Hereford	<p>The council has been criticised for the lack of support available to families on the edge of care work or in proceedings. The employment of locums/newly qualified social workers appear to be pertinent for the poor understanding of options available to sign post families to. During COVID many options offered by the council e.g. parenting courses did not run and it took 12 months to offer an online covid compatible option (too late if in proceedings). There are delays accessing as parents can only be referred for these by a professionals and not proactively.</p> <p>What budget is there for early intervention/early help, given there is limited statutory obligations to provide these solutions. And when will there be an option for families to refer themselves directly cutting out the middleman that cannot be called disguised compliance by children's services.</p>	Cabinet member children and families
<p>Response: The evidence is clear that a strong early help offer can contribute significantly to health and wellbeing, aspirations and educational attainment, and enabling families to contribute to and feel supported by their local communities. Much of the early help provision in any local authority should be provided by universal services (such as schools, nurseries, children's centres, community, voluntary and faith sector organisations etc) with more</p>			

targeted support provided by the local authority and other agencies (such as health services, for example). At the moment a significant proportion of early help support offered is council led. We are working with our partners to strengthen early help provision where a partner agency is the lead.

Earlier this year we undertook significant work and “Talk Community” are bringing Herefordshire together, by connecting people to services, groups, community hubs, events, and information to help them stay well. The Talk Community [website](#) is available resource which includes relevant links and signposts for families to self-refer and seek help and support without necessarily the involvement of services if required.

The budget for Early Help for 2022/23 is £1,170,596; in addition to this the budget to commission services within the Early Help arena is £166,000. The budget for 2023/24 is currently being reviewed and will be submitted to the Council early in the New Year.

Supplementary question:

During Covid families that had accessed support via universal services and were due to attend courses were advised the same courses had been cancelled. During a time of lockdowns and limited support network access universal services stopped. Your response accepts this service is council led and yet you left us abandoned as no alternative was offered. To this date the organisations that cancelled have not attempted to try contacting the families to offer the first spaces, this is significant failures to the families affected. The courses offered was the responsibility of the council, the council that took 12 months to offer an online alternative in March 2021. During this covid period the families were still expected by children’s services to achieve the same outcomes pre-covid, showing a lack of humanity.

Talk community has never been mentioned by a midwife, GP services during pregnancy or MH appointments or by any social worker before adoption was pursued for my son. Nor has it been offered during my son’s placement with a prospective adopter. The truth is there is still a lack of understanding by the council and failure to recognise its own missed opportunities even in recent months

Given the social stigma attached following losing a child via forced adoption or having a child removed has the council considered the likelihood of birth families retreating from going to any of the aforementioned group/hub places etc? Have you even asked if any would? Do you agree that you missed opportunities to have had a person from talk community at the EGM or the public meeting to help raise awareness and offer support to families? Can you tell the public how many times children’s services has used parents attending course as disguised compliance since 2018?

Response to supplementary question (cabinet member children and families)

I empathise with the frustration behind the question and it was frustrating that services were disrupted during covid. It’s important that we get back to maximum face to face work. As far as Talk Community is concerned I agree with the need to be clear about what support is available in communities whether it is NHS, Home-Start and other services. Talk Community is making progress on that and we need to continue particularly with Partners, Herefordshire Community Partnership is always keen to hear from people about what they need, please get in touch with them and me about the services you need. A written response would be provided.

Written response to supplementary question – sent on 8 February 2023

Unfortunately the pandemic has had a significant impact on society, including families and their support networks. Many services, including universal services and those offered by a variety of organisations, were affected, with some being withdrawn at very short notice and some taking time to recover and get re-established.

The council acknowledges that the impact of the pandemic has affected family resilience and it has worked hard to maintain our own services and to support our partners and other service providers to re-establish provision as quickly as possible.

Where this has not been possible, alternative options have been explored, and adjustments made, including on line alternatives to face-to-face training. It is acknowledged that these alternatives may not have suited everyone; we understand that breaks in provisions are disruptive for families and that as we responded to changing circumstances in the pandemic, we did not always get things right.

The decision for a child to be removed from their birth parent and to be adopted is never undertaken lightly. Such is the seriousness and impact of this decision, it is not something the local authority can do without making application to court. Talk Community should have been mentioned by partner professionals during pregnancy or since a child has been placed with a prospective adoptive parent, and we are remedying this through our relationship work and the focus in recent months of creating more awareness of Talk Community among agencies.

Parents of children subject to care proceedings will be legally represented. The Judge considers all available evidence before making a decision about permanence arrangements, including adoption, for a child, and will comment and address any concerns about alleged missed opportunities for offering support to a parent.

The loss a parent feels when a child is removed and is subsequently adopted is likely to be traumatic, and it is fully appreciated that this may result in parents retreating from some sources of support. Adoption and its impact on birth parents is a specialist area of practice and appropriate support services are provided in line with work of the Regional Adoption Agency (ACE).

We will continue to raise with ACE the importance of awareness around the situation of parents who have experienced a child/ren being adopted. The council doesn't collect data about parents attending courses and where signs of 'disguised compliance' may be considered to be a feature, although evidence of this would be a part of a social work assessment.

PQ 13	Name and address supplied	<p>On the Council's website https://www.herefordshire.gov.uk/social-care-support/protect-someone it says:</p> <p><i>If your family has been affected by peer-on-peer abuse, there is local support available. Children First Family Mediation is an independent family mediation service who offer confidential, sensitive support to Herefordshire families and individuals who have been affected by peer-on-peer abuse. To access the service please contact Sheena Adam by email admin@childrenfirstfamilymediation.org.uk ... and quote "Herefordshire".</i></p> <p>Children First Family Mediation (CFFM) does not offer support for families dealing with peer-on-peer sexual abuse. This was pointed out to Council in July. CFFM have since offered to mediate between the Council and families affected by peer-on-peer abuse failings, but officers have not been willing to come to the table.</p> <p>Why is this misleading message still on the Council's website? It puts the Council in a good light at the expense of the truth and families.</p>	Cabinet member children and families
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Response:

Children First Family Mediation is a charity based in the North of England whose core offering is mediation where parents have separated. They were engaged some time ago by the then Director of Education, Skills and Learning.

Since this time, Children First Family Mediation have been approached once in respect of Herefordshire; this contact did not result in a service being offered. The information on the website was out of date and we apologise for this.

Our website has since been amended, removing the paragraph referencing Children First Family Mediation. The website will shortly be updated with other available support options.

Supplementary Question

I asked my question about the mediation service to find out whether there is any substance to the claims in the draft improvement plan for Children's Services about a new era of openness and accountability. What I have learnt from the partial truths in the written answer is that sadly, there is no new era of openness or accountability.

In July's Full Council I raised concerns that the careconcerns helpline was not working. I also pointed out that the mediation service for families - promised back in 2020 - did not exist. After that meeting, the Chief Executive wrote to you all to reassure you that the mediation service was in place.

It isn't. Why? Because Council officers will not come to the table. The mediation service manager asked Council officers to arrange a mediation session, but she, like the public, was left dangling. There is no mediation service because officers are not interested in mediation with the public. Since 2020 when the promise of mediation was first made, the public, and Councillors, have been led a merry dance, which once again has resulted in unfulfilled commitments. Once again, the blame is dumped on an officer who has left and no apology is forthcoming.

It is not the job of Gladys Rhodes White or Eleanor Brazil to deal with the legacy of harmful practice. You, our elected representatives, need to decide if you want this Council to meet the needs of the families already harmed.

Alongside the draft improvement plan, an action plan is needed to show how and when the needs of the families harmed by long years of inadequate practice will be met, and to bring to an end the ongoing hostility to families who raise concerns.

Will Councillors please 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?

Response to supplementary question (cabinet member children and families)

A written response would be provided.

Written response to supplementary question – sent on 8 February 2023

Yes – councillors, together with the current leadership who have done much to shine a light on past practice in the service and to put in place an improvement plan that addresses these are fully committed to working through the issues raised by families with whom we have worked in the past, and moving forward to work with families in a more restorative way.

This will be made possible by balancing continuity, fresh management teams, and independent perspectives. It is not enough to listen – we have to put in place systems that are clear, effective, and lead to real learning. This is very overdue in Herefordshire, and is taking longer than any of us would want.

The Cabinet Member and the Director have each offered to meet privately with families who wish to do so and will publish our draft listening to Families approach in the March 2023. Plans are also being developed to provide an external and independent forum to consider the legacy of inadequate services for some families and when it reports, we shall consider the funding and resources required in moving forward.

PQ 14	Mr Starling, Weobley	Regarding the new taxi licensing conditions... It appears the new age restrictions on minibuses / Wheelchair accessible vehicles that can carry multiple wheelchairs could drastically impact the fulfilment of home to school transport for	Cabinet member housing, regulatory
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		SEN service users. These are specialist vehicles and lessening the lifespan of this vehicle type will make it financially unviable to operate them. How does the council propose to ensure their service users will not be unfairly impacted and will still be able to access the appropriate transport they are entitled to?	services and community
<p>Response: The age for wheelchair access vehicles is 15 and there is also condition 41 for Hackneys which allows for vehicles in good condition to be considered for an extension of this age. This is because both safeguarding and public safety are considered priorities to the Council and the age ranges of vehicles are therefore considered to be key to this aim as older vehicles can be more unreliable and need more checks.</p>			
PQ 15	Mr Rowe, Hereford	<p>It is obvious to the families who have come together raising concerns to the council and central government about the underhanded and dodgy practices going on in Herefords Children services, the same names keep coming up again and again.</p> <p>There was a lot of finger pointing at the EGM and councillors claiming they understood how we feel. You cannot understand how we feel you have never been through it. Anyone who has in the past, held the position currently held by Toynbee or feels an apology is sufficient clearly needs to resign.</p> <p>Are the omissions of key information isolated to practices within the children's services directorate or have the legal team been complicit given Keehans judgement. Is anyone asking this about legal and is legal advice being supplied by external resources given the known potential for incorrect advice.</p>	Cabinet member children and families
<p>Response: The level of openness and engagement on matters of practice, performance and our efforts to improve services are greater now than at any time in our past. Councillors resigning for acknowledging longstanding shortcomings is not necessarily helpful to children and families. What we need now is stability, solidity, commitment, and long-term thinking</p> <p>Legal Services act on the direct instruction of Children's Services. The evidence in care proceedings is always presented to the court and families through their lawyers and all parties have the opportunity to challenge that evidence and present their own evidence. It is the court that makes decisions in respect of children, based on the evidence and information presented.</p> <p>This year we've done a lot of work to improve these relationships, training and communication, and the creation of a further layer of management within the Children's Legal Team has brought greater levels of support and supervision to lawyers in the team.</p> <p>Social workers at Herefordshire Council have access to expert legal advice at all times (including through the provision of an out-of-hours service). The capacity, structure, and management oversight of the legal team, and legal advice (which is mostly provided internally other than where particularly specialist advice is required) was reviewed following the 2021 High Court Judgement, and through the activity of the Corporate Leadership Team and the Improvement Board will be kept under review, alongside other services working together to safeguard children and young people.</p>			

Supplementary Question

As someone named as needing to go I hardly expected support for my question and statement.
 We as families do not agree with your reasoning here, if applying the rationale used in children’s court, the risk of future or emotional harm is probable, families would permanently loose their children even though they can offer stability, solidity, commitment, and long-term thinking. Why are you special enough to think the same shouldn’t apply to you!
 In care proceedings/ family court the restrictions on legal aid mean that the local authority has the upper hand. From a humane level the LA is not emotionally involved and suffering the afflictions families do. The final hearing is the only time families can truly be considered to have a voice. This is in turn dictated by the hearing length given by the judge and availability of the court and the questions asked and can take placed in that time allotted. The majority of time in care proceedings is granted to the professionals brought in who are briefed by the children’s services of their version of events meaning they get to paint a first impression.
 Please be advised that social worker opinion even in the face of contradictory evidence is still held in high regard by the judiciary and parents can be told they are too intelligent to be truthful with professionals. Opinions offered by social workers that ignore evidence in the formation of that opinion are shared with psychologists, legal guardians, medical experts and more. It is clear the social workers at Hereford take a heavy handed approach and leave things out that don’t suit their narrative. This must be a decision made outside of legal advice as any solicitors obligation is to the court first. This means that they have a duty to disclose information that may not fit the children’s services narrative. Do not be fooled this is a deliberate choice by the directorate to not consult legal professionals.
 In the spirit of openness please confirm how many members of your legal team have left or been dismissed since Keehans judgement in 2018 to date and if any members of staff have cited issues with children’s services not consulting them as reasons for leaving.

Response to supplementary question (cabinet member children and families)

A written response would be provided.

Written response to supplementary question – sent on 9 February 2023

Since the 1st judgment handed down by Justice Keehan on 1st February 2018 (HCC v AB v CD [2018 EWFC 10J]) 24 staff members have left HC’s children’s legal team.

The number of staff members who have left is comprised of 17 agency staff and 7 permanent staff.

Staff have left for a number of reasons, no one has been dismissed, but we cannot disclose the reasons for members of staff leaving as it is their personal data.

<p>PQ 16</p>	<p>Ms Anstey, Hereford</p>	<p>Following the public meeting with families relating to the inadequately assessed Children's Services department (20.10.22), a common theme emerged that the complaint process is not fit for purpose. Complaints are often brushed off, concerns about staff ignored, complaints not being fully responded to or prolonged. There was also a pattern raised that the council fails to accept accountability especially if there is an issue of liability involved. This lead commissioner Eleanor Brazil committed to look into the complaint process within the council as part of her assessment.</p> <p>Given the experiences of members of the public have those effected come to the correct conclusion, this is a deliberate tactic to indirectly hope we go away quietly/arrogance the</p>	<p>Cabinet member children and families</p>
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		council cannot get anything wrong, and if not what assurances can be given that action is being taken to tackle the above issues/concerns?	
<p>Response: Families having to wait too long for responses is not acceptable, and improving our complaints procedures, and making them clear to everyone, is one of our top priorities.</p> <p>Increased management oversight has now been added to our structures, and a new, permanent Complaints Manager is now in post. Managers are also receiving more complete training and guidance in order to be able to resolve issues sooner and more effectively.</p> <p>We have expanded the Complaints Team, and will soon be signing off renewed and reviewed policies (for Corporate and Statutory Children's processes). We are confident that these changes will contribute to better quality responses, and that, as we continue to do better in our work alongside families, fewer causes for complaint will arise.</p>			
<p>Supplementary Question My question concerns the complaints procedure. Having worked for the local authority I would just like to ask if all staff are being fully trained and the tag line 'you hatch we snatch' is no longer used in the social care offices?</p>			
<p>Response to supplementary question (cabinet member children and families) It was important that the right training was provided. A written response would be provided.</p> <p><u>Written response to supplementary question – sent on 8 February 2023</u></p> <p><i>Clarifying the complaints processes, and monitoring training, have been priorities of this administration, and the Complaints Team is now separate from the Information Governance Team. The Complaints Team comprises 5 fully trained Complaints Officers and one newly appointed Complaints Manager. Alongside the Council's induction, officers also receive training about complaints policy and procedures, complaint handling, complaint management and software training. The Complaints Team provide on-going advice, guidance and support to the service teams responding to complaints.</i></p> <p><i>The phrase used in the question would be totally unacceptable if used, and not in line with the ethos now being built in the council. Anyone using it would be disciplined.</i></p>			
PQ 17	Mr Castledine, Hereford	Can I ask who wrote condition number 46? 'There are 2 types of vehicles that can be licensed as Hackney carriages, those that are wheelchair friendly and those that are not.' This, to my mind is a ridiculous statement.	Cabinet member housing, regulatory services and community
<p>Response:</p>			

Your version of the condition is actually slightly different to that stated in your question, in that the proposed version of condition 46 presented to members today reads “*There are 2 different types of vehicle that can be licensed as hackney carriages: those which are Wheelchair Accessible Vehicles (WAVs) and those which are not*”.

This condition was drafted for us by one of the UK’s leading lawyers on taxi licensing to explain the reasoning behind why some saloon cars have remained in the hackney fleet whereas all new hackneys have to be wheelchair accessible. This condition has remained in the final version as it was considered to be informative.

Supplementary Question:

In addition to my first question regarding section 46 of the proposed new terms and conditions for the taxi trade, if the councillors deem this as a badly written statement do they perhaps agree the whole document is flawed and needs more time to correct such points?

Response to supplementary question (cabinet member housing, regulatory services and community)

If the Policy is adopted today we would like to think that taxi trade and officers will continue to communicate if it becomes obvious that this is leading to a significant shortage of taxi drivers. Policy would not be undone however as the head of public protection and director of environment and economy may consider options to amend any conditions that might be thought to be unreasonable restricting potential license applications providing that this does not impact negatively on public safety. However I have every belief that the proposed Policy offers a clear, transparent and robust licensing regime to encourage new applications to the profession whilst keeping our public safe at all times.

PQ 18	Ms Reid, Hereford	<p>At 30 September 2022, there is forecast <u>overspend of £5.2 million</u> for Looked After Children (LAC). In 2020-21 the rate of LAC (per 10,000 children) was 87.0 (109 in October 2022), Statistical Neighbours rate was 60.2. The rate of babies taken into care in Herefordshire was 6.7 (2021-22) compared to Statistical Neighbour rate of 4.6 (2020-21), <u>nearly 50% more</u>. No data was provided for Herefordshire in 2020-21. Children unnecessarily in care is very expensive compared with much cheaper family support, is detrimental to children and results in bad publicity (eg <i>Panorama</i>). Sufficiency Strategy (sufficient foster and children’s home placements) is a Corporate Risk and reducing LAC would mitigate this risk plus that of “losing” Children’s Services.</p> <p>What was the average cost to Herefordshire Council of each Looked-After Child in 2021-22 and for Q1 and Q2 of 2022-23 (explain how calculated)?</p>	Cabinet member children and families
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Response:

The average cost per child/young person in Q1/Q2 was £21,870 – this equates to an average cost per young person of £841 per week. Please see below how this cost has been arrived at:

2022/23 Q1 & Q2

In-House Fostering & Staying

Put

Amount

No of Children

1,360,261	177	
External Fostering		
Amount	No of Children	
2,077,181	107	
Residential		
Amount	No of Children	
4,223,305	50	
Supported Accommodation		
Amount	No of Children	
1,133,140	56	
External Staying Put		
Amount	No of Children	
19,520	5	
In-House Supported Lodgings		
Amount	No of Children	
109,740	13	
Total Average cost		
8,923,147	408	
Average Cost for Q1 & 2		21,870
Average Weekly Cost		841

Improved leadership and management oversight is already reducing drift or delay in respect of families subject to the Public Law Outline (pre-proceedings), and to ensure families are effectively engaged and supported where there are concerns that may lead to court proceedings. The rate at

which children come into our care has been reducing over the past year and we are developing a reunification framework to assess and support children and young people who are able to return home to the care of their parents/families when it is safe and in their best interest to do so.

Supplementary Question

I'm afraid that yet again a public question has not been fully answered. I asked for data relating to 2021-22 to show the trend. Please disclose it. The average cost for each child was £21,870 for Q1 and Q2, therefore, for one year would be about £43,740 which could provide support for many families. I consider this understates as it's assumed that each child would be eg fostered continuously and "Staying Put" is included but is for adults not children.

The draft Improvement Plan states about reunification:

"Scoping of framework underway with draft due February 2023"

In view of the high costs and rate of LAC do you consider this is acting at pace?

Also I consider plans for Family Group Conferences and family support are not at pace and latter is not a Measure that Matters (targeted).

Response to supplementary question (cabinet member children and families)

We are moving forward as fast as we can to put family group conferences in place. I agree that they are very positive but it does require a lot of work and preparation. A written response would be provided.

Written response to supplementary question – sent on 20 December:

Please find below the placement costings which now include data for 2021/22 as requested

In respect the development of a reunification framework, we need to ensure that this work is robust and aligns well with our other processes and procedures such as our Permanence Policy and Procedures. Producing a draft of the framework by February 2023 is seen as a realistic timeframe to achieve this.

Regarding your question about Family Group Conferences. There are a number of different models and approaches to address this and these need to be explored to ensure that the most appropriate approach for Herefordshire is progressed. The Measures that Matter were designed as a broad set of indicators to provide a high level overview of the progression of the Improvement Plan. The exclusion of any area of the Improvement Plan from the Measures that Matter does not indicate that this area receives less attention or is not progressed with vigour.

2021/22

In-House Fostering & Staying Put

Amount	No of Children
2,375,418	199

External Fostering

Amount	No of Children
3,818,968	128

Residential

Amount	No of Children
7,265,637	61

Supported Accommodation

Amount	No of Children
1,831,615	52

External Staying Put

Amount	No of Children
117,337	7

In-House Supported Lodgings

Amount	No of Children
319,341	24

Total Average cost

15,728,316	471
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Average Yearly Cost	33,393
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Average Weekly Cost	642
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2022/23 Q1 & Q2**In-House Fostering & Staying Put**

Amount	No of Children
1,360,261	177

External Fostering

Amount	No of Children
2,077,181	107

Residential

Amount		No of Children	
	4,223,305		50

Supported Accommodation

Amount		No of Children	
	1,133,140		56

External Staying Put

Amount		No of Children	
	19,520		5

In-House Supported Lodgings

Amount		No of Children	
	109,740		13

Total Average cost

	8,923,147		408
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Average Cost for Q1 & 2**21,870****Average Weekly Cost****841**

PQ 19

Mr Barnett-Jones,
Hereford

With the new regulations that are coming in are there any exceptions for SEN school transport 8 seaters?
With the new rules it would take almost of the school busses off the road and won't be financially viable to replace as that's all they get used for.

Cabinet member housing, regulatory services and community

Response:

There are no exceptions. Unless the vehicles meet the licence conditions they cannot be licensed. This is because the vehicles used for school contract work must meet the same high safety standards as required for all other licensed vehicles.

PQ 20	Mr Jukes, Hereford	<p>Are Council aware that the national Taxi and private hire association have found dozens of errors/flaws with the Taxis policy being voted upon?</p> <p>I've been a taxi driver in Hereford for the past 24 years and yet over recent years it's been increasingly difficult to deal with the licensing department and their draconian attitude. I and many others are trying to do a job and provide a public service.</p> <p>Are Council aware that the policy, as it currently stands, will make not only myself but a great number of drivers and operators reconsider their position causing a far greater public safety issue than we are already faced with?</p> <p>Furthermore it needs mentioning that we drivers and operators rely on our jobs to survive! We've already lost a number of drivers because of the prospect of this policy coming into force.</p>	Cabinet member housing, regulatory services and community
<p>Response:</p> <p>I am aware that a number of corrections were made to the external solicitor's first draft following over 80 people commenting in the first consultation round. I am also aware that the officers proposed around 50 key changes in the second draft, which were all to the betterment of the trade. It is worth noting that following the second consultation round only two people responded and therefore only a few minor changes were needed – this is all documented in the appendices to the report and shows that we listened and took note. If there are any further minor amendments later found to be needed then the report recommends that the Head of Service has delegated authority to make these.</p> <p>I really do appreciate how the trade needs our support which is why I have taken such a close and personal role in the two consultation processes as well as the various meetings with the Taxi Association. However, the licensing team's role is to regulate and administer the licensing functions and the legislation and its statutory guidance provides the remit within which they can operate. To help ease the burden on drivers further, the Council is now looking at how improvements can be made for applications to be made electronically which may assist in the future in speed by modernising how contact is made with the Council.</p> <p>However, I cannot stress enough that public safety and safeguarding are the priority for the Council, although due to our recent changes I anticipate that the policy will not be over burdensome. I am also pleased to report that the number of new driver applications currently appears to be increasing.</p> <p>I accept that there is a national shortage within many employment sectors, including the taxi and private hire trade. However, it is fair to say that many drivers left the profession to take up other employment as a consequence of the Covid emergency which effectively shut down the night time economy and therefore their business – but this was a national phenomenon, not a local one.</p>			
PQ 21	Mr N Maddy, Hereford	<p>Apparently, I am only able to ask one question, so this is my one question. In light of the fact that the changes to Taxi licensing terms and conditions will reduce the amount of taxi's available in Hereford and will certainly reduce wheelchair accessible taxi's as they are far more expensive to replace and will cause school transport to pay parents to take their children to school increasing the need for the family car also it means that less taxi's mean vulnerable people are more at risk at night as they will be unable to get a taxi home. Are the councillor's fully aware of the negative impact to the public and the increase of the carbon footprint that</p>	Cabinet member housing, regulatory services and community

these terms and conditions will lead to?

Response:

The change in policy is intended to protect the public and our most vulnerable members of society, balancing this with the need for the trade to operate as a business. It is not expected that this policy and its conditions will increase the carbon footprint or reduce the number of licensed vehicles. However, the situation will be monitored to ensure any changes are reported upon.

Supplementary Question:

When/if it is proven that the number of taxes are reduced and the general public are more at risk and the carbon footprint does increase which it will. Will the council immediately undo the damage they have done in these terms and conditions?

Response to supplementary question (cabinet member housing, regulatory services and community)

I'm hoping this does not cause anymore damage to what we are doing and I do hope that we encourage more applications for the profession.

PQ 22

Mr Davies,
Hereford

Could the cabinet member please explain how less abled and SEN service users will continue to access mandatory council supplied transport?
Unfortunately the current and proposed licensing conditions could result with no financially viable options for replacing specialist wheelchair accessible vehicles especially minibuses. We are a Local Business and this is greatly concerning. We have already had no option but to give notice on one SEN contract operated for Herefordshire council, due to this. I have numerous taxi plates and drivers licensed with the authority. However unless we can make it easier to license specialist wheelchair vehicles I will eventually have no choice to surrender all my plates and terminate further contracts.

Cabinet member housing, regulatory services and community

Response:

The age for wheelchair access vehicles is 15 although there is also a condition which allows for vehicles in good condition to be considered for extending this age. However, safeguarding and public safety remains a priority for the Council and the age ranges of vehicles are considered to be a big part of this responsibility.

PQ 23

Mr T Maddy,
Hereford

Due to the inconvenience the licensing authority have given to all operators that own a taxi in Herefordshire.

Should we not receive some type of compensation from the council that have caused us to spend thousands, on fitting CCTV systems into each vehicle? Which turned out to not even meet the legal requirements at the time.

With this new proposed taxi policy this will cause even more of an upset to operators in Herefordshire. Even potentially closing down parts of the private sector due to these on going unnecessary expenses.

Cabinet member housing, regulatory services and community

Response:

Possible grant funding options were explored but were unsuccessful. The implementation of CCTV will allow a period of 12 months to enable the costs to be planned and accounted for as a business cost. The quotes received for adaption or for new units are well below the figure mentioned in your question.

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

Question Number	Questioner	Question	Question to
PQ 1	Mr Stinton, Leominster	My question is how can it be ok for a council tax monthly bill be equivalent to almost a one weeks wage at minimum wage? Not to mention having to pay NI tax and other bills. You need to think of other ways to create revenue, this area is not a high paying region.	Cabinet member finance, corporate services and planning
<p>Response: Thank you Mr Stinton for your question.</p> <p>The Council relies on income from Council Tax, alongside other funding sources from Government, to deliver services across the county. The Council recognises the challenging financial climate and its impact on individuals and we have increased to £1.7m the additional funding we are targeting to support households in hardship.</p> <p>In addition, this budget ensures that Council Tax Reduction Scheme continues to provide support to those most in need with more than 11,500 households expected to receive 100% discount on their council tax through this scheme – paying no council tax at all. The scheme provides support to eligible households regardless of their council tax banding.</p> <p>The 2023/24 budget includes additional sources of income generation activity to further limit the pressure on local tax raising and to manage our financial challenges internally as much as possible.</p>			
PQ 2	Mr Goulding, Hereford	<p>I am a tradesman working regularly in Hereford City and have to park with my vehicle for access to tools etc. When on a job that could perhaps take me 2 to 3 hours I find myself having to rush to keep within the maximum 2 hour pay and display limit on “parking restricted zones”. I know I could buy £15 day permit but for a 3 hour slot is not cost effective. Couldn't it be possible for trades people to buy 1 hour slots beyond the 2-hour limit as and when needed?</p> <p>This parking restriction is making our jobs impossible.</p> <p>I am not asking for free parking, I recognise that parking income plays an important part in the budget to be discussed today, just a little flexibility to allow me to do my job and provide a service.</p>	Cabinet member infrastructure and transport

Response:

I thank Mr Goulding for his question, which is well reasoned. Tariffs are applied in the most central Hereford streets in order to manage the turnover of parking spaces, and encourage drivers to park further out where they can. Dispensations are available to trades people across the county that have a need to leave their vehicle in contravention of a parking restriction, and where approved a permit will be issued. The Parking Team can be contacted on the telephone number displayed on the front of the machine for specific assistance on the day, and members of the public are encouraged to do this. If someone needs a full day then a permit is the best answer at £15. We are looking at a half day permit and also looking at further variations when we go to virtual permits, but at present, someone like Mr Goulding is best advised to ring the parking team to make arrangements – on the day or in preferably in advance of starting a job.

PQ 3	Mr Stevens, Ledbury	Outsourcing services to private companies is expensive. Given the dangerous failures on Hereford roads and pathways, what is being changed to this failing system to stop overpayment of tax for underperformance in road and street cleaning maintenance which includes unsound pothole repair and roads not being cleaned to a COPLAR B standard at all?	Cabinet member infrastructure and transport
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Response:

Thank you Mr Stevens for your question. The Public Realm Contract was let in 2013 by the previous administration and the procurement of the contract followed best practice at that time to ensure that the Council was able to enter into a contract that delivered best value for the funds provided.

Maintaining an authority’s highways network and public realm is expensive and is not likely to be any less expensive if those services were delivered in-house, with the potential cost of bringing those services back in-house being considerable. The issue for us as a new administration was whether or not that contract awarded in 2013 still provided good value for money, and, crucially, whether or not we could demonstrate that. Cllr. Gemma Davies, Cllr. Liz Harvey and myself asked for an assessment of that to be carried out by external auditors. That report, in crude summary, said the contract itself was OK, good in fact, but we, on Herefordshire Council side, were not necessarily in a position to monitor that contract as robustly as we would want to.

Following on from that and noting the clauses around contract extensions, we commissioned an assessment of the different types of contracts the Council could move to; what the cost benefits were of those future models might be and what the process and timescales would be. That piece of work is going to Cabinet shortly for consideration of a preferred approach. Whatever the final outcome of that report in terms of recommendation of a future model for the service it is likely that some technical staff, who moved over en-masse to BBLP in 2013, will return to Herefordshire Council employ. This will enable us to satisfactorily oversee any future contract of whatever model and give better direction.

In relation to the poor state of our network I do not believe that is due to failure to get best value out of our current contract but due to the severe impact of the government’s policy of Austerity. BBLP maintains our network on our behalf to the best of its ability, within the constraints of what funding is available to them. It has been estimated that we are spending approximately £5 million a year on maintaining our public realm in 2022 compared to nearly £15 million in 2011. This cannot continue, but it’s not, sadly, within our power as a local authority to replace the full value of the money eroded by the severe reduction in central government grants and I would urge all residents to lobby for fairer funding for rural authorities like Herefordshire.

With what little money we do have as a highways authority we prioritise on a safety matrix, making sure more money is spent on faster, larger roads – to the detriment, often, of C and unclassified and urban streets. This has meant we have done and will continue to do our utmost to ensure collisions are not caused by road defects.

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Similarly, as an authority we focus our litter collection and cleansing functions toward maintaining our high amenity areas. This does mean that the City and Town centres are maintained to a higher standard than other urban and inter-urban routes but it is arguably not to the standard we would wish if we had more resource.

Where services are delivered, in line with the Annual Plan and the available budgets, then the Council does have a team that checks for compliance in terms of

- cost to provide,
- quality of delivery
- timeliness of delivery and
- appropriateness of the action taken

Where issues are found then the Council does issue instructions to rectify the works and for that work to be undertaken at the provider's expense.

The Public Realm Contract does have a suite of performance indicators that are measured and monitored. I can confirm that the provider is currently achieving the various targets set jointly by the Strategic Partnering Board.

PQ 4	Ms Liddle, Ledbury	The Government has published a detailed national plan of action to improve how sexual violence is handled throughout the criminal justice system. This includes the words: <i>ensuring every victim has access to the right therapeutic and clinical support, and the right emotional and practical support</i> . I am concerned that words like "savings and efficiencies" may mean reduced services, or services commissioned that aren't specialist enough. How will the Council ensure that funding and resources are available for local specialist services that can help deliver the Government's aim, and ensure the right help is there locally for those who need it?	Cabinet member health and adult wellbeing
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Response:
The Council has a strong role in working in partnership with others to ensure that the right quality and capacity of victim/survivor support is available. We work closely with the justice system and the NHS who carry primary commissioning duties in this regard. We are part of the Police and Crime Commissioner-led Joint Sexual Assault and Abuse Strategic Board which works collaboratively to deliver the priorities of the NHS Strategic Direction for Sexual Assault and Abuse Services and the recommendations of a Sexual Violence Mental Health Needs Assessment. However, the council is not directly responsible for funding specialist counselling or clinical support services and we are therefore unable to comment on commissioning intentions with this regard. We have noted that additional funding has now been made available through the PCC for services for survivors of sexual assault in 22/23 & 23/24.

Council officers lead the Sexual Violence sub-group, which reports into the Community Safety Partnership, and contribute to needs assessment, pathway review and evaluation, with a focus on whole system prevention. In this way, the Council strengthens the evidence base on which decisions are made by the bodies with statutory duty.

PQ 5	Ms Shore, Hereford	The Domestic Abuse Act 2021 places a clear duty on local authorities to provide safe temporary accommodation for victims of domestic abuse, but fails to recognise the importance of community-based support as victims seek to preserve their safety and build their lives. Substantial evidence shows that peer-support programmes like The Domestic Abuse Recovery	Cabinet member health
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		Toolkit – tried and tested across UK – are fundamental to this process. In 2022 32% (432) of all referrals to Herefordshire domestic abuse services were for group support. Only 8.6% were for accommodation-based support – including refuge. In light of the forthcoming budget, will Herefordshire Council ensure that it maintains the resources needed to provide non accommodation-based services, continuing to support women who have been able to remain in their own homes, or who are still recovering from the trauma of domestic abuse which they escaped some time ago?	and adult wellbeing
<p>Response: The council is committed to providing community based and accommodation based support for victim-survivors of domestic abuse. Since the Domestic Abuse Act 2021, the council, in common with all local authority areas, has been granted funding from the Department of Housing, Levelling Up and Communities to provide additional support within safe accommodation. During this time, the council has maintained contracts with local providers for community based support. In due course, contracts nearing the end of their term must be re-procured according to the council's procurement regulations and procurement law. This process will allow us to consider needs, policy and practice and assess whether services should be adjusted to meet the presenting needs of our residents. The design of services commissioned by the council is done in consultation with partners, both statutory and non-statutory, residents and people with lived experience.</p>			
PQ 6	Ms Attfield, Bromyard	In 2021, West Mercia Rape and Sexual Abuse Support Centre temporarily closed counselling waiting lists to children and adults when funding shortfalls meant wait times exceeded two years. There are fears the same might happen again. A recent media article stated caseloads over capacity, therapy service cut to the bone, and significant funding shortfalls for the new financial year. Without additional funding staffing will be cut and waiting lists risk closure again. Rape Crisis England and Wales said long-term, sustainable funding for specialist support and advocacy services was “more urgently needed than ever”. Not to fund such services puts pressure on other services eg. mental health. The budget proposes a £6.1m cut to Community Wellbeing. How will the Council ensure these much needed services are sustainably funded, so that survivors of rape and sexual violence are not turned away?	Cabinet member health and adult wellbeing
<p>Response: Herefordshire Council is committed to supporting the strategic priorities of Herefordshire Community Safety Partnership, as outlined in their strategy for 2021/2024, which specifically include violence against women and girls and sexual violence, and the council's public health team is leading on this work. It is important to state that the council is not directly responsible for funding specialist counselling services and therefore, the budget proposals will not impact this provision. However, the council continues to work in partnership with West Mercia Police, the Police Crime Commissioner and local health services to facilitate the development of systems and services which promote early access to specialist support.</p>			
PQ 7	Ms Barraclough, Hereford	As a trustee of West Mercia Women's Aid, I am deeply concerned about the proposed transformation of domestic abuse services. Domestic abuse is fundamentally about the use of physical, structural, and economic advantage and entitlement, to torment, control and exploit a person who thought they were in a relationship built on trust and love. Empowerment and empathy are essential for the delivery of effective support and sustained recovery. The domestic abuse sector is well-known for its grass-roots origins where those affected by domestic abuse themselves – either directly or indirectly – have taken the lead in both	Cabinet member health and adult wellbeing

		developing and delivering services. To what extent will the Council ensure that their new delivery model retains this principle of co-production with survivors themselves and ensure that services are delivered by organisations that truly represent those with lived experience?	
<p>Response: The council is committed to coproduction and the design of services commissioned by the council is done in consultation with partners, both statutory and non-statutory, residents and people with lived experience. In terms of current support for domestic abuse, the council is commissioning community based support and support in safe accommodation through contracts with the voluntary sector and housing sector providers. The council has not proposed any service transformation that deviates from this model. In due course, contracts nearing the end of their term must be re-procured according to the council's procurement regulations and procurement law. This process will allow us to consider needs, policy and practice and assess whether services should be adjusted to meet the presenting needs of our residents. Any redesign will be undertaken in line with our commitment to coproduction.</p>			
PQ 8	Ms Currie, Hereford	How much is in the budget to cover (a) the cost of independent reviews into historic failings in Children's Services (b) why is there no obvious money ring fenced for compensation for families affected?	Cabinet member children and families
<p>Response: An initial review work budget of £14k was allocated and the council is now proposing to work with the Children's Commissioner and local Safeguarding Partnership to put in place a listening to families Commission. The Commission will consist of 3 individuals, not connected to Herefordshire Council, with appropriate knowledge and experience, identified by the Children's Commissioner. The purpose of this Commission is to:</p> <ol style="list-style-type: none"> 1. To give parents and families an opportunity to tell their story to an independent panel. 2. To identify any steps that the Council and partners can and should take as a result of hearing families' testimonies, either in relation to individual cases or in respect of general issues. 3. To learn from their experience and to ensure that that knowledge is used to inform improvements to children's services. 4. To ensure that, as far as possible, families feel that their concerns have been listened to and responded to, and that this is as much as can be done to resolve matters. <p>At this stage no budget has been allocated but the council will meet the full costs of the commission once these have been identified.</p> <p>Any claim for compensation is reviewed on its own merit and reparatory action is taken as appropriate. We currently do not have monies specifically earmarked for any potential future compensation claims.</p>			
PQ 9	Ms Albright, Leominster	The independent Lichfield Report commissioned in 2022 suggested that Herefordshire Council has already lost over £100 million of direct revenue as a result of the 40 month housing moratorium preventing all new homes in the North of the County. The catastrophic losses increase every passing month and are not recoverable. This is in addition to the many hundreds of millions of wider county inward investment lost and the lost jobs, diminished opportunities, entrenched hardship and the lost provision of much needed housing, including hundreds of funded Affordable Homes.	Cabinet member finance, corporate services and planning

		What hope and guidance can Herefordshire Council offer those working in the unjustly beleaguered local construction sector, and to those who might consider locating their business here or those who wish to have a home here?	
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Response:

Thank you for your question Ms Albright. I agree that the consequence of the build-up of phosphate and other forms of pollution in the Wye has been a virtual moratorium on development within the River Lugg sub-catchment (~40% of the county's land area)

I also fully recognise and sympathise with the severe impact the moratorium has had, and continues to have, on the local construction industry. It is wrong that this pollution has happened. We want the moratorium to end. However, the sad reality is that while it remains in place, developers need to mitigate the environmental impact of their developments because that is the law. Laws to protect our environment are a good thing and are here to stay.

The council continues to lobby government to seek a long-term solution to the phosphate pollution issue, which is not of our making and is outside of our direct control.

The council has delivered the first of its wetland areas which will – for the first time ever – enable the trading of phosphate credits with nutrient certainly, enabling housing development to progress in the catchment at a faster rate than has been possible in recent years. We have at least three further wetlands being planned and we completed this week on the purchase of land for one of these at Tarrington. It is worth noting that despite the moratorium some 340 houses have been approved for development within the Lugg catchment since the moratorium has been in place.

Under the present Nutrient Management Plan, with its purely voluntary arrangements, our assessment is that it will take a decade or more before the river returns to a reasonable condition - and quite possibly never. This is an untenable situation and a step-change is needed in preventing further pollution and in addressing historical pollution.

The Cabinet Commission for Restoring the Wye has identified a road map to deliver that step-change and we will shortly be publishing our Prospectus. The evidence we have seen to date suggests that we can get out of “the moratorium” much, much quicker than nutrient management practices could ever achieve, but a lot of work needs to be done across many agencies and the community stakeholders to deliver change at pace.

To end the moratorium we need two things “regulatory certainty” and “scientific certainty.” We are currently validating our proposals and taking legal advice before publishing them. We believe our proposals will create that regulatory certainty. However, there also then needs to be scientific certainty beyond reasonable doubt.

To that end, the Cabinet Commission is developing a delivery programme, called “Project Ranunculus” after the Water Crowfoot for which the Wye is famed. This project seeks to coordinate the scientific and regulatory evidence and to keep it under constant oversight so that the statutory conservation body, Natural England, can allow the lifting of the moratorium on development at its earliest opportunity.

If the approach detailed in the Prospectus is accepted by DEFRA, we will say more as the business case develops. We can give no firm dates, but what these proposals will offer is far better and offers greater certainty than the loose arrangements we have now. We also give a firm commitment to drive this forward with energy and have the determination to overcome whatever obstacles are presented to us. We hope, that when our Prospectus is published that the local construction industry and its representatives will join us in advocating for the changes we seek to bring.

In addition to our focussed action on river restoration, the council continues to explore every possible avenue to support business and to improve the economic prospects for Herefordshire. The cabinet approved the county's Big Economic Plan in January, setting out a long term vision and the huge range of opportunities we have for the future. We are consulting on the Hereford City Masterplan, and are preparing for the consultation on the Local Plan Update in the summer, both of which will identify development opportunities across the entire county.

PQ 10	Mr Franklin, Bromyard	<p>Most savings proposals within the proposed budget raise one or both of two concerns:</p> <p>(a) it is unclear what is being proposed and how this will affect Herefordshire residents e.g, S2, S3, S4, S7, S12, S16 or</p> <p>(b) there is no indication how the objectives are to be achieved e.g., S14, S18, S19, S28</p> <p>My questions are:</p> <p>(a) how confident can I be that Councillors will know exactly what they are voting for or against?</p> <p>(b) have the budget proposals been properly scrutinised by an independent third party e.g., auditor or "critical friend"?</p> <p>(c) for future years, and well before the budget meeting, can residents be clearly informed of the proposals and what they will mean to them in practical terms.</p> <p>(d) could the same level of detail be provided to residents following the setting of 2023/24 budget?</p>	Cabinet member finance, corporate services and planning
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Response:

(a) how confident can I be that Councillors will know exactly what they are voting for or against?

The process for developing the budget is set out in Part 4, Section 3 of the Council's Constitution. This process ensures a clear timetable for making proposals to Council for the adoption of any plan, strategy or programme that forms part of the budget and policy framework, and its arrangements for consultation after publication of those initial proposals. Chairpersons of scrutiny committees are responsible for ensuring that the relevant committee work programmes include consideration of any such plan, strategy or budget to enable scrutiny members to inform and support the process for making cabinet proposals to Council in terms of the adoption of any item that forms part of the budget framework. This includes scrutiny members providing constructive challenge to the responsible cabinet member on policy proposals and exploring options for future policy development. Councillors have been engaged in the budget setting process for 2023/24 and there have been opportunities to query, challenge and inform this work throughout the development of the 2023-24 budget which began in July 2022.

(b) have the budget proposals been properly scrutinised by an independent third party e.g., auditor or "critical friend"?

The proposed budget for 2023/24 was presented to Scrutiny Management Board (SMB) at its meeting on 19 January 2023 where Councillors challenged the robustness of the estimates and assumptions in the budget and the deliverability of savings targets. The SMB has the remit under the Council Constitution to carry out scrutiny of the Council budget and the process for scrutiny of budget proposals is set out at Part 4, Section 3 of the Herefordshire Council Constitution: 4.3.3 Process for developing framework items. The SMB received training to assist members in the undertaking of budget scrutiny and the committee advised by independent financial experts in relation to Treasury Management.

The 2023/24 budget is not formally audited however the council's financial planning and budget setting processes are subject to review as part of the external auditor's Value for Money work which considers how the council identifies significant pressures and achievable savings as well as risks to financial resilience. The results of this work are formally reported in the Auditor's Annual Report which is presented to Audit & Governance Committee. The Council's external Auditors are Grant Thornton.

Under the terms of Section 25 of the Local Government Act 2003, the Council's Section 151 Officer is required to report to the council, at the time when it is setting its budget, on the robustness of the estimates included in the budget and the adequacy of the reserves for which the budget provides. Council has a statutory duty to have regard to this report from the Section 151 Officer when making its decision about the proposed budget and council tax.

(c) for future years, and well before the budget meeting, can residents be clearly informed of the proposals and what they will mean to them in practical terms.

A series of 12 local public consultation events were held between 25 November and 17 December 2022 on the draft budget. Additional engagement with community groups took place through a Community Partnership event and an event with the business community. The consultation presented high-level options to contribute towards balancing the council's budget for 2023/24 and their likely impact. The proposed budget and supporting appendices - which include identified pressures, assumptions and detailed Directorate Savings Plans - were made publicly available via the council's website from early January 2023.

(d) could the same level of detail be provided to residents following the setting of 2023/24 budget?

The budget for 2023/24 and supporting appendices will be available on the council's website following its approval. Performance and delivery of the agreed budget will be reported in 2023/24 as part of the Budget & Performance Reports which are presented to Council quarterly.

PQ 11	Ms Reid, Hereford	<p>Base budgets of 2022-23 and 2023-24 (Appendix C, Item 10):</p> <ul style="list-style-type: none"> • Looked-After Children (LAC) budget has increased from £25.737m to £28.724m (+11.6%) • However, Children in Need budget has decreased from £4.568m to £2.930m (-35.9%) <p>There were 392 LAC (October 2022). Therefore, the estimated cost per child in care in 2023-24 is over £73,000 (£73,276) ie £28.724m divided by 392.</p> <p>LAC can be reduced by reunification and relatively inexpensive family support and statutorily-recommended Family Group Conferences. FGCs would reduce costly care proceedings (about twice the rate of other areas). The directorate plans to make reduce spending by "reduction in numbers of children coming into our care", it does <u>not</u> mention reunification, FGCs, nor family support.</p>	Cabinet member children and families
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		Explain how the base budget for CIN in 2023-24 will be cut from 2022-23 with figures and descriptors (eg number/type of staff/service/£ reduced).	
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Response:

The reduction in budget for Children in Need does not represent reduced focus in this area. The movement between 22/23 and 23/24 budgets reflects plans across the Directorate to reduce reliance on agency staff to deliver services and to move to a permanent staffing establishment. Detailed plans will be managed and monitored as part of routine monitoring of savings in 2023/24 and these will be publicly reported through Cabinet and Council.

