

Agenda

General scrutiny committee

Date: **Monday 22 March 2021**

Time: **10.15 am**

Place: **Online meeting**

www.youtube.com/HerefordshireCouncil

Notes: Please note the time, date and venue of the meeting.

For any further information please contact:

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Agenda for the meeting of the General scrutiny committee

Membership

Chairperson **Councillor Jonathan Lester**
Vice-Chairperson **Councillor Tracy Bowes**

Councillor Barry Durkin
Councillor Jennie Hewitt
Councillor Bob Matthews
Councillor Louis Stark
Councillor William Wilding

Agenda

		Pages
1.	APOLOGIES FOR ABSENCE To receive apologies for absence.	
2.	NAMED SUBSTITUTES To receive details of members nominated to attend the meeting in place of a member of the committee.	
3.	DECLARATIONS OF INTEREST To receive declarations of interests in respect of Schedule 1, Schedule 2 or Other Interests from members of the committee in respect of items on the agenda.	
4.	MINUTES To receive the minutes of the meeting held on 25 January 2021.	11 - 22
HOW TO SUBMIT QUESTIONS		
The deadline for the submission of questions for this meeting is 5.00 pm on Tuesday 16 March 2021.		
Questions must be submitted to councillorservices@herefordshire.gov.uk . Questions sent to any other address may not be accepted.		
Accepted questions and the responses will be published as a supplement to the agenda papers prior to the meeting. Further information and guidance is available at www.herefordshire.gov.uk/getinvolved		
5.	QUESTIONS FROM MEMBERS OF THE PUBLIC To receive any written questions from members of the public.	
6.	QUESTIONS FROM MEMBERS OF THE COUNCIL To receive any written questions from members of the council.	
7.	FOWNHOPE FLOOD REPAIR WORK To review how the Fownhope flood repair works were delivered and any lessons to be learned for the future.	23 - 40
8.	LOCAL FLOOD RISK MANAGEMENT STRATEGY ACTION PLAN To consider the 2016-2022 local flood risk management strategy action plan which identifies a programme of work for reducing local flood risk within Herefordshire.	41 - 50
9.	WORK PROGRAMME To review the committee's work programme.	51 - 114

10. DATE OF NEXT MEETING

The next scheduled meeting is 26 April 2021 (10.15 am).



The Public's Rights to Information and Attendance at Meetings

Herefordshire Council is currently conducting its public committees, including the General Scrutiny Committee, as "virtual" meetings. These meetings will be video streamed live on the internet and a video recording maintained on the council's website after the meeting. This is in response to a recent change in legislation as a result of COVID-19. This arrangement will be adopted while public health emergency measures including, for example, social distancing, remain in place.

Meetings will be streamed live on the Herefordshire Council YouTube Channel at

<https://www.youtube.com/HerefordshireCouncil>

The recording of the meeting will be available shortly after the meeting has concluded through the General Scrutiny Committee meeting page on the council's web-site.

<http://councillors.herefordshire.gov.uk/ieListMeetings.aspx?CId=809&Year=0>

YOU HAVE A RIGHT TO: -

- Observe all "virtual" Council, Cabinet, Committee and Sub-Committee meetings unless the business to be transacted would disclose 'confidential' or 'exempt' information.
- Inspect agenda and public reports at least five clear days before the date of the meeting. (These will be published on the Planning and Regulatory Committee meeting page on the council's web-site. See link above).
- Inspect minutes of the Council and all Committees and Sub-Committees and written statements of decisions taken by the Cabinet or individual Cabinet Members for up to six years following a meeting. (These will be published on the Planning and Regulatory Committee meeting page on the council's web-site. See link above).
- Inspect background papers used in the preparation of public reports for a period of up to four years from the date of the meeting. (A list of the background papers to a report is given at the end of each report). A background paper is a document on which the officer has relied in writing the report and which otherwise is not available to the public.
- Access to a public register stating the names, addresses and wards of all Councillors with details of the membership of Cabinet and of all Committees and Sub-Committees.
- Have access to a list specifying those powers on which the Council have delegated decision making to their officers identifying the officers concerned by title.
- Access to this summary of your rights as members of the public to observe "virtual" meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect documents.

1 September 2020

Guide to General Scrutiny Committee

Scrutiny is a statutory role fulfilled by councillors who are not members of the cabinet.

The role of the scrutiny committees is to help develop policy, to carry out reviews of council and other local services, and to hold decision makers to account for their actions and decisions.

Council has decided that there will be three scrutiny committees. The Committees reflect the balance of political groups on the council.

The General Scrutiny Committee consists of 7 Councillors.

Councillor Tracy Bowes (Vice-Chairperson)	It's Our County
Councillor Barry Durkin	Conservative
Councillor Jennie Hewitt	Herefordshire Independents
Councillor Jonathan Lester (Chairperson)	Conservative
Councillor Bob Matthews	True Independents
Councillor Louis Stark	Liberal Democrat
Councillor William Wilding	Herefordshire Independents

The committees have the power:

- (a) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the executive,
- (b) to make reports or recommendations to the authority or the executive with respect to the discharge of any functions which are the responsibility of the executive,
- (c) to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are not the responsibility of the executive,
- (d) to make reports or recommendations to council or the cabinet with respect to the discharge of any functions which are not the responsibility of the executive,
- (e) to make reports or recommendations to council or the cabinet on matters which affect the authority's area or the inhabitants of that area
- (f) to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions and to make reports or recommendations to the council with respect to the discharge of those functions. In this regard crime and disorder functions means:
 - (i) a strategy for the reduction of crime and disorder in the area (including anti-social and other behaviour adversely affecting the local environment); and
 - (ii) a strategy for combatting the misuse of drugs, alcohol and other substances in the area; and
 - (iii) a strategy for the reduction of re-offending in the area
- (g) to review and scrutinise any matter relating to the planning, provision and operation of the health service in its area and make reports and recommendations to a responsible person on any matter it has reviewed or scrutinised or to be consulted by a relevant NHS

body or health service provider in accordance with the Regulations (2013/218) as amended. In this regard *health service* includes services designed to secure improvement—

- (i) in the physical and mental health of the people of England, and
- (ii) in the prevention, diagnosis and treatment of physical and mental illness
- (iii) And any services provided in pursuance of arrangements under section 75 in relation to the exercise of health-related functions of a local authority.

(h) to review and scrutinise the exercise by risk management authorities of flood risk management functions or coastal erosion risk management functions which may affect the local authority's area.

The specific remit of the general scrutiny committee includes:

- Services within the economy and place directorate and corporate centre
- Corporate performance
- Budget and policy framework matters
- Statutory flood risk management scrutiny powers
- Statutory community safety and policing scrutiny powers

Who attends general scrutiny committee meetings?

The following attend the committee:

- Members of the committee, including the chairperson and vice chairperson.
- Cabinet Members – They are not members of the committee but attend principally to answer any questions the Committee may have and inform the debate.
- Officers of the council – to present reports and give technical advice to the committee
- People external to the Council invited to provide information to the committee.

(Other councillors - may attend as observers but are only entitled to speak at the discretion of the chairman.)

**The Seven Principles of Public Life
(Nolan Principles)**

1. Selflessness

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

2. Integrity

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

3. Objectivity

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

4. Accountability

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

5. Openness

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

6. Honesty

Holders of public office should be truthful.

7. Leadership

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

Minutes of the meeting of General scrutiny committee held at online on Monday 25 January 2021 at 2.00 pm

Present: Councillor Jonathan Lester (chairperson)
Councillor Tracy Bowes (vice-chairperson)

Councillors: Barry Durkin, Jennie Hewitt, Louis Stark and William Wilding

In attendance: Councillors Ellie Chowns, Toni Fagan, David Hitchiner (Cabinet Member) and Elissa Swinglehurst

Officers: Ben Boswell – Head of Environment Climate Emergency and Waste Services,
Richard Vaughan - Sustainability and Climate Change Manager and Marc Willimont - Assistant Director for Regulatory Environment and Waste

37. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Matthews.

38. NAMED SUBSTITUTES

None.

39. DECLARATIONS OF INTEREST

None.

40. MINUTES

RESOLVED: That the minutes of the meeting held on 15 January 2021 be approved.

41. QUESTIONS FROM MEMBERS OF THE PUBLIC

A copy of the questions from members of the public and the answers together with the supplementary questions and answers is attached at appendix 1 to these minutes.

42. QUESTIONS FROM MEMBERS OF THE COUNCIL

None.

43. TASK AND FINISH GROUP REPORT - CLIMATE EMERGENCY REVIEW

The Committee considered the Task and Finish Group's report on the Climate and Ecological Emergency.

The Sustainability and Climate Change Manager introduced the report. Councillor Wilding, chairperson of the Task and Finish Group, then commented followed by other members of the Group.

The Committee discussed the report. A number of amendments were proposed to the wording of some of the recommendations in the report along with some additional recommendations. The changes agreed are summarised in appendix 2 to these minutes. The complete revised recommendations are set out at appendix 3 to these minutes.

(The meeting adjourned between 16.35-16.45 pm.)

The Chairperson thanked the Task and Finish Group for their work.

RESOLVED: That the findings of the report, and recommendations as amended and set out at appendix 3 to these minutes, be submitted to the executive.

44. WORK PROGRAMME

The Committee considered its work programme.

It was noted that the work programme needed to be updated to incorporate matters discussed by the Committee on 15 January: in its review of Covid measures the Committee consider how grants have been used and seek comparative information from other authorities; monitoring of savings plans included in the 2021/22 budget; and provision for briefings to be provided to the Committee on progress in achieving the proposed savings in the Economy and Place Directorate and their impact and the Committee be informed of other savings proposals that have been identified with a view to ensuring appropriate contingency plans are in place.

In relation to the proposed consideration of contract management/performance management it was requested that consideration be given to a spotlight review.

RESOLVED: That the draft work programme as set out at appendix 1 to the report be approved as amended.

45. DATE OF NEXT MEETING

Monday 22 March 2021 (10.15 am)

Appendix 1 - Public Questions and Answers

Appendix 2 - Amendments and Additional Recommendations - Task and Finish Group Report

Appendix 3 - Consolidated recommendations on Task and Finish Group report

The meeting ended at 5.15 pm

Chairperson

PUBLIC QUESTIONS TO GENERAL SCRUTINY COMMITTEE – 25 January 2021

Question 1

Mr D Gillam, Peterchurch

In relation to the Task & Finish Group report on the 'Climate & Ecological Emergency Review'. Under the section 'Recommendations to the executive' 'Resources' on p6, point 4 the report says:

"The executive should ensure that all relevant teams are sufficiently resourced to carry out all recommendations that are accepted."

My question is:

"In relation to recommendation 4 (above), what does "sufficiently resourced to carry out all recommendations" actually mean? In next year's budget (2021/22) will the council establish a separate and significant budget to take forward this work? For example 1% of next year's total expenditure (£320 million in 2021/22), ie £3.2 million? If so, what figure would the Scrutiny Committee recommend that would allow the Council to properly resource the new county-wide partnership body & the many other areas of work they have identified?"

Response

The recommendation is intended to ensure that all teams have sufficient human resource, to enable them to review and carry out the work from the recommendations in this report. This acknowledges that many recommendations will require officer time to review and implement.

The Task and Finish Group report recognises that the council is making progress towards ensuring all of the council's work is aligned with its ambitions towards the climate and ecological emergency. This has been reflected in a number of early recommendations of the group being taken up, namely;

- Cabinet member Cllr Ellie Chowns has been given specific responsibility to act as a lead on the climate and ecological emergency.
- The council's decision making process has been strengthened to consider the climate and ecological emergency in all decisions.

The group also recognises that council has allocated significant budget within the current capital programme some examples include;

- A solar PV investment programme,
- A corporate energy efficiency programme,
- A recently completed a green fleet project,
- The city centre green space enhancement project,
- A programme to develop up to 8 new Integrated Constructed Wetlands to further treat effluent from village sewage works and to purchase intensively farmed agricultural land for rewilding in order to improve the water quality of the River Lugg and address the issue of phosphates.

Supplementary Question

Will the T&F group please include in your report a recommendation that a specific sum is allocated to tackling the Climate & Ecological Emergency annually?

That this figure is clearly communicated to the public along with details as to what this money is being spent on.

And that this expenditure includes funding to cover the appointment of new & additional staff to tackle the Climate & Ecological Emergency as given that it is 20 months since HC declared an emergency this can clearly not be done with sufficient urgency with existing staff?

Response

The Committee will discuss this during the meeting.

(The proposed recommendation was not accepted.)

Question 2

Mrs C Palgrave, How Caple

The Task & Finish Group has identified the need for stronger communication about the Climate and Ecological Emergency, and listed a number of recommendations (para 7 (a) through (e)). Would the Committee please consider a further recommendation that this year's mailing of annual Council Tax notices to residents includes a statement from the Leader explaining why the Council has declared the CEE, what goals have been set, and in outline, how can residents and businesses support the Council's efforts to achieve carbon neutrality. And that each subsequent year a statement is sent to residents outlining the progress made in the preceding 12 months.

Response

Thank you for your question, the committee will discuss this at the meeting at 2pm on the 25 January.

(The proposed recommendation was accepted.)

Question 3

Mr R Palgrave, How Caple

Some other local authorities have issued bonds to raise funding for climate-related investments, for example West Berkshire's Community Municipal Investment bond which has reached 50% of its target of £1m and will be used to pay for solar panels on schools. Would the Committee please consider adding a recommendation to the list put forward by the CEE Task and Finish group asking the Executive to investigate the feasibility of Herefordshire creating a similar investment bond.

Response

Thank you for your question, the committee will discuss this at the meeting at 2pm on the 25 January.

(The proposed recommendation was accepted.)

Additional and amended recommendations agreed by the General Scrutiny Committee – 25 January 2021.

Original Recommendation number	Change
2	Delete 2 b
6	Delete d and e (these now to appear with expanded wording with recommendations to the executive.)
7	Line 1 – delete word “additional” (e) Add wording to e: engaging in discussion with farming bodies.
8	Add reference to air quality as part of natural capital.
22	Add c, d and e. (c) Discussions take place with the LGA/EALocal and national drainage authorities and other appropriate bodies to see how flooding issues can be addressed at a national level (d) That there be a focus on actions that can be taken locally by council and partners (e) Work with landowners from whose land flooding onto the highway is known to occur reminding them of their responsibilities
30 b	Add: including ancient and semi natural woodland.
32 f	Add: A record should be kept of number of trees planted, and felled, their age, location and regrowth plan
43	Include reference to exploring alternative delivery modes.
53	Add recommendation to support protection of County’s SSIs and SACs
Additional recommendations	
	An article 4 suspension of the general permitted development order relating to temporary events of off-road motorsports, to develop a more considered approach to the sport which acknowledges its impact on environment and ecology should be made. (Previously included under planning section of the report)
.	The council should make a revolving loan fund available to victims of pluvial flooding caused by human activity, to seek legal redress. Cases and progress should be publicised.

	Proactively protect the ecology of potential development sites prior to planning permission being sought, mindful of implications for biodiversity net-gain.
Additional recommendations suggested in questions from members of the public and accepted.	
	That this year's mailing of annual Council Tax notices to residents includes a statement from the Leader explaining why the Council has declared the CEE, what goals have been set, and in outline, how can residents and businesses support the Council's efforts to achieve carbon neutrality. And that each subsequent year a statement is sent to residents outlining the progress made in the preceding 12 months.
	Some other local authorities have issued bonds to raise funding for climate-related investments, for example West Berkshire's Community Municipal Investment bond which has reached 50% of its target of £1m and will be used to pay for solar panels on schools. Would the Executive investigate the feasibility of Herefordshire creating a similar investment bond.

<p>Internal Governance;</p> <p>1</p> <p>a The Council should establish a politically proportionate Committee (the Climate and Ecological Emergency Policy Committee) with responsibility for directing the Council's response to the climate and ecological emergency. The Chairperson of that Committee may or may not be a cabinet member depending on the precise arrangements adopted by the council, but the Committee is to have primacy.</p> <p>B The Committee should take account of the proposed Future Generations Act.</p> <p>C The Committee should have some form of decision making powers in line with the future hybrid system of governance.</p> <p>D The Committee should have its own budget that facilitates it to fulfil its remit and initiate projects that will enable the council to make progress required with respect to the climate & ecological emergency.</p> <p>E The Committee should be the focal point for all council climate change related work.</p> <p>F The Committee should receive regular reports from bodies charged with directing the countywide response to the climate and ecological emergency. The Committee would not duplicate this work but ensure that the council remained sighted upon it.</p> <p>G Research should be undertaken and consideration given to models adopted by other authorities reflecting these principles.</p>
<p>2 The existing county wide steering group was set up in 2019 to create the basis of a net zero, nature rich action plan and set up a new Partnership to adopt and drive forward the action plan. The Group recommends the following approach to a Partnership to deliver a countywide response to the climate and ecological emergency;</p> <p>a. A collaborative, open and transparent partnership body needs to be established to deliver the countywide response to the climate and ecological emergency.</p> <p>b. The Council should be represented on the partnership, should participate in it and make a robust contribution.</p> <p>c. Arrangements should be put in place to ensure regular feedback from the partnership to the Committee.</p> <p>d. Provision should be made for the membership of the partnership to include those who are responsible for the delivery of measures that are likely to be recommended to ensure that they are practical and capable of implementation.</p> <p>e. Provision should be made for the membership of the partnership to include a range of views to promote effective critical friend challenge.</p>
<p>3 On 12 July 2019 a Zero Carbon Citizens Assembly was agreed at full council. The executive response 26 September 2019 offered four options to be detailed in a forthcoming report. The Group recommend that the report should be produced and one of these options taken forward as a priority. This option should be delivered and supported by the council and feed into the Committee and Partnership to inform the work regarding the climate and ecological emergency.</p>
<p>To the executive</p>
<p>Resources</p>
<p>4 The executive should ensure that all relevant teams are sufficiently resourced to carry out all recommendations that are accepted.</p>
<p>5 A mandatory training element should be added to the Herefordshire Council staff online training service regarding the environment and personal responsibility to ensure all staff are clear on their own professional and personal role in the climate and ecological emergency</p>
<p>Working with the Local Government Association</p>
<p>6 Whilst discussing the issues around the climate and ecological emergency the Group felt it was important that the executive commit to work with the Local Government Association to;</p> <p>a. Press for a joined-up regulatory and enforcement framework on Natural Capital.</p>

b.	Support and encourage behaviour change around reducing unnecessary vehicle use and support sustainable transport.
c.	Ensure there is no gap between the Shared Prosperity Funding and the existing European Regional Development Fund.
7	<p>A dedicated communications officer in the Communications team is recommended to support environmental communications. Consideration should be given to the website, social media, active and passive promotion and engagement with the public including young people and schools to facilitate behaviour change. The officer should facilitate the following;</p> <p>a. The officer should link with the work of the Partnership to avoid duplication.</p> <p>b. A link to the section on climate and ecological emergency on the council's website should be promoted by a permanent banner at the top of the home page and the website pages relating to the environment should be more interactive to encourage more public involvement.</p> <p>c. The 'Newsroom' should reflect all news relating to the climate and ecological emergency and signpost to other sources of news on the climate and ecological emergency within the County.</p> <p>d. As a way of generating engagement, competitions and awards for innovative approaches to tackle the climate and ecological emergency should be promoted by the council and/or its partners.</p> <p>e. Good farming and land use practice should be actively promoted by the council, supporting existing work by the Wye & Usk foundation and others, engaging in discussion with farming bodies.</p>
8	<p>Full account should be taken of the concept of Natural Capital (including air quality) making it the driver for all council decisions. The concept of Natural Capital could offer a different economic model with weight given to the environment's contribution to economic development;</p> <p>a. The Cabinet consider designating Natural Capital as a separate and distinct policy area in their portfolio of responsibilities and appoint a lead on it.</p> <p>b. The council should incorporate in tender assessment, criteria to take account of Natural Capital and prioritise support for low impact, sustainable local businesses as part of a progressive procurement policy that takes account of social value.</p>
9	The Group recognises and endorses the continued focus on broadband infrastructure and recommends that hard to reach areas that are not possible to reach with cable services are provided impartial advice regarding mobile network solutions.
10	<p>The Group recognises the importance of the Marches Local Enterprise Partnership (LEP) and the role they have to play in making progress with regards to the climate and ecological emergency. The Group recommends;</p> <p>a. A Natural Capital partnership with Marches authorities and the LEP should be explored.</p> <p>b. The executive should request that the LEP publically commit to support all three authorities to deliver on the net zero carbon targets.</p> <p>c. The executive should request the LEP review assessment criteria and consider taking account of Natural Capital. Support for low impact, sustainable local businesses could be prioritised as part of a progressive procurement policy that takes account of social value.</p> <p>d. The executive should raise with the LEP the issue of maize used as a feedstock for anaerobic digestion which causes environmental damage and request it reflects on the damage to Natural Capital as well as the road network.</p>
11	The Committee be consultees under the Core Strategy review.
12	Biodiversity net-gain should be a consideration in future planning applications through the Core Strategy review.
13	Under the Core Strategy review the development of a new truly sustainable town to meet housing targets should be considered preferable to incremental growth. The town would include biodiversity net-gain, sustainable transport links and local renewable energy generation

including a heat network. This should prevent broad countryside loss across the county and protect the historic nature of existing settlements.
14 The group recognises there is a definition of sustainability in the NPPF; “Development that meets the needs of the present without compromising the ability of future generations to meet their own needs”. However given the environmental and ecological emergency the group recommends that greater weight is given to “the ability of future generations to meet their own needs” through the Core Strategy review.
15 Good clear environmental policies should be developed, demonstrably supported by the evidence base, containing specific minimum standards that could then be enforced. A Supplementary Planning Document (SPD) should be produced to address the climate & ecological emergency
16 Local planning strategy to include nature recovery networks through the Core Strategy review.
17 The existing environmental and forthcoming ecology compliance checklists should sit in the pre validation stage of a planning applications where they will form part of our local list.
18 The executive should ensure that existing provisions and policies on climate change and ecology are given their maximum possible weight in the planning balance and consider whether consolidating these provisions would assist in providing a stronger focus on the issues and weight to be attributed to them.
19 Working in conjunction with the Environment Agency, manure management plans which have been used as mitigation in planning applications should be mapped and cross referenced and existing plans should be reviewed before new plans are issued to ensure land is not under multiple plans which would mean an exceedance would exist. Any exceedances should be reported to the Environment Agency.
20 A greater focus must be given within neighbourhood development plans (NDPs) to low carbon policies and green space and the scope for the neighbourhood planning team to provide greater encouragement to and support for such policies. A guidance note should be produced setting out the council’s expectations for provision of green space. This could include a checklist. The provision of green space as a condition for planning as well as retaining wildlife corridors, preventing the breaking up of wildlife corridors for individual plots and ensuring biodiversity net-gain should be included.
21 Consideration should be given to an SPD for new anaerobic digesters should prioritise feedstock which supports the circular economy and where it can be shown there will be no adverse effects on water quality.
22 With respect to flooding: a. No future development sites should be brought forward in Environment Agency designated flood zones 2 and 3 in order to allow these areas to sequester carbon, improve biodiversity and resilience. b. Actively investigate the causes of pluvial flooding and the discharge of water and sediments onto the public highway and carry out enforcement. c. Discussions take place with the LGA/EA local and national drainage authorities and other appropriate bodies to see how flooding issues can be addressed at a national level d. That there be a focus on actions that can be taken locally by council and partners e. Work with landowners from whose land flooding onto the highway is known to occur reminding them of their responsibilities
23 Where sites have already been identified for development, the council should be supporting local house builders to build sustainable housing.
24The council assess the potential for using s.106 monies to retrofit existing poorly performing housing stock in the county to improve thermal efficiency (Milton Keynes as an example
25 The Group recognises the good work of officers in signposting community groups to grant funding and recommends the council increases resources so it is able to support bids

through the application process and proactively drive bids in support of environmental projects with significant positive environmental outcomes
26 The council should continue to support and promote Keep Herefordshire Warm having regard to the importance of addressing fuel poverty and provide incentives and support to individuals to make behaviour changes to reduce carbon emissions.
27 The council should have sufficient expertise and resource to carry out proactive works to protect the natural environment with a focus on wider ecological concerns in addition to responding to planning applications. The council should therefore appoint a dedicated officer to carry out proactive works.
28 To immediately resource an update of the Biological Records, making the data contained therein an up to date and accurate benchmark from which to understand and enhance biodiversity in the County.
29 A soil strategy for the County should be produced as a matter of urgency
30 Improving biodiversity of hedgerows and trees; a. Review the approach by statutory undertakers to rewilding verges. b. The council should adopt a Hedgerow Manifesto as part of the emerging tree strategy including ancient and semi natural woodland. c. That the business case for another cut and collect machine is developed. d. That training be provided on sustainable verge management as part of a Parish Summit meeting inviting other key stakeholders who look after green open spaces including lengthsman. e. Recognise the importance of effective communication in advance of any changes to explain them fully to the public.
31 The council should, in consultation with Highways England, explore getting local authority verges in Herefordshire registered under Tier 3 for Environmental Land Management Schemes.
32 A strategic approach to biodiversity net-gain should be established, working alongside partners to aggregate biodiversity net-gain across the County and maximise the benefit. Carbon sequestration and offsetting should be pursued together with the scope for the County to benefit economically from these actions through the development of a business case. The Council should engage with other landowners highlighting the potential gain to them of tree planting and offer support to owners in growing; a. A record should be kept of number of trees planted, and felled, their age, location and regrowth plan for example a running counter on the website since the declaration of the climate and ecological emergency. b. The council should explore options for an open market trading platform for biodiversity and carbon. c. The council should take every opportunity to expedite tree planting on council owned land where appropriate, including closed landfill sites.
33 The council should urgently seek counsel advice regarding the implementation of a water protection zone to protect the special area of conservation (SAC) from diffuse agricultural pollution (Wye and tributaries).
34 The council should explore the use of council land for solar farms and where appropriate council car parks linked with EV charging points.
Should a Climate and Ecological Emergency Policy Committee not be agreed or established the following recommendations should be made to the executive.
35 The Committee should review all elements of the work so far on the climate and ecological emergency to ensure progress and avoid duplication of work. a. Specifically the Committee should review the SPD and environmental and ecological checklists produced. b. The work of the Committee and others should guide the council's actions to ensure it is moving in the right direction.

36	There is a need to explore where the council can support the work of the Environment Agency and work more closely together on mutual targets and ambitions regarding enforcement.
37	Good farming and land use practice should be actively promoted by the Committee, supporting existing work by the Wye & Usk foundation and others, with a view to setting up a Herefordshire local seal of quality. The produce should be promoted for example in a food festival, local farm shop or farmers market.
38	The council should work with Parish Councils and partners such as Sustrans and the Local Access Forum to map potential cycle and walking route extensions.
39	Strips of land alongside rural roads should be investigated to create cycle ways with a view to purchase or lease the land.
40	20 mph zones should be implemented across Hereford, the market towns and around schools, countywide.
41	Opportunities to support all schools in developing school travel plans noting the link to changing travel to school behaviour and wider travel behaviour of children and parents should be explored.
42	To address the issues of rural transport the council should pursue funding to support innovative transport schemes within the community sector including demand responsive transport (DRT), car clubs and low traffic neighbourhoods
43	A 'shop drop' scheme should be considered to support car-free city and town centres to enable shoppers to park on the outskirts and have shopping sustainably transported to their car, choose how you move location or bus stop. This should support existing 'first mile last mile' schemes. And investigate alternative delivery modes.
44	Demand management should be further implemented, supported by robust communications and used to increase the provision of infrastructure to support active travel e.g.;
	a. Reduce on street parking and replace with infrastructure for cyclists and pedestrians.
	b. Work place levy operated by the council with funds used to increase uptake of active travel.
	c. Car parking charges to be based on emissions.
45	The Group recognises the existing work by officers to support the retrofit of fuel poor households. It recommends an investigation into the potential for a local 'green deal' option potentially through the establishment of a social enterprise to support the retrofit of the largest domestic users of energy in the County
46	Consideration should be given to use of alternative fuel market for council fleet and contractors when vehicles/contractors are commissioned.
47	The use of hydrogen as an alternative fuel for long range vehicles or HGVs across the County should be explored
48	A Natural Capital management plan should be drawn up with partners. A baseline should be established and the plan should;
	a. Ensure that its preservation and restoration are given equal weight to economic growth and development in the allocation of funding (particularly capital) and in the decision making process.
	b. Be used as a framework for positive and collaborative engagement with key partners to achieve a unified approach to remedy damage done to Natural Capital across the County
49	A fund to be established to support businesses to contribute to carbon reduction or ecological restoration
50	The Group would recognise the excellent existing work of Talk Community and recommend it explore support and actively engage with single person households to improve or enhance resilience and prepared for the effects of the climate and ecological emergency.

51	Where the council provides schools meals they must be nutritious, locally sourced, low carbon and ethical
52	In terms of community gardens, the potential for using pockets of green space in the more urban areas for orchards/market gardens should be explored. A scheme be developed to facilitate residents in the countryside who cannot manage their gardens to find someone eager to make productive use of that land.
53	To recognise and properly protect the natural resource in Herefordshire the Committee should: <ul style="list-style-type: none"> a. Consider the creation of additional areas of outstanding natural beauty (AONB). b. Support the Wye Valley (including the Monnow Valley) be a national park (see Glover Review) and explore other areas including the Golden Valley as well as link to the other Marches authorities to establish nature recovery networks. c. support protection of the County's SSIs and SACs
Additional Recommendations	
	An article 4 suspension of the general permitted development order relating to temporary events of off-road motorsports, to develop a more considered approach to the sport which acknowledges its impact on environment and ecology should be made. (Previously under planning)
	The council should make a revolving loan fund available to victims of pluvial flooding caused by human activity, to seek legal redress. Cases and progress should be publicised.
	Proactively protect the ecology of potential development sites prior to planning permission being sought, mindful of implications for biodiversity net-gain.
	That this year's mailing of annual Council Tax notices to residents includes a statement from the Leader explaining why the Council has declared the CEE, what goals have been set, and in outline, how can residents and businesses support the Council's efforts to achieve carbon neutrality. And that each subsequent year a statement is sent to residents outlining the progress made in the preceding 12 months.
	Some other local authorities have issued bonds to raise funding for climate-related investments, for example West Berkshire's Community Municipal Investment bond which has reached 50% of its target of £1m and will be used to pay for solar panels on schools. Would the Executive investigate the feasibility of Herefordshire creating a similar investment bond.



Meeting:	General Scrutiny Committee
Meeting date:	Monday 22 March 2021
Title of report:	Fownhope Flood Repair Work
Report by:	Acting Assistant Director Highways & Transportation

Classification

Open

Decision type

This is not an executive decision

Wards affected

Backbury and Old Gore

Purpose

To review how the Fownhope flood repair works were delivered and any lessons to be learned for the future.

Recommendation(s)

That:

- (a) The committee considers the report and
- (b) The committee submits any findings and recommendations to the executive for consideration.

Alternative options

1. There are no alternative options.

Key considerations

Background

2. On 6 August 2020 Fownhope Parish Council wrote a letter of complaint to the council *“to express the frustration and anxiety caused by the protracted carriageways repairs to the B4224 between Fownhope and Mordiford”*. The letter concluded by saying, *“We demand that Herefordshire Council initially put this matter to the Council Scrutiny Committee and then have a full public inquiry to assess how this disaster could have been prioritised and managed significantly better both fiscally and practically”*. This Committee on 28 September 2020 agreed to include this matter in its work programme with a view to reviewing how the work was done and any lessons to be learned for the future. It was suggested that March 2021 would be a suitable time to conduct this review.

Storm Dennis – February 2020

3. Storm Dennis hit Herefordshire during the weekend of 15 and 16 February 2020, resulting in significant damage and flooding, from both runoff and river overflow, with many of the rivers reaching their highest levels in 200 years. As part of a multi-agency response and recovery group the council successfully mobilised all resources to respond to the event. The clean-up and recovery work commenced as soon as flooding had subsided with resources focussed on making safe the worst hit areas first.
4. Government declared that this storm was a major incident and made the Bellwin Scheme available to Herefordshire Council to fund the immediate action, taken from 15 February 2020 to 28 March 2020, to safeguard life or property and to prevent suffering or severe inconvenience. The council submitted a £2.528m claim to the Bellwin Scheme as costs that have been incurred across the public realm that are eligible for funding through this scheme. To date a grant payment of £1.113m has been received.
5. Of the 139 flood damage sites that were identified across the county, 72 damage sites were cleared and restored to normal use by the 28 March 2020. The scale of the damage meant that 67 sites could not be fully cleared or repaired by the end of March. Of these there were four significant schemes.
6. The B4399 Holme Lacy Causeway was badly damaged but had been returned to use. This location remains susceptible to storm damage and a permanent solution is required.
7. Instability in the banks of the flood plain to the River Wye that support the A438 at Whitney on Wye has resulted in temporary signal control being put in place, a permanent solution is required here also.
8. The B4224 road near Fownhope suffered a landslip at Lechmere Ley and a retaining wall failure at Stone Cottage. These damages required closure of the main route into the village which resulted in community severance with limited alternative access.
9. Initial assessment of what action was needed to reopen the B4224 confirmed that substantial works were required at both damage sites. In March 2020, after initial investigations, it was anticipated that these repairs were, realistically, unlikely to be completed before October 2020. However the B4224 is now expected to be reopened to traffic prior to Easter 2021 (during week commencing 29 March 2021). The reasons for this are set out within this report.

Fownhope Flood Damage

10. The landslip at Lechmere Ley caused more than a third of the carriageway to be lost due to damage from Storm Dennis. Approximately 3000 tonnes of material had to be excavated and equivalent imported to rebuild the road in layers. Before any construction

works could take place, BT fibre optic services had to be diverted. These cables serve BT customers locally and nationally and required notifying national customers. Once diversions were done, a ramp down into the works had to be constructed before excavation works could begin however the project did not require any significant design works.

11. At Stone Cottage a five metre high retaining wall collapsed due to pore water pressure from Storm Dennis run off. The retaining wall supported the B4224 carriageway and is immediately adjacent to Stone cottage. This was a complete failure of the wall which could not be repaired – a new section of wall would have to be constructed. In order to install this much of the road surface would need to be excavated to provide space to install the wall. Before any construction works can take place, the BT fibre optic services that were near the carriageway edge had to be diverted.
12. The construction of a new section of retaining wall demanded a more involved design process which included detailed geotechnical investigations including bore holes to better understand the ground make-up, which in turn, informs the design and eventual solution.
13. Survey work commenced at the Stone Cottage site on 11 March 2020 with a principal inspection of the damaged wall. Geotechnical investigations took place on 18 to 20 March 2020. A report assessing the options for the repair of the Stone Cottage Retaining Wall was produced on 23 April 2020.
14. The decision to progress flood repair works, including the repair to the damage to the B4224 at Fownhope was taken under emergency powers at section 3.7.9 of the constitution on 30 April 2020.
15. Following this an order for the construction works at Lechmere Ley (Service Order PR20-15-13) was issued to Balfour Beatty Living Places (BBLP) on 30 April 2020 and an order for the detailed design of Stone Cottage (Service Order PR20-15-14) was also issued to BBLP on this date.
16. Following the issue of these orders works commenced at Lechmere Ley on 18 May 2020 following completion of the BT cables diversion and were anticipated to take three months to complete. Works were completed within this timescale. This programme is included in Appendix A of this report.
17. Detailed design of the Stone Cottage project progressed following the issue of the service order (PR20-15-14) and the programme established at this time anticipated the completion of detailed design of Stone Cottage and the commissioning of the specialist subcontractor for the repairs at Stone Cottage for the works on 17 August 2020.
18. Following the completion of the design of the retaining wall the preferred option (based on ground conditions) was selected, this option comprised of:
 - the removal of the failed section of wall;
 - the excavation of the ground behind it to form a stable slope;
 - the nailing of that slope to the bedrock behind;
 - the rebuilding of the ground in layers with a mesh between them (reinforced earth);
 - tying this back into the soil nails;
 - rebuilding the face of the wall;
 - constructing a concrete parapet and high kerb; and finally;
 - replacing the running surface of the road.

19. Following completion of the design and subcontractor procurement, and in advance of the construction contract award for the repairs to Stone Cottage, a decision in regard to the funding for these flood damage repair works was required.
20. As no funding (other than Bellwin) had been received from central government for recovery from Storm Dennis there was a significant gap between what Bellwin provided and the cost of all necessary repairs.
21. On 23 July 2020 cabinet considered funding options and made recommendations to Council for funding of the repair works. On 4 August 2020 at an extraordinary council meeting council confirmed that the priority flood repair works project be added to the capital programme.
22. Following this the Director for Economy & Place took a decision on 22 September 2020 to progress these works to their conclusion through Annex 15 to the Public Realm Services Contract (PRSC). The proper consideration of value for money was key to this decision. The various alternative options available to the council under its Contract Procedure Rules, for the procurement of these necessary works were considered. Given the need to relieve the community of the burden from the severance imposed upon them by the necessary closure of the Fownhope road on safety grounds, all procurement routes other than the continued use of the Public Realm Services Contract were discounted. This was because openly tendering the scheme would have prolonged the length of time this road was closed. Alternative open market procurement procedures were to be taken for all other flood repair schemes, this was as there was not the same time pressure on the delivery of the repair to those other sites, when compared to Fownhope.
23. Following this an order was issued to Balfour Beatty Living Places (Service order PR20-15-6) under the Public Realm Services Contract on 29 September 2020.

Stone Cottage Construction Works

24. Having procured and commissioned their works subcontractor through competitive tender by September, BBLP began mobilisation in October 2020. The works programme established a date for substantial completion of the works and the opening of the B4224 on or around 23 February 2021, with all works completed by 9 March 2021. This programme is included in Appendix B of this report.
25. However, an issue arose in respect to the construction of part of the works, namely constructing a concrete parapet and high kerb. A solution was found, but it took more time to deliver. This saw the programmed road opening date moving to late March 2021, with all works completed by 1 April 2021. This programme is included in Appendix C of this report

Reasons for the Change in Time

26. The issue referenced in the preceding paragraph 25 was that the size of the crane required to lift precast concrete units that were designed by BBLP sub-consultants WSP to form the parapet wall and its foundations into place could not be safely located within the confines of the site without compromising the structural stability of the sections of the retaining wall immediately beyond the failed section.
27. Various solutions were explored and a cast in situ concrete solution found. That solution did not require the use of a large crane and when compared to other options presented the solution that would have least impact on programme duration; least dependency on supply chain (precast units are manufactured off site and delivery to site is subject to lead in times and demand on the supplier); and greatest opportunity for any gains made in the delivery

of the works up until the construction of the parapets to be exploited (work can start on parapet construction as soon as the prior works had been completed, whereas installation of precast units could only commence once those units have been delivered to site). The increase in time was largely due to the curing time required for the in situ concrete.

28. The reason for the delay sits in the Provider's failure to provide the services in accordance with their contract, namely when providing professional services, BBLP have failed to exercise the degree of skill, care and diligence reasonably expected when completing its designs and related works. In summary, BBLP should have identified this issue with the precast units that were part of their design sooner, consequently the programme for the works would have allowed for this and remedial work would have been avoided.

Contractual Position

29. The Public Realm Services Contract (PRSC) is a term services contract that is based on the New Engineering Contract (NEC) terms.
30. This Stone Cottage repair work has been commissioned using the Target Cost payment mechanism, which is one of the payment options available under the PRSC. As such there are four elements to consider when assessing the amount due for the works, they are the Cost of Services Provided to Date, other amounts to be paid to the Provider, amounts to be paid by or retained from the Provider; and any Disallowed Cost. Taking each of the four elements in turn.
31. **The Cost of the Services Provided to Date:** this is the total of the Defined Cost of the Services which have been carried out by the Provider during the relevant Financial Year (less payments made to the Provider during the relevant Financial Year), plus the resulting Fee. This element will need to be paid.
32. **Other amounts to be paid to the Provider:** there are no other amounts that are directly relevant to this matter.
33. **Amounts to be paid or retained from the Provider:** As this work has been commissioned using the Target Cost payment mechanism (subject to the limitations set by the share ranges in the contract, which is capped at 6% over target, meaning that across the programme of all works the maximum that the council will pay over the agreed target costs is 50% of this so 3%, BBLP have to meet the bill for anything over the 6%) if on completion of the works the Cost of the Services Provided to Date has exceeded the Target Cost, the difference between the two will be split between Employer and Provider, similarly if the Cost of the Services Provided to Date is less than the Target Cost.
34. Importantly, the Target Cost is varied via compensation events. Compensation events are typically instructed changes or as a consequence of an event happening that has been identified as being at the Employer's risk. A change in an order to accept a defective service, or a change to the Service Information which is requested by the Provider and which is required as a result of the Provider's approach to providing the Services, is not a compensation event. This point has required detailed consideration of the risk register associated with the Service Order for these works to confirm that the risk associated with the design of the parapets does not rest with the Employer (as it should not), consequently (subject to that detailed consideration) there should be no compensation event as a consequence of this particular matter.
35. **Disallowed cost:** the PRSC defines the following as Disallowed Cost:

"Disallowed Cost"

is cost which the *Service Manager* decides:

is not justified by the *Provider's* accounts and records;

should not have been paid to a Subcontractor or supplier in accordance with this contract;

was incurred only because the *Provider* did not:

- follow a process or procedure stated in his Quality Plan; or
- give an early warning notice which this contract required him to give;

and the cost of:

work or remedial action caused by the *Provider's* failure to Provide the Services in accordance with this contract;

Materials not used (after allowing for reasonable wastage) unless resulting from a change to the Service Information;

resources not used (after allowing for reasonable availability and utilisation);

preparation for and conduct of an adjudication or proceedings of the *tribunal*.

[emphasis added]

36. Further to this as Clause 22 of the PRSC, the provider is to exercise care and diligence, as follows:

- 22.1 The *Provider* carries out all Services required by this contract in accordance with:
- 22.1.1 all relevant statutory provisions;
 - 22.1.2 Good Industry Practice;
 - 22.1.3 in a good and workmanlike manner; and
 - 22.1.4 to the quality and standards specified in the Service Information.

22.2 Where in the provision of any of the Services the *Provider* is providing any professional services, the *Provider* exercises the degree of skill, care and diligence reasonably to be expected from an appropriately qualified and competent professional person holding himself out as competent to perform such services.

22.3 The *Provider* obtains approval of his design from the *Employer*, the *Service Manager* or Others where required by the Service Information and within the timescales stated in the Service Information.

[emphasis added]

37. This point has also been carefully considered as if the Employer could have expected a reasonably qualified and competent professional person to have produced a parapet design that can be lifted in place at this site, then the cost associated with the 'work or remedial action' to overcome the issue as disallowed cost and should not be paid as part of the amount due.

38. As such all costs associated with rework or optioneering etc. to identify the solution to this issue that has come about as a result of something not being done with care and diligence, are disallowed cost and should not be paid as part of the amount due.
39. The costs associated with the delivery of the solution itself should be paid as part of the Defined Cost. This including costs associated with the extended time for delivery. This as in this instance the eventual works required are what they would always have needed to be. Given the timing of when this issue was raised through early warning and then dealt with, the progress of the works was not itself halted or delayed. Instead the time actually needed to do the work was increased from that which was thought to be needed, to that which in reality it would always have needed to be, if the correct design solution had been in place in the first instance. Consequently, the matter become one of cost of the aforementioned rework alone. The sum that the council pays for the entire works will ultimately depend upon the result of the comparison between Defined Cost plus Fee and the Target Cost, less all disallowed costs.

Action Taken

40. In accordance with the contract, the cost of the remedial work to correct the provider's failure is a Disallowed Cost, as such it will be deducted from the amount due. BBLP have accepted the council's position and the quantum of the Disallowed Cost is being assessed by our Contract Management Team. Consequently, there is no formal dispute between the parties in regard to this matter at this time.
41. The cost of the works to deliver the solution will be part of the amount due. This is so because, had BBLP exercised all due skill care and diligence, then the solution arrived at would have formed part of the original works.
42. BBLP have been instructed to, so far as practicably able, 'accelerate' the completion of the works so that they complete soonest. Whilst we continue to explore all options to achieve earliest completion with BBLP, given the constraints of the site and the largely sequential nature of the works, targeted weekend working is the primary action that BBLP will take. Such acceleration is cost neutral, the cost of weekend working equating to that for the preliminary costs (site overheads) for the time saved. The completion date of 1 April 2021 includes for this acceleration.
43. Independently of the contract, apologies have been made to the community for both the council and BBLP. BBLP have also offered to engage with the parishes to explore opportunities for BBLP to support the delivery of a project or initiative for the benefit of the Fownhope & Woolhope community.
44. Finally at time of writing of this report works remain on target for completion at end of March with road reopening before 1 April 2021.
45. The Cabinet Member Infrastructure and Transport has asked the Acting Chief Executives to commission an independent review of the Fownhope Road repair projects. The review is to cover this repair project from the point of Storm Dennis floods damage to the re-opening of the road to traffic. The review scope is being drafted and will include a complete review of the delivery of the project. It will consider the flood response as well as the subsequent design and construction of the repair schemes on the B4224, it will include consideration of all engineering / technical issues associated with these schemes. The review will also include consideration of officers and member's decisions during this time and question if the council could have expedited repairs sooner. The review will be undertaken by an external body and it will to be commissioned by officers who sit outside of the Highways service to ensure true independence and objectivity.

Community impact

46. The closure of the B4224 severs the main route between the village of Fownhope and the surrounding area and Hereford and much of the North of Herefordshire. Many are using an alternative route on minor roads through the parish of Woolhope to enable access. This change in the distribution of traffic is having a negative impact on the communities of Fownhope and Woolhope in particular and increasing journey times for many when compared to the normal use of the B4224.
47. Council officers, members and Balfour Beatty Living Places, first met with local Parish Councils on 2 March 2020 to share details of the initial assessment of severe damage caused by the storm at both locations and answer questions. The council has committed to provide its realistic estimates for the duration of the repairs by 6 March following analysis of geotechnical investigations.
48. The Council and Balfour Beatty Living Places subsequently met with Fownhope Parish council at an open meeting with parishioners on the evening of 11 March 2020. Supported by Local Members, an open dialogue has been in place with parishes throughout. At the time of writing 35 progress updates have been issued to the community and key stakeholders and others through the Parish Councils.
49. Fownhope Parish Council wrote on 6 August 2020 on behalf of parishioners and business owners to express the frustration and anxiety caused by the repairs to the B4224 between Fownhope and Mordiford and the handling and management of the re-instatement of the road. Response was provided following investigation of this formal complaint, reference IAT 21037, on 8 September 2020. The parish council response on the 21 September raising some further questions and registering their appreciation that their complaint had been brought to the attention of the Scrutiny Committee. Response to the further questions were provided on 2 November 2020.
50. Further, Fownhope Parish Council wrote on 11 December 2020 claiming compensation for the financial impact of the extended closure on both residents and businesses due to negligence in this council failing to monitor and maintain the road network and to appropriately manage the repair programme resulting from the subsequent road collapse. The matter was referred to the council's insurers who responded to the parish council on 11 January 2021 advising that, a council cannot legally claim on behalf of its residents, this is too wide and vague a class of persons and a duty of care cannot be established on that basis. Furthermore, the claim which the parish council appeared to pursue is in respect to pure economic loss is not recoverable in English Law.
51. Whilst the formal diversion routes for the closure of the B4224 follow routes on A and B roads, these routes are long and consequently many drivers are using minor roads through the parish of Woolhope as their diversion route. To mitigate, weight limits and speed limits have been installed on sections of the route and the frequency of highway safety inspection has been increased, so inspection takes place at least monthly. All highway defects found have then been taken forward to repair on the basis of risk, all as the standards established by the Highway Maintenance Plan.
52. Regardless of the mitigation described, many (including some heavy goods vehicles and agricultural plant) have to use these minor roads and are legally able to do so, as these routes form part of the public highway. However, all drivers are duty bound to proceed with due care and attention.

53. As further consequence, the minor roads used as local diversion have not been available for others to work on these roads. This resulting in a secondary impact on the community in the form of the delivery of the council's plans for a broadband network in the area as part of the Fastershare project. This issue relates to connecting the network in and around Woolhope being delivered by the contracted supplier Airband which due to these minor roads being unavailable for such works cannot be progressed. Additionally the B4224 transects Airband's build between Much Marcle and Brockhampton. Here there is a need to connect areas, and the works to do this will require a closure of these minor roads. The council, as the traffic authority and highway authority cannot sanction this, as the impact on the community would be acute and to do so is considered contrary to the network management duty, as the Traffic Management Act 2004. This circumstance is delaying to delivery of the planned broadband network. These broadband works are externally funded and if unable to progress funding may be withdrawn placing broadband delivery to those communities at risk. The Fastershire project is seeking an extension to the time that this funding will be available.
54. Whilst the combined impact of the closure of the B4224 and the use by many of minor roads as alternative cannot be underestimated, the true scale of this impact has been coincident with the impact of COVID19. The true impact has undoubtedly been influenced by the pandemic. Lockdown has changed travel behaviour reducing the number of journeys for many, but not all.

Environmental Impact

55. The damage to the B4224 resulted from Storm Dennis, the repair once complete will help secure the resilience of this route to future storm damage.
56. Increased journey time for those who have to travel during the closure is having a negative impact on carbon emissions. Some who were able to travel short distances by sustainable modes of travel – walking, cycling, and public transport are less able to do so as a consequence of this enforced closure.
57. Such impacts will be best addressed by the full repair and safe reopening of the B4224 soonest.

Equality duty

58. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:
- A public authority must, in the exercise of its functions, have due regard to the need to -
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
59. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of

services. Our providers are aware of their contractual requirements in regards to equality legislation.

Resource implications

60. The decision taken by the Council on 4 August 2020 was that £4.027m (Priority Flood Repair Works) be added to the capital programme as a new programme; and that they were funded by extended prudential borrowing. The £4.027m was made up from the following estimates:

Schemes	
Fownhope Landslip	£ 1,565,000
Fownhope Retaining Wall Collapse	£ 1,000,000
Whitney on Wye Instability	£ 500,000
Various damage Sites	£ 962,000
Total	£ 4,027,000

61. The Fownhope Landslip (Lechmere Ley) and the Fownhope Retaining Wall Collapse (Stone Cottage) have been commissioned through the Public Realm Services Contract with BBLP.
62. Spend to date: for completeness, in regard to the Fownhope Landslip, this work is complete and cost £496,501.80.
63. In regard to the Fownhope Retaining Wall Collapse. Works are ongoing and the latest forecast is as follows:

Budget Summary	8th February 2021
Construction Forecast Outturn	£ 831,657.22 *
Design Development	£ 302,054.35
Land & Legal	£ 43,951.76
Temporary Bus Service	£ 12,122.00
Total	£ 1,189,785.33

*The current sum of the Target Cost and Compensation Events is £588,709.14

64. The sum of the current forecast costs of the two Fownhope schemes is £1,686,287.13 (£1.686m) which is within the budget reported on 4 August 2020 for these two schemes of £2.565m.
65. The recommendations agreed by the committee will be sent to the executive. In considering their response an assessment of resource implications will be undertaken.

Legal implications

66. The functions of the general scrutiny committee include the powers to make reports or recommendations to the executive with respect to the discharge of any functions which are the responsibility of the executive and to make reports or recommendations to council or the cabinet on matters which affect the authority's area or the inhabitants of that area.
67. The legal issues arising here have been dealt with appropriately above.

Risk management

68. The recommendations agreed by the committee will be sent to the executive. In considering its response the executive will need to assess any risks arising from the recommendations.
69. The highway service is undertaking its own lessons learnt exercise, considering the impact of risk to project delivery to date, this as part of continuous improvement processes. Key themes for the risks identified are:
- Communications, particularly how in future equivalent circumstances, the 'expectation gap' between the timescale for proper repairs and the natural expectation that repairs can be quickly completed, can be better managed through understanding.
 - Funding, particularly in respect to access to contingency in the event that government funding is not forthcoming.
 - Value for Money, particularly to enable expediency in decision making and how value is assured across all available delivery options.
 - Resilience of supply, particularly through the availability and resilience of all delivery options.
 - Project visibility, as part of an extensive council wide programme of activity, this both in response to, and recovery from, a major storm event and as part of 'business as usual'.
 - Improved customer focus in project management, as a consequence of this changes were immediately made to project management arrangements to expedite delivery. This to ensure that there was a clearer focus on limiting the impact that any delay in project delivery was having on community, through taking all opportunities for acceleration and/or the removal of risk to time within the programme of works.
70. A further lessons learnt exercises will take place, particularly to consider the learning to be gained from the recommendations agreed by this committee.

Consultees

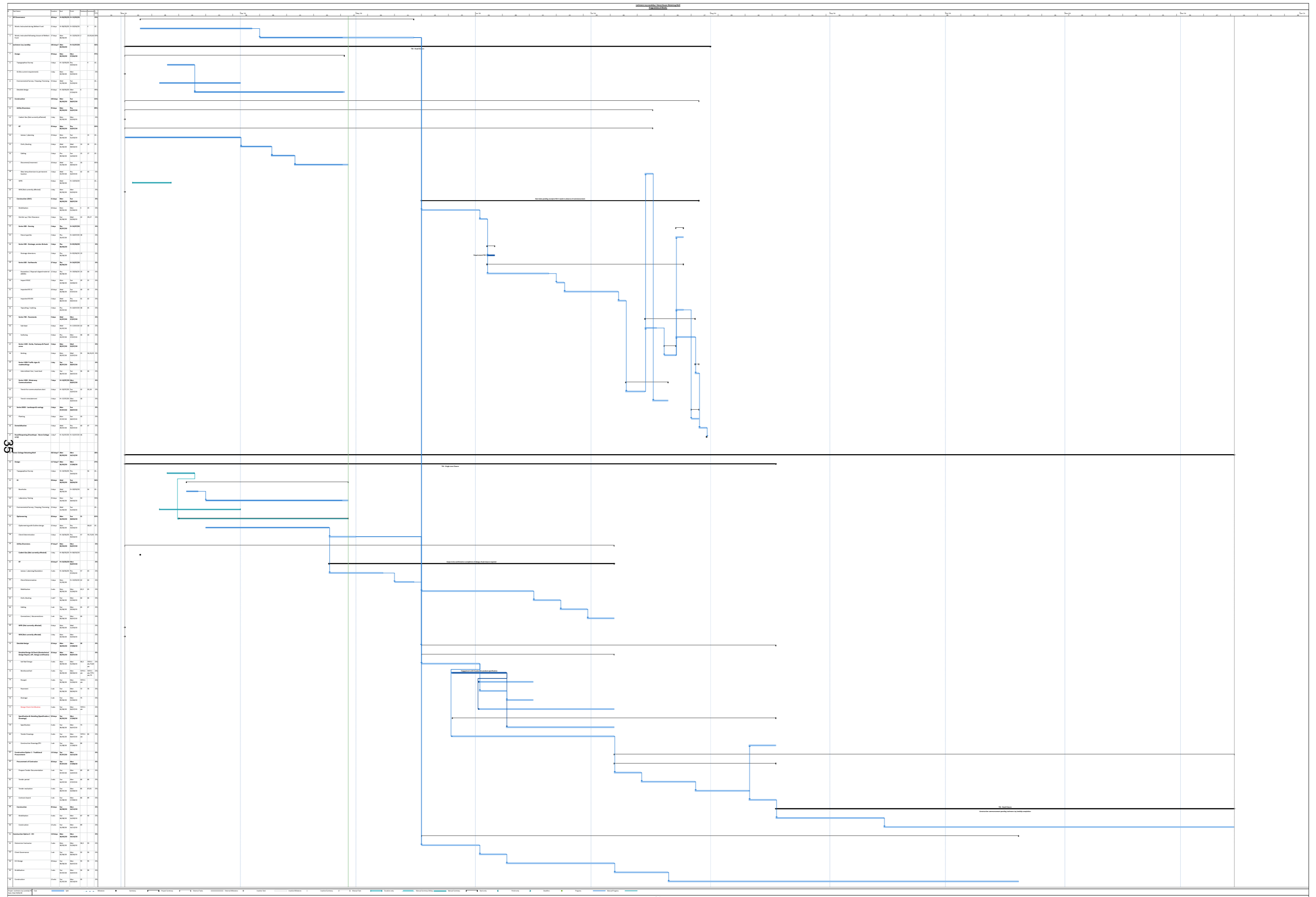
None

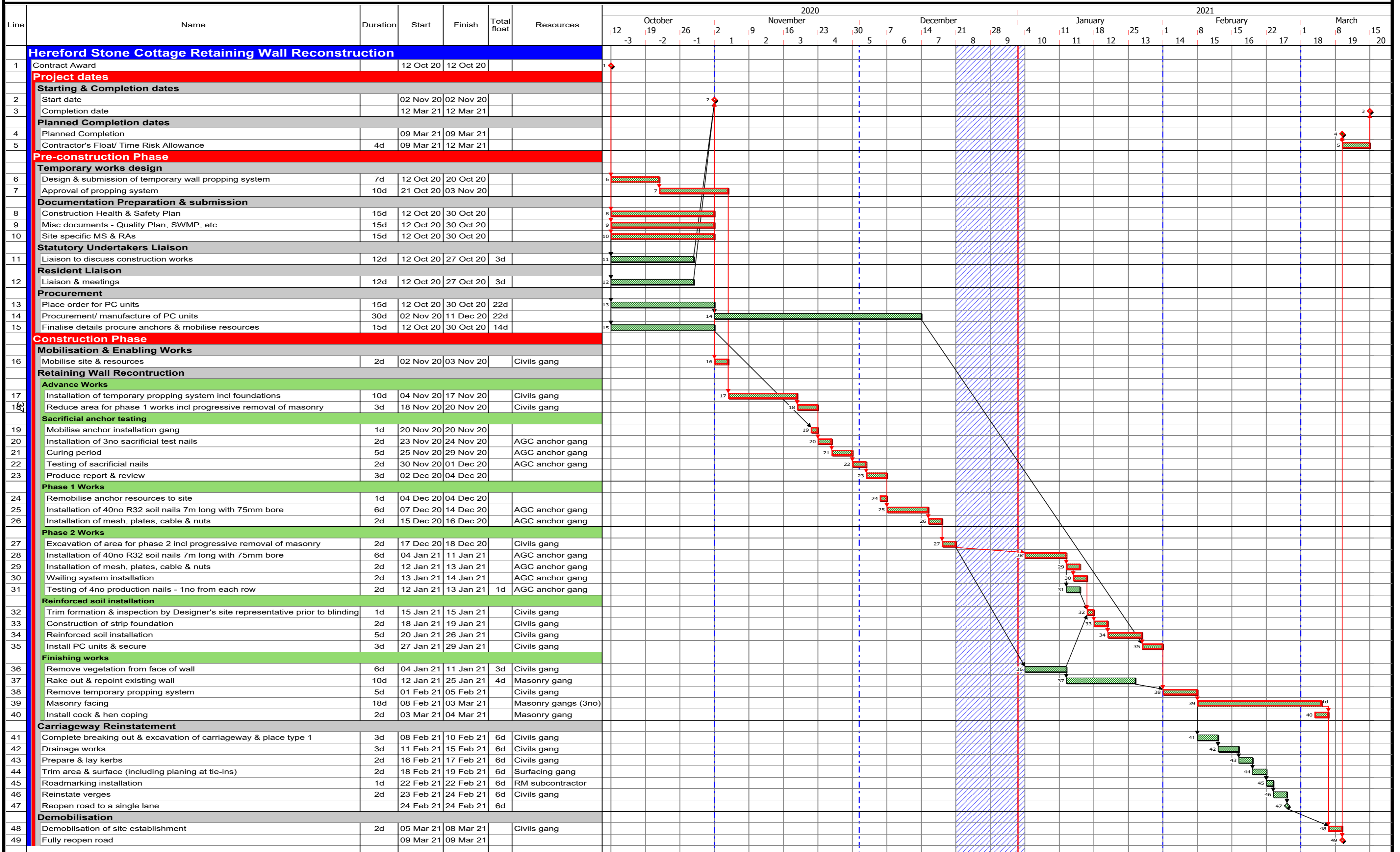
Appendices

- Appendix A - Programme 1
- Appendix B - Programme 2
- Appendix C - Programme 3




Background papers

None





Symbols
 Critical
 Milestone Appearances
 Diamond

		Stone Cottage Retaining Wall																																																																	
		Programme																																																																	
		25/01/2021																																																																	
ID	Task / Item Description / Name etc.	W.C		25 January 2021							01 February 2021							08 February 2021							15 February 2021							22 February 2021							01 March 2021							08 March 2021							15 March 2021							22 March 2021							
		Duration	-Days	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F
	  																																																																		



Title of report: Local Flood Risk Management Strategy Action Plan

Meeting: General scrutiny committee

Meeting date: Monday 22 March 2021

Report by: Cabinet member Infrastructure and transport

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

Under the Flood & Water Management Act 2010, Herefordshire Council as the Lead Local Flood Authority is required to have a Local Flood Risk Management Strategy. The General Scrutiny Committee is allocated statutory flood risk management scrutiny powers. General Scrutiny Committee last reviewed the Strategy in July 2017. This report presents the 2016-2022 action plan which identifies a programme of work for reducing local flood risk within Herefordshire.

Recommendation(s)

That:

- a) **That the Committee review the updated action plan prior to publication and provide comments to help inform its further development.**

Alternative options

1. There are no alternatives to the recommendations; General Scrutiny Committee is allocated statutory flood risk management scrutiny powers.

Key considerations

2. Following major flooding in 2007, Government set up the Pitt Review to look into the way flood risk management agencies dealt with such major events. This review came up with 93 recommendations, which Government accepted.
3. A number of these recommendations needed legislation to give local authorities and agencies the necessary flood response powers or duties and hence the introduction of the Flood & Water Management Act 2010. One of these duties was for all Lead Local Flood Authorities (Herefordshire Council for this area) to prepare a [Local Flood Risk Management Strategy](#) (LFRMS).
4. The LFRMS gives consideration to the management of flood risk from all sources of flooding. However, greater focus is given to those sources of flooding for which the council, as appointed Lead Local Flood Authority, are responsible, namely 'local' sources of flooding that comprise:
 - a. Surface water;
 - b. Groundwater; and
 - c. Ordinary watercourses.
5. There are many other authorities also responsible for the management of flood risk within the county. These include:
 - a. The Environment Agency which has a strategic overview of all sources of flooding and is the authority responsible for managing flood risk from rivers designated as 'main rivers', reservoirs and the sea;
 - b. Welsh Water which is the authority responsible for managing flood risk from the public sewerage network in the majority of Herefordshire;
 - c. Severn Trent Water which is the authority responsible for managing flood risk from the public sewerage network in the north and east of Herefordshire;
 - d. The River Lugg Internal Drainage Board who are responsible for water level management with its operational areas, which encompass the low-lying land within the catchments of the Rivers Lugg, Arrow, Frome and Monnow (in England).
 - e. Lower Severn Internal Drainage Board who are responsible for the maintenance of the land drainage assets within the low-lying land within the catchment of the River Leadon; and
 - f. Highways England and Network Rail who are responsible for managing flood risks within their trunk road, motorway and railway networks respectively.
6. The LFRMS was reviewed by the Committee in July 2017 and adopted by Cabinet in September 2017.

7. It outlines the approach the council and other agencies will take with regard to flood risk management.
8. The LFRMS contains:
 - a. An overview of what it aims to achieve, why it needs to be prepared, the relevant legislation and the roles and responsibilities of key flood risk management authorities;
 - b. A brief summary of flood risk throughout Herefordshire to provide the context from which the proposed actions and measures have been developed;
 - c. The objectives that the council has selected to improve the management of flood risk;
 - d. A summary of the key sources of funding that may be available to the council, other relevant authorities and the general public to help with the delivery of schemes and reduction of flood risk within Herefordshire; and
 - e. An Action Plan that sets out how the council will deliver the LFRMS.
9. The LFRMS's five key objectives for flood risk management are:
 - Objective 1: Understand flood risks throughout Herefordshire.
 - Objective 2: Manage the likelihood and impacts of flooding.
 - Objective 3: Help the community help themselves.
 - Objective 4: Manage flood warning, response and recovery.
 - Objective 5: Promote sustainable and appropriate development.
10. The specific measures are contained in Appendix A-1 of the LFRMS, which has been reviewed annually. It was most recently reviewed in February 2021.
11. Updated progress against priority measures is included in the Appendix to this report.
12. A key piece of work currently underway relates to our duty to investigate incidents of flooding and this is set out in Section 19 of the Flood & Water Management Act 2010 and the investigations are therefore typically termed 'S19 Reports.' Analysis has been carried out of the October 2019 and February 2020 flood events, identifying the impact of the flooding for each geographical area affected and whether this is attributable to main river (therefore to be investigated by the Environment Agency) or local sources of flooding, i.e. ordinary watercourses, surface water and groundwater (therefore to be investigated and reported within a S19). Using this data, initial budget and programme estimates were produced and a desktop study is currently being conducted in order to further refine this dataset. Some 30 locations across the county have been identified as requiring further investigation by the council. Note that we ordinarily plan for one S19 report to be completed per year. Whilst the desktop study will clearly help in prioritising and defining a programme of S19 reports, completing all of these investigations will clearly take some time.

13. Also in progress is how we promote the role of Community Resilience Groups. In the aftermath of the flood events, we are seeking to further engage with the various flood groups that are forming. As resources allow, our approach is to create mutually beneficial relationships with local flood groups, providing advice as to what measures the flood groups/parishes can carry out themselves, and sharing asset information with them.
14. Another current key activity for the rest of 2021 is ensuring that we continue to promote the Property Flood Resilience Recovery Support Scheme 2020 to eligible property owners. We are continuing to liaise with Defra and colleagues as to how we can maximise uptake

Community impact

15. The LFRMS supports the strategic objectives which are described in our County Plan (2020-24). This sets out how we will ensure we make the best use of resources and deliver services that make a difference to people in Herefordshire. Specifically, it contributes towards the 'Protect and enhance our environment and keep Herefordshire a great place to live' ambition.
16. The council appreciates the distress that the flooding has had and continues to have within communities.

Environmental Impact

17. Herefordshire is already vulnerable to flooding and given that climate change is projected to increase the frequency and intensity of weather events, further impacts from heavy rainfall and river levels are likely. The Strategy contributes towards the 'Environment' ambition of our County Plan (2020 – 2024) and increasing flood resilience

Equality duty

18. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to:-

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Resource implications

19. There are no specific resource implications contained within this report and implementation of the action plan will be delivered from within existing budgets. Local flood risk management and land drainage forms part of the annual plan 2021/22 for the public realm services contract with Balfour Beatty Living Places. Costs of delivering flood projects are typically funded through Regional Flood and Coastal Committee Levy funds, Flood Defence Grant in Aid or the council's capital programmes.

Legal implications

20. Under section 9 of the Flood and Water Management Act 2010 the Council as the LLFA for the county must develop, maintain, apply and monitor a strategy for local flood risk management in its area (a "local flood risk management strategy"). The strategy must specify:
 - a) the risk management authorities in the authority's area,
 - b) the flood and coastal erosion risk management functions that may be exercised by those authorities in relation to the area,
 - c) the objectives for managing local flood risk (including any objectives included in the authority's flood risk management plan prepared in accordance with the Flood Risk Regulations 2009),
 - d) the measures proposed to achieve those objectives,
 - e) how and when the measures are expected to be implemented,
 - f) the costs and benefits of those measures, and how they are to be paid for,
 - g) the assessment of local flood risk for the purpose of the strategy,
 - h) how and when the strategy is to be reviewed, and
 - i) how the strategy contributes to the achievement of wider environmental objectives. The strategy must be consistent with the national flood and coastal erosion risk management strategy for England under section 7.

Section 9 also includes consultation and publication obligations for the LLFA.

Risk management

21. The council does acknowledge the risk of flooding and this is reflected in a service level risk. The action plan identifies a programme of work for reducing local flood risk within Herefordshire.

Consultees

22. The council as LLFA continues to co-operate extensively with other risk management authorities (RMAs).

Appendices

Updated Progress against priority measures

Background papers

None identified

Herefordshire Council Local Flood Risk Management Strategy Action Plan

Action ID	Strategy Objective	Proposed Action	Details of Action	Outcome	Timeframe for Implementation	Update September 2018
001	Objective 1: Understand flood risks throughout Herefordshire.	Collate and analyse existing historic flood records held by Herefordshire Council.	Review historic flood records by the Council. Combine multiple data sources into a single location or into a single format that is compatible with other flood records. Analyse flood records to illustrate properties and communities at greatest risk. Produce mapped outputs of analysis.	To collate existing data into a format that can be used to gain improved understanding of flood risk.	December 2016	Action complete. Historic flood records have been reviewed as part of the Herefordshire Preliminary Flood Risk Assessment (PFRA) update (2017). All records are now in one location. Further work is to be carried out to ensure all available information for each record is correctly recorded. These flood records have been analysed (as part of the PFRA update) and this has prompted the need for investigating flood events and producing the requisite Section 19 reports (see Action ID 004).
002		Review, develop and implement a comprehensive system to record future flood events that occur throughout Herefordshire.	Evaluate the methods by which flood events are currently recorded. Develop a comprehensive, appropriate and consistent system for the recording of future flood events. Agree and implement minimum 'core' information required for all flood events, and additional data that should be collected for more significant flood events.	To have a consistent and user-friendly method for the recording and review of flooding events.	December 2016 Review annually	Table 4 in the Local Flood Risk Management Strategy sets out the information required for flood events (dependent upon size and impact). If Herefordshire Council receive calls regarding internal flooding, the public are directed to fill out the form on the Herefordshire Council website. This is the method for capturing flood information. Occasionally, calls received in regards to highway flooding do not get captured in the same way. Highway flood events are directed to our Drainage Technicians who investigate the flood further and record the flood event in our main database. The flooding episodes reported on the website are reviewed and the GIS layer is then updated. We have enquired about obtaining flood information from 999 calls. Due to data sharing issues, Hereford and Worcester fire rescue service were reluctant to release flood data. In addition to this, it was also made clear that the flood events caused by burst pipes are not separated from fluvial/surface water flood events.
003		Review and, where necessary, improve the sharing of flood event data between the key risk management authorities.	Review current data sharing arrangements and, where appropriate, improve the sharing of flood event data associated with Section 19 flood events with the Environment Agency, Welsh Water and Severn Trent Water to develop and agree a standardised approach.	To improve awareness of significant flooding events from non-local sources of flooding and to help to identify opportunities for collaborative working.	December 2016 Review annually	Meetings with other Risk Management Authorities (RMA) are on-going (EA – quarterly, DCWW – bi-annually, STW – annually).
004		Continue to investigate significant flooding events in accordance with Section 19 of the Act	Ensure 'significant' flood events are investigated in accordance with Section 19 of the Act using the standardised investigation template developed by the Council.	To improve understanding and awareness of significant flooding events from local sources of flooding, and to better inform the decision making process.	On-going throughout delivery of Strategy	We are presently undertaking investigations and producing Section 19 reports.
005		Publish Section 19 Investigations in accordance with Section 19 of the Act.	Make the key findings of Section 19 Investigations available to other risk management authorities, stakeholders and the public. Develop an appropriate process to implement this to protect potentially sensitive information.	To improve understanding and awareness of significant flooding events from local sources of flooding, and to better inform the decision making process.	On-going throughout delivery of Strategy	It has been identified that some further (historic) Section 19 reports need to be produced. Once completed, these reports will be shared with the relevant RMAs and public where necessary. We are aware of the sensitivity of the data.
006		Use Section 19 Investigations to improve understanding of flood risk and prioritisation process	Link Section 19 Investigations to historic flood records for the purpose of highlighting the location of events considered to be 'significant', identifying those communities at greatest risk of flooding and informing the prioritisation process.	To identify communities likely to be at greatest risk of flooding.	On-going throughout delivery of Strategy	Once the Section 19 reports have been completed, these will contribute towards our analysis of the prioritisation of the communities at greatest risk of flooding.
007		Continue to improve and share understanding of flood characteristics and mechanisms.	Update and publish the Herefordshire SFRA.	To ensure the most up to date flood data is made available to all relevant stakeholders and used in the delivery of all flood risk management activities	May 2017	The Herefordshire Strategic Flood Risk Assessment (SFRA) Level 1 is nearing completion.
008		Investigate and implement improved methods of communication.	Review the Council's website and, where appropriate, implement initiatives to raise awareness of flooding within communities at greatest risk, such as promotion of community resilience groups, strengthening the role of the Parish Council and maintaining the Locality Stewards and Lengthsman Scheme initiative.	To ensure that the most vulnerable of communities are aware of the risks of flooding within their locality.	April 2017 Review annually	A Natural Flood Management Project Officer has been appointed by Herefordshire Council. We believe this will aid in promoting flood awareness in communities and with landowners.

Herefordshire Council Local Flood Risk Management Strategy Action Plan

Action ID	Strategy Objective	Proposed Action	Details of Action	Outcome	Timeframe for Implementation	Update September 2018
009		Ensure consistency in communication	Review the Council's website and, where necessary, ensure that the website is aligned with the current processes and procedures as set out within the LFRMS.	To ensure consistency in the management of flood risk.	December 2016	Flood elements on the Herefordshire Council website were reviewed in 2017 and will continue to be updated as and when required.
010	Objective 2: Manage the likelihood and impacts of flooding.	Maintain and improve communication with key risk management authorities	Maintain regular communication with the Environment Agency (quarterly) and Welsh Water (bi-annually), and implement similar systems of communication with Severn Trent Water (annually) and the IDBs (bi-annually).	To improve communication and collaboration between risk management authorities.	underway: Review annually	We are continuing to meet with the Risk Management Authorities (EA - quarterly, DCWW – bi-annually). We have been in contact with the Internal Drainage Boards. It has been established that the Lower Severn IDB have no assets in Herefordshire. We are aware that they undertake maintenance on watercourses between Ledbury and Bosbury. We consult with the River Lugg IDB on an ongoing basis.
011		Develop a register of assets that are considered to have a significant effect on a flood risk	Review and, where necessary, enhance the Council's existing register of assets for which the Council are responsible. Where assets are recorded elsewhere, ensure that the information held within alternative records is appropriate. Ensure key assets are included within the register(s), most notably those assets that are considered most important to flood risk management or that could pose greatest risk of they were to fail.	To identify those assets which are considered to have a significant effect on flood risk, and to inform proactive maintenance of these assets.	December 2016	We have produced a register of flood risk assets and input this into AMX.
012		Maintain a register of assets that are considered to have a significant effect on a flood risk	Continue to add assets that are considered important for flood risk management to the asset register. Review and, where appropriate, include assets that are within the ownership of other Council departments or in private ownership but that are considered likely to have a significant effect on flood risk.	To identify those assets which are considered to have a significant effect on flood risk, and to inform proactive maintenance of these assets.	On-going throughout delivery of Strategy	Our asset register is continually being updated and enhanced as new assets are reviewed. Assets are added following review of historic records and following site visits. The inspection frequency of each asset has been assessed and updated to reflect the associated risk. This varies from 6 months to 5 years.
013		Ensure other risk management authorities are maintaining a register of assets that are considered to have a significant effect on flood risk	Ensure that the register of assets held by other key risk management authorities is appropriate to meet the requirements of the Flood and Water Management Act.	To identify those assets which are considered to have a significant effect on flood risk, and to inform proactive maintenance of these assets.	April 2017 Review annually	We have received the updated Welsh Water asset database and will continue to receive the updated quarterly. This includes 'Highway Flood Risk Assets' and 'Non-Highway Flood Risk Assets'. We have also receive Severn Trent Water's asset database.
014		Continue to undertake proactive maintenance of assets that are considered to have a significant effect on a flood risk	Continue to undertake maintenance activities and, where appropriate, review the current system of prioritising proactive maintenance to identify any opportunities for improvement, building on the current methods of planning cyclical maintenance activities.	To continually improve the planning of maintenance works for the benefit of improved flood risk management.	April 2017	Maintenance of flood risk assets is undertaken as necessary. This may be raised in a public enquiry or by a Locality Steward. Critical assets are inspected for the annual cleanse each autumn.
015		Implement a clear and transparent system for the prioritisation of communities and infrastructure at risk of flooding.	Undertake a review of available flood risk data sources. Implement the proposed principles of prioritisation to identify those communities considered to be at greatest risk of flooding or that may experience the greatest consequences should a flood event occur, and to inform the selection of appropriate measures.	To ensure a fair and transparent process for the assessment and implementation of flood management measures.	On-going throughout delivery of Strategy	Once the additional Section 19 reports have been completed, these will be used to contribute towards the prioritisation of sites at risk of flooding.
016		Raise awareness and enforce riparian ownership responsibilities.	Continue to raise awareness of riparian ownership responsibilities and, where necessary, take enforcement action to ensure riparian owners undertake the necessary maintenance of their assets and do not undertake works that may increase flood risk to properties, the highway or surrounding land.	To ensure that local communities take responsibility for managing flood risk.	On-going throughout delivery of Strategy	Our 'Ditches and Drainage in Herefordshire Guidance on Landowner Responsibilities' was updated in September 2018. We have reminded our Locality Stewards to 'spread the word'.
017	Promote the role of Community Resilience Groups.	Continue to actively promote communities at risk of flooding to form a Community Resilience Group and, if necessary, prepare and implement a Community Resilience Plan and/or Personal Flood Plan in consultation with the Parish Council and relevant Locality Steward.	To raise awareness of flooding within local communities and encourage communities to be better prepared.	On-going throughout delivery of Strategy	There are presently only two flood action groups within Herefordshire - Bodenham and Brimfield. BBLP have reminded Locality Stewards to 'spread the word'.	
	Objective 3: Help the community help					

Herefordshire Council Local Flood Risk Management Strategy Action Plan

Action ID	Strategy Objective	Proposed Action	Details of Action	Outcome	Timeframe for Implementation	Update September 2018
018	Community help themselves.	Investigate and implement improved methods of communication.	Investigate and, where appropriate, implement initiatives to improve communication during a flooding event such as using local media, better use of the Council's website and linking with national websites.	To improve knowledge of flooding throughout Herefordshire and thus reduce the risks associated with flooding.	April 2017 Review annually	Flood elements on the Herefordshire Council website were reviewed in 2017 and will continue to be updated as and when required. Further information to be added about our Natural Flood Management Project.
022		Promote the Flood Recovery Framework.	Raise awareness of the scheme to those impacted by flooding in Herefordshire and administer recovery grants and council tax/business rates relief.	To help support residents and businesses who experienced severe damages from the flooding.	On-going throughout delivery of Strategy	-
023		Promote the Property Flood Resilience Recovery Support Scheme 2020.	Raise awareness of the scheme to those property owners in Herefordshire affected by flooding from storms Ciara and Dennis in February 2020. The scheme provides up to £5,000 (inclusive of VAT) per eligible property to help make them more resilient to future floods.	To help support residents and businesses who experienced severe damages from the flooding event to become more resilient to the impacts of flooding and reduce the length of time needed for recovery, if flooding were to re-occur.	December 2021	-
019	Objective 4: Manage flood warning, response and recovery.	Improve local flood warning systems and road closure information.	Investigate opportunities to compare river gauge data with anecdotal evidence to better predict when local communities may be at risk of flooding from local sources and when road closures may need to be enforced.	To ensure that communities can be better informed of flood risks and local road closures.	April 2017	We are seeking to capture river gauge data that will allow us to refine the information that can be used for this task.
020	Objective 5: Promote sustainable and appropriate development.	Improve the management of surface water runoff.	Implement the newly published Local SUDS Handbook to promote the appropriate management of surface water runoff through the planning approval process.	To identify and encourage opportunities to manage runoff to prevent increased flood risk and reduce existing flood risk.	On-going throughout delivery of Strategy	The Local SuDS Handbook is being promoted (through email signature) and is being implemented through our planning permission responses.
021		Implement robust and appropriate planning policy.	Complete the Herefordshire SFRA and implement appropriate policies in the Local Plan, Neighbourhood Plans and NPPF.	To encourage a best practice approach for land use planning and development design.	December 2016	Herefordshire SFRA Level 1 is nearing completion. The Level 2 SFRAs (Land at Hardwick Bank in Bromyard BY2, Land North of the Viaduct in Ledbury LB2, Leominster Urban Expansion LO2, Land at Hildersley in Ross-on-Wye RW2) are underway. This is based on modelling prepared by the Environment Agency.



Title of report: Work Programme

Meeting: General scrutiny committee

Meeting date: Monday 22 March 2021

Report by: Democratic Services Officer

Classification

Open

Decision type

This is not an executive decision.

Wards affected

(All Wards);

Purpose

To review the Committee's work programme.

Recommendation(s)

That:

- (a) the draft work programme as set out at appendix 1 to the report be approved subject to any amendments the committee wishes to make; and
- (b) the committee determines any other matter in relation to the appointment of task and finish groups, their chairmanship and any special responsibility allowance or the undertaking of a spotlight review.

Alternative options

1. It is for the committee to determine its work programme to reflect the priorities facing Herefordshire. The committee needs to be selective and ensure that the work programme is focused, realistic and deliverable within existing resources.

Key considerations

2. The work programme needs to focus on the key issues of local concern and be manageable. It must also be ready to accommodate urgent items or matters that have been called-in.

3. Should committee members become aware of any issue they think should be considered by the Committee they are invited to discuss the matter with the chairperson, vice-chairperson and the statutory scrutiny officer.
4. The draft work programme is attached at appendix 1.
5. The Committee on 23 July 2019 authorised the statutory scrutiny officer, following consultation with the chairperson and vice-chairperson, to add items to the work programme where it is necessary to ensure their timely consideration where there is no scheduled meeting to approve their inclusion.

Constitutional Matters

Task and Finish Groups

6. A scrutiny committee may appoint a task and finish group for any scrutiny activity within the committee's agreed work programme. A committee may determine to undertake a task and finish activity itself as a spotlight review where such an activity may be undertaken in a single session; the procedure rules relating to task and finish groups will apply in these circumstances.
7. The relevant scrutiny committee will approve the scope of the activity to be undertaken, the membership, chairperson, timeframe, desired outcomes and what will not be included in the work. A task and finish group will be composed of a least 2 members of the committee, other councillors (nominees to be sought from group leaders with un-affiliated members also invited to express their interest in sitting on the group). This may include, as appropriate, co-opted people with specialist knowledge or expertise to support the task. In appointing a chairman of a task and finish group the committee will also determine, having regard to the advice of the council's monitoring officer and statutory scrutiny officer, whether the scope of the activity is such as to attract a special responsibility allowance.
8. The Committee is asked to determine any matters relating to the appointment of a task and finish group and the chairperson and any special responsibility allowance or undertaking a spotlight review including co-option.

Task and finish group – update

9. No task and finish groups are in progress.

Suggestions for scrutiny

10. Suggestions for scrutiny are invited from members of the public through the council's website, accessible through the link below.

https://www.herefordshire.gov.uk/info/200148/your_council/61/get_involved/4

Tracking of recommendations made by the committee

11. A schedule of recommendations and action in response is attached at appendix 2.

Forward plan

12. The constitution states that scrutiny committees should consider the forward plan as the chief source of information regarding forthcoming key decisions. Forthcoming decisions can be viewed under the forthcoming decisions link on the council's website:
<http://councillors.herefordshire.gov.uk/mgdelegateddecisions.aspx?XXR=0&DAYS=28&RP=0&K=0&DM=0&HD=0&DS=1&META=mgdelegateddecisions&V=0>
13. An extract from the plan containing items within the remit of this Committee to consider is attached at appendix 3.

Community impact

14. In accordance with the adopted code of corporate governance, Herefordshire Council is committed to promoting a positive working culture that accepts and encourages constructive challenge and recognises that a culture and structure for scrutiny are key elements for accountable decision making, policy development and review. Topics selected for scrutiny should have regard to what matters to residents.

Environmental Impact

15. Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.
16. The topics selected for scrutiny will take environmental impact into account.

Equality duty

17. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:
A public authority must, in the exercise of its functions, have due regard to the need to -
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

18. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. As this report concerns the administrative function of the committee, it is not considered that it will have an impact on the equality duty.
19. The topics selected for scrutiny need to have regard to equality and human rights issues.

Resource implications

20. The costs of the work of the committee will have to be met within existing resources. It should be noted the costs of running scrutiny can be subject to an assessment to support appropriate processes.

Legal implications

21. The council is required to deliver an overview and scrutiny function. The development of a work programme that is focused and reflects priorities facing Herefordshire will assist the committee and the council to deliver the scrutiny function.

Risk management

22. There is a reputational risk to the council if the overview and scrutiny function does not operate effectively. The arrangements for the development of the work programme should help to mitigate this risk.

Consultees

23. The work programme is reviewed at every committee meeting. The Chairperson Vice-Chairperson and statutory scrutiny officer also review the work programme.

Appendices

Appendix 1 – draft work programme

Appendix 2 – schedule of recommendations made and response

Appendix 3 – extract from the Forward Plan

Background papers

None identified.

General Scrutiny Committee Work Programme

A: Matters Currently Scheduled

Currently scheduled meetings and business	Purpose	Type of Scrutiny	Notes
TBC			
<p>Work Programme addition</p> <p>As part of the work programme – report on options for scrutiny of Contract management/Performance management (see minutes of 7 December)</p>			<p>T&F Group suggested as one option for contract management. First step would be approval of scoping statement.</p> <p>Proposal 7 December. That a task and finish group be established to examine why the council had previously not been able to meet project deadlines for council projects, the reasons for delays, what measures needed to be put in place including arrangements with LEP partners, governance, and processes to ensure projects could be delivered on time, budgeted and to the appropriate quality.</p> <p>(25 January – requested that consideration be given to a spotlight review.)</p>
26 April 2021			
Covid 19	To review the response to the Covid 19 pandemic in the County in 2020 and the proposed recovery plan to ensure	Performance Review/Policy Development	

55

	<p>measures in place to provide enhanced resilience.</p> <p>To include consideration of how grants have been used and seek comparative information from other authorities.</p>		
Update on executive responses to Waste management strategic review and Climate Emergency Task and Finish Group recommendations.	To review progress.	Performance Review	
Other Matters already agreed for inclusion but not yet scheduled			
Purchase of Maylords Shopping Centre	To review the decision	Policy review	Request from member of the public (Accepted by Committee on 28 September

B: Outstanding Issues raised during work programming session

The Committee has addressed some of the matters raised during the above session. Consideration needs to be given to including these remaining items and, if they are to be included, allocating a target date.

Outstanding Item/issues Raised/Proposed during scrutiny workshop 20 November	Purpose	Timing	Type of Scrutiny	Notes
Scrutiny of the Planning Service: particular concern about enforcement strategy.				
Consideration of use to which S106 monies/Community Infrastructure levy are put.				
Devolution of control over parking charges and income to market towns?			Policy Review	
Partnership Working				

C: Issues previously logged on work programme for possible future consideration

<ul style="list-style-type: none"> NMiTE 	To review progress with the Scheme			
<ul style="list-style-type: none"> Sustainable Transport 	To explore planned and implemented sustainable transport measures.			
Public Realm Service Provision (Council contract arrangements with Balfour Beatty Living Places – and stakeholder communication	To explore how Councils communicate effectively with the public, explaining service levels, costs and delivery that can be expected under the contract, performance measures in place, and evidence that the contract is delivering to the required standard within the agreed framework. Consider results of customer satisfaction performance data Ways of improving feedback to the public – so that they know when they can expect work that has been requested and can track delivery.			Noted that decision on extension of contract pending.
Police and Crime Commissioner	Need to specify what is to be considered			Suggested Performance indicator - killed and seriously injured on roads is one possible topic.
Budget and Policy Framework items to be scheduled			Policy Development and Review	
<ul style="list-style-type: none"> Hereford Area Plan 				

<ul style="list-style-type: none">• Rural Areas Development Plan Document				
<ul style="list-style-type: none">• Core Strategy				
<ul style="list-style-type: none">• Community Safety remit				

Forward plan of forthcoming decisions at 26 February 2021

Report title and purpose	Decision Maker and Due date	Lead officer and lead cabinet member	Directorate	Notice of decision first published / ID	Issue Type and exemptions
<p>Discretionary purchase policy for the Hereford Transport Package (HTP) To consider a discretionary purchase policy for the Hereford Transport Package.</p>	Cabinet 25 March 2021	<p>Mairead Lane, Acting Assistant Director for Highways and Transport / Head of Infrastructure Delivery mlane@herefordshire.gov.uk Tel: 01432 260944</p> <p>Cabinet member Infrastructure and transport</p>	Economy and Place	7 January 2021 150036033	KEY Open
<p>Endorsement of 'Station Approach Site Study, Hereford' Report</p>	Cabinet 25 March 2021	<p>Peter Clasby, Growth Programmes Technical Manager Peter.Clasby@herefordshire.gov.uk Tel: 01432 261968</p> <p>Cabinet member commissioning, procurement and assets, Cabinet member environment, economy and skills</p>		30 October 2020 150035708	Non Key Open

Report title and purpose	Decision Maker and Due date	Lead officer and lead cabinet member	Directorate	Notice of decision first published / ID	Issue Type and exemptions
<p>To approve the Communications Strategy 2020-2024 The Communications Strategy with associated Communication Protocols for the period 2020-2024 will provide the strategic messaging and approach for Herefordshire Council's corporate communications.</p>	<p>Cabinet 25 March 2021</p>	<p>Alexandra Floyd, Communications manager <small>Alexandra.Floyd@herefordshire.gov.uk Tel: 01432261899</small></p> <p>Cabinet member housing, regulatory services, and community safety</p>	<p>Corporate Support Centre</p>	<p>5 June 2020 150034196</p>	<p>KEY Open</p>
<p>Hereford Transport Strategy To agree the approach to developing and delivering the transport strategy in 2021/22. To agree the allocation of revenue budget to support the development and delivery of the strategy.</p>	<p>Cabinet 25 March 2021</p>	<p>Steve Burgess, Head of transport and access services <small>sburgess@herefordshire.gov.uk Tel: 01432260968</small></p> <p>Cabinet member Infrastructure and transport</p>	<p>Economy and Place</p>	<p>9 February 2021 150036831</p>	<p>KEY Open</p>

Report title and purpose	Decision Maker and Due date	Lead officer and lead cabinet member	Directorate	Notice of decision first published / ID	Issue Type and exemptions
<p>Estate Asset Strategy 2020-2024 To approve the Estate Asset Strategy 2020-2024 and the Corporate Asset Management Plan which support and enables the implementation of the council's County Plan and strategic objectives. The Estate Asset Strategy 2020-24 will guide the management of the council's estate over the next four years and sets the parameters and processes to be followed in respect of all aspects of estate asset management including the acquisition, disposal, community asset transfer, maintenance, tenure, performance measurement and the review of estate assets.</p>	<p>Cabinet 22 April 2021</p>	<p>Andrew Husband, Strategic property services manager andrew.husband@herefordshire.gov.uk Tel: 01432 383552</p> <p>Cabinet member commissioning, procurement and assets</p>	<p>Economy and Place</p>	<p>13 March 2020 I50033634</p>	<p>KEY Open</p>
<p>Temporary Accommodation Policy To approve a temporary accommodation policy for Herefordshire.</p>	<p>Cabinet 22 April 2021</p>	<p>Hannah McSherry, Housing Strategy Officer Hannah.McSherry2@herefordshire.gov.uk Tel: 01432 383061</p> <p>Cabinet member housing, regulatory services, and community safety</p>	<p>Economy and Place</p>	<p>3 December 2020 I50036099</p>	<p>KEY Open</p>

Report title and purpose	Decision Maker and Due date	Lead officer and lead cabinet member	Directorate	Notice of decision first published / ID	Issue Type and exemptions
<p>Herefordshire Capital Investment Strategy 2021-2030 For Specialist Settings Educating Children and Young People with Special Educational Needs and Disabilities SEND</p> <p>To approve the Herefordshire Capital Investment Strategy for specialist settings for Special Educational Needs and Disability (SEND) 2021-2030.</p> <p>The strategy seeks to ensure that there is high quality sustainable specialist educational accommodation for children and young people with SEND in Herefordshire.</p>	<p>Cabinet 22 April 2021</p>	<p>Susan Woodrow, Schools capital investment advisor Susan.Woodrow@herefordshire.gov.uk Tel: 01432 260327</p> <p>Cabinet member children and families</p>	<p>Children and Families</p>	<p>11 February 2021 150036846</p>	<p>KEY Open</p>
<p>Annual review of earmarked reserves</p> <p>For Cabinet to note and approve the annual earmarked reserves review.</p>	<p>Cabinet 27 May 2021</p>	<p>Josie Rushgrove, Head of corporate finance jrushgrove@herefordshire.gov.uk Tel: 01432 261867</p> <p>Cabinet member corporate strategy and budget</p>	<p>Corporate Support Centre</p>	<p>6 October 2020 150035385</p>	<p>Non Key Open</p>

Report title and purpose	Decision Maker and Due date	Lead officer and lead cabinet member	Directorate	Notice of decision first published / ID	Issue Type and exemptions
<p>Housing Strategy 2020-2025 To approve the strategy which sets out objectives, targets and policies on how the authority intends to manage and deliver its strategic housing role.</p>	<p>Cabinet 24 June 2021</p>	<p>Hannah McSherry, Housing Strategy Officer <small>Hannah.McSherry2@herefordshire.gov.uk Tel: 01432 383061</small></p> <p>Cabinet member housing, regulatory services, and community safety</p>	<p>Economy and Place</p>	<p>5 July 2019 150030451</p>	<p>KEY Open</p>
<p>Carers strategy Herefordshire's approach to improving carers lives and experiences.</p>	<p>Cabinet 23 September 2021</p>	<p>Amy Whiles, Senior commissioning officer <small>Amy.Whiles2@herefordshire.gov.uk Tel: 01432 261920</small></p> <p>Cabinet member health and adult wellbeing</p>	<p>Adults and Communities</p>	<p>150036926</p>	<p>KEY Open</p>

Forward plan of forthcoming decisions at 26 February 2021

Report title and purpose	Decision Maker and Due date	Lead officer and lead cabinet member	Directorate	Notice of decision first published / ID	Issue Type and exemptions
<p>Director of Public Health Annual Report The purpose of this report is to present the 2020 Director of Public Health (DPH) annual report and to seek the support of the Health and Wellbeing Board in implementing the recommendations.</p>	Health and wellbeing board 8 March 2021	<p>Dr Hannah Wilson, Public health specialist registrar, Rebecca Howell-Jones, Acting Director of Public Health, Charlotte Worthy</p> <p>Hannah.Wilson@herefordshire.gov.uk, Becky.Howell-Jones@herefordshire.gov.uk, charlotte.worthy@herefordshire.gov.uk Tel: 01432 261887, ,</p>	Adults and Communities	11 February 2021 I50036600	Non Key Open
<p>Complex Needs Framework To approve the joining of the Worcestershire complex needs framework.</p>	Cabinet member health and adult wellbeing 12 April 2021	<p>Laura Ferguson, Senior commissioning officer</p> <p>Laura.Ferguson@herefordshire.gov.uk Tel: 01432 383873</p> <p>Cabinet member health and adult wellbeing</p>	Adults and Communities	15 February 2021 I50036859	KEY Open
<p>High Needs Budget 2021/22 To approve the Dedicated Schools Grant (DSG) high needs budget for 2021/22 as recommended by Schools Forum</p>	Cabinet member children and families 31 March 2021	<p>Malcolm Green, Strategic Finance Manager</p> <p>malcolm.green@herefordshire.gov.uk</p> <p>Cabinet member children and families</p>	Children and Families	20 October 2020 I50035507	KEY Open

Report title and purpose	Decision Maker and Due date	Lead officer and lead cabinet member	Directorate	Notice of decision first published / ID	Issue Type and exemptions
<p>Member Development Strategy Herefordshire Council is committed to providing high quality development to its elected members to enable them to effectively fulfil their roles, now and in the future.</p> <p>This Member Development Strategy provides a framework for working with members to set out their principal development needs. Underpinning the strategy is a baseline survey of first time elected and returning members. This survey drew upon the LGAs Political Skills Framework toolkit to provide an understanding of member's leadership, relationship building, communications and political skills and experiences.</p>	<p>Cabinet member finance and corporate services 29 January 2021</p>	<p>John Coleman, Democratic services manager John.Coleman@herefordshire.gov.uk Tel: 01432 260382</p> <p>Cabinet member finance and corporate services</p>	<p>Corporate Support Centre</p>	<p>10 December 2020 150036210</p>	<p>Non Key Open</p>
<p>Modern.Gov Renewal To approve the renewal of licences and support arrangements for the governance ICT system modern.gov.</p>	<p>Chief executive 5 March 2021</p>	<p>John Coleman, Democratic services manager John.Coleman@herefordshire.gov.uk Tel: 01432 260382</p> <p>Cabinet member finance and corporate services</p>	<p>Corporate Support Centre</p>	<p>24 February 2021 150036978</p>	<p>Non Key Open</p>

Report title and purpose	Decision Maker and Due date	Lead officer and lead cabinet member	Directorate	Notice of decision first published / ID	Issue Type and exemptions
<p>Hoople Service Level Agreement 2021/22 To approve the Hoople Ltd service level agreement for 2021/22.</p>	<p>Cabinet member finance and corporate services 25 March 2021</p>	<p>Karen Morris, Strategic Capital Finance Manager <small>karen.morris1@herefordshire.gov.uk</small> Cabinet member finance and corporate services</p>	<p>Corporate Support Centre</p>	<p>24 February 2021 150037005</p>	<p>KEY Open</p>
<p>Executive response to the tree strategy and hedgehog protection motions To approve the cabinet member response to the Tree Strategy resolution that was passed by council at the meeting of full council on 17 July 2020.</p> <p>To approve the cabinet member response to the Decline in Hedgehog population resolution that was unanimously supported at the meeting of full council on 9 October 2020.</p> <p>To approve the development of a Nature Strategy to enhance and protect biodiversity across the Council's operations</p>	<p>Cabinet member environment, economy and skills 12 January 2021</p>	<p>Ben Boswell, Head of environment, climate emergency and waste services <small>bboswell@herefordshire.gov.uk</small> <small>Tel: 01432 261930</small> Cabinet member environment, economy and skills</p>	<p>Economy and Place</p>	<p>6 November 2020 150035790</p>	<p>Non Key Open</p>

Report title and purpose	Decision Maker and Due date	Lead officer and lead cabinet member	Directorate	Notice of decision first published / ID	Issue Type and exemptions
<p>Empty Property and Development Capital Budget To approve expenditure and approach to delivering the Empty Property and Development Capital Budget.</p>	<p>Cabinet member housing, regulatory services, and community safety 29 January 2021</p>	<p>Hayley Crane, Strategic Housing Manager hcrane@herefordshire.gov.uk Tel: 01432 261919</p> <p>Cabinet member housing, regulatory services, and community safety</p>	<p>Economy and Place</p>	<p>28 August 2020 150034941</p>	<p>KEY Open</p>
<p>Re-Opening of the High Street Safely Fund (RHSSF) To gain approval to accept and spend the Re-Opening of the High Street Safely Fund (RHSSF) Covid 19 grant funding amounting to £172,188 from the Ministry of Home, Communities, and Local Government (MHCLG).</p>	<p>Cabinet member environment, economy and skills 8 February 2021</p>	<p>Vinia Abesamis, Senior policy and funding officer vabesamis@herefordshire.gov.uk Tel: 01432260625</p> <p>Cabinet member environment, economy and skills</p>	<p>Economy and Place</p>	<p>8 February 2021 150036048</p>	<p>Non Key Open</p>

Report title and purpose	Decision Maker and Due date	Lead officer and lead cabinet member	Directorate	Notice of decision first published / ID	Issue Type and exemptions
<p>Building maintenance, small works and cleaning services - Service Continuity Plan</p> <p>Approval is being sought to enter into a new arrangement for the current Building Maintenance, Small Works and Cleaning contract which is due to cease on 31 March 2021. A procurement process for these services was undertaken but interrupted by the Covid-19 pandemic in 2020. The procurement exercise was relaunched in the autumn of 2020 that has now concluded and been unsuccessful. This therefore presents a risk in respect of service continuity.</p> <p>A review of available options has been undertaken so that an urgent decision can be taken to mitigate the risk and ensure continuity of service.</p>	<p>Cabinet member commissioning , procurement and assets 9 February 2021</p>	<p>GianCarlo Paganuzzi, Architectural technologist gpaganuzzi@herefordshire.gov.uk Tel: 01432 261896</p> <p>Cabinet member commissioning, procurement and assets</p>	<p>Economy and Place</p>	<p>3 February 2021 150036731</p>	<p>KEY Open Urgent</p>
<p>Commissioning of S106 projects for the public Realm</p> <p>This decision will enable funding and delivery in the financial year 2020/21 of developer S106 planning contributions for highways and transportation schemes. These schemes have been identified in accordance with the Heads of Terms (HoT) in the S106 Deed of Planning Obligation Heads of Terms for the individual developments which form the S106 contribution</p>	<p>Cabinet member Infrastructure and transport 11 February 2021</p>	<p>John Manterfield, Commercial and Contract Manager John.Manterfield@herefordshire.gov.uk</p> <p>Cabinet member Infrastructure and transport</p>	<p>Economy and Place</p>	<p>10 June 2020 150034269</p>	<p>KEY Open</p>

Report title and purpose	Decision Maker and Due date	Lead officer and lead cabinet member	Directorate	Notice of decision first published / ID	Issue Type and exemptions
<p>St Owen St Cycle Contraflow Budget Update This report seeks approval of the allocation of additional budget to complete the delivery of the St Owen St Cycle Contraflow scheme.</p>	<p>Cabinet member Infrastructure and transport 18 February 2021</p>	<p>Mairead Lane, Acting Assistant Director for Highways and Transport / Head of Infrastructure Delivery mlane@herefordshire.gov.uk Tel: 01432 260944</p> <p>Cabinet member Infrastructure and transport</p>	<p>Economy and Place</p>	<p>10 February 2021 150036800</p>	<p>KEY Open Urgent</p>
<p>Change of charges for waste collection services To review waste collection service charges across commercial, bulky, and garden waste in line with the councils full cost recovery policy.</p>	<p>Director of Economy and Place 24 February 2021</p>	<p>Nicola Percival, Waste operations team leader npercival@herefordshire.gov.uk Tel: 01432 260991</p> <p>Cabinet member commissioning, procurement and assets</p>	<p>Economy and Place</p>	<p>17 February 2021 150036888</p>	<p>Non Key Open</p>
<p>Car Parking Charges To approve new parking charges and hours of charging to apply in council car parks and on street pay and display. To continue with a review of parking operations, including cashless payment methods and service delivery.</p>	<p>Cabinet member Infrastructure and transport 26 February 2021</p>	<p>James.Hughes, Parking Strategy & Processing Manager James.Hughes@herefordshire.gov.uk Tel: 01432 260975</p> <p>Cabinet member Infrastructure and transport</p>	<p>Economy and Place</p>	<p>6 August 2020 150034795</p>	<p>KEY Open</p>

Report title and purpose	Decision Maker and Due date	Lead officer and lead cabinet member	Directorate	Notice of decision first published / ID	Issue Type and exemptions
<p>Herefordshire Streetworks Permit Scheme</p> <p>The report proposes the implementation of the Hereford Permit Scheme thereby meeting the requirements of the new Street Manager regulations and enabling the better management and co-ordination of works on the highway by applying conditions (see appendix F) which are provided in statutory guidance. The permit scheme will be managed by Balfour Beatty Living Places (BBLP) through the public realm contract as this is within the scope of the contract, this is a change in approach to managing street works – this is not a new function</p>	<p>Cabinet member Infrastructure and transport 1 March 2021</p>	<p>Bruce Evans, Engineering manager bje@herefordshire.gov.uk Tel: 07792880548</p> <p>Cabinet member Infrastructure and transport</p>	<p>Economy and Place</p>	<p>22 February 2021 150036944</p>	<p>KEY Open Urgent</p>
<p>Withdrawal of the Bromyard Depot Site from the DRP</p> <p>To withdraw the Bromyard Depot from the Development Regeneration Partnership (DRP) as the council has not been able to secure vacant possession of the entire development site, and therefore current scheme cannot be taken forward at this time.</p>	<p>Cabinet member housing, regulatory services, and community safety 3 March 2021</p>	<p>Roger Allonby, Head of Economic Development, Economy and Place Roger.Allonby@herefordshire.gov.uk Tel: 01432 260330</p> <p>Cabinet member housing, regulatory services, and community safety</p>	<p>Economy and Place</p>	<p>4 February 2021 150036768</p>	<p>KEY Open</p>

Report title and purpose	Decision Maker and Due date	Lead officer and lead cabinet member	Directorate	Notice of decision first published / ID	Issue Type and exemptions
<p>St Owen's Street cycle contraflow scheme traffic regulation order 2021</p> <p>To approve the objection report following the statutory consultation which ran from 14 March to 4 April 2019 for Traffic Regulation orders that allowed for a cycle contraflow scheme to be constructed on St Owen's Street.</p>	<p>Cabinet member Infrastructure and transport 4 March 2021</p>	<p>Mairead Lane, Acting Assistant Director for Highways and Transport / Head of Infrastructure Delivery mlane@herefordshire.gov.uk Tel: 01432 260944</p> <p>Cabinet member Infrastructure and transport</p>	<p>Economy and Place</p>	<p>27 January 2021 150036682</p>	<p>Non Key Open</p>
<p>Lugwardine: A438 Improvement scheme:S106 Works Pedestrian Crossing and footway</p> <p>To approve the allocation of highway contributions secured by way of a S106 agreement to deliver works through the public realm contract.</p> <p>These works are to be undertaken using S106 monies which will deliver a pedestrian crossing and extend a footway to the bus stop. The works are in the vicinity of the school and are aimed to ensure safety for children accessing the school and access for all to the bus waiting facilities</p>	<p>Cabinet member Infrastructure and transport 4 March 2021</p>	<p>Bruce Evans, Engineering manager bje@herefordshire.gov.uk Tel: 07792880548</p> <p>Cabinet member Infrastructure and transport</p>	<p>Economy and Place</p>	<p>5 November 2020 150035792</p>	<p>Non Key Open</p>

Report title and purpose	Decision Maker and Due date	Lead officer and lead cabinet member	Directorate	Notice of decision first published / ID	Issue Type and exemptions
<p>Draft Housing Strategy To approve the draft housing strategy for community consultation.</p>	<p>Cabinet member housing, regulatory services, and community safety 5 March 2021</p>	<p>Hannah McSherry, Housing Strategy Officer Hannah.McSherry2@herefordshire.gov.uk Tel: 01432 383061</p> <p>Cabinet member housing, regulatory services, and community safety</p>	<p>Economy and Place</p>	<p>1 February 2021 150036692</p>	<p>Non Key Open</p>
<p>Minerals & Waste Local Plan (MWLP) Consultation To approve the draft MWLP development plan document (appendices A to C) for pre-submission publication, in accordance with regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).</p>	<p>Cabinet member Infrastructure and transport 5 March 2021</p>	<p>Victoria Eaton, Senior planning officer veaton@herefordshire.gov.uk Tel: 01432 260146</p> <p>Cabinet member Infrastructure and transport</p>	<p>Economy and Place</p>	<p>19 January 2021 150036625</p>	<p>KEY Open</p>
<p>Property Services Planned and Reactive Maintenance Programme 2021/22 To agree the property services planned and reactive maintenance programme 2021/22 to ensure the continuing upkeep, improvements and maintenance of the council's property assets and also to allow the council to fulfil its obligations to carry out statutory compliance inspections and related remedial works.</p>	<p>Cabinet member commissioning , procurement and assets 8 March 2021</p>	<p>GianCarlo Paganuzzi, Architectural technologist gpaganuzzi@herefordshire.gov.uk Tel: 01432 261896</p> <p>Cabinet member commissioning, procurement and assets</p>	<p>Economy and Place</p>	<p>14 January 2021 150036538</p>	<p>KEY Open</p>

Report title and purpose	Decision Maker and Due date	Lead officer and lead cabinet member	Directorate	Notice of decision first published / ID	Issue Type and exemptions
<p>Public realm service annual plan 2021/22 To confirm the annual plan 2021/22 for the public realm services contract with Balfour Beatty Living Places.</p> <p>The annual plan has been developed by Balfour Beatty Living Places (BBLP) with council officers based on instruction by the council to ensure that it meets the council's objectives for the public realm (highways and related services) within the assigned budgets. The service manager's acceptance of the annual plan has ensured that the annual plan complies with the terms of the public realm services contract. Cabinet member approval of the plan provides final confirmation of this acceptance and in doing so ensures that the plan provides a sound basis for performance and contract management during the forthcoming financial year. The council has confirmed that the necessary contractual requirements have been complied with in regard to the annual plan.</p>	<p>Cabinet member Infrastructure and transport 11 March 2021</p>	<p>John Manterfield, Commercial and Contract Manager <small>John.Manterfield@herefordshire.gov.uk</small></p> <p>Cabinet member Infrastructure and transport</p>	<p>Economy and Place</p>	<p>20 January 2021 150036552</p>	<p>KEY Open</p>
<p>Bereavement Services - Service review and Charges To consider and approve new service charges and changes to service times for Bereavement Services</p>	<p>Director of Economy and Place Before 17 March 2021</p>	<p>John Gibbon, Direct Services Manager <small>jjgibbon@herefordshire.gov.uk Tel: 01432 383204</small></p> <p>Cabinet member housing, regulatory services, and community safety</p>	<p>Economy and Place</p>	<p>25 February 2021 150037010</p>	<p>Non Key Open</p>

Report title and purpose	Decision Maker and Due date	Lead officer and lead cabinet member	Directorate	Notice of decision first published / ID	Issue Type and exemptions
<p>Public Realm Contract Extension To approve an extension of the public realm service contract, with Balfour Beatty Living Places, in line with contract terms and conditions.</p>	<p>Cabinet member commissioning , procurement and assets 18 March 2021</p>	<p>John Manterfield, Commercial and Contract Manager <small>John.Manterfield@herefordshire.gov.uk</small></p> <p>Cabinet member commissioning, procurement and assets</p>	<p>Economy and Place</p>	<p>18 November 2020 150035893</p>	<p>KEY Open</p>
<p>Review of Cycle Training and Promotion This report seeks authority to improve service delivery and meet the new requirement of Bikeability standards for cycle training, cycle activities and led rides through a competitive tender exercise to appoint a delivery partner.</p>	<p>Director of Economy and Place 18 March 2021</p>	<p>Judith Whateley, Principal Sustainability and Climate Change Officer <small>Judith.Whateley@herefordshire.gov.uk</small> Tel: 01432 260157</p>	<p>Economy and Place</p>	<p>9 February 2021 150036770</p>	<p>Non Key Open</p>
<p>Hereford City Centre Transport Package (HCCTP) - Development of the remaining elements To confirm next steps to progress the design development and public consultation of the remaining elements of the HCCTP.</p>	<p>Cabinet member Infrastructure and transport 18 March 2021</p>	<p>Mairead Lane, Acting Assistant Director for Highways and Transport / Head of Infrastructure Delivery <small>mlane@herefordshire.gov.uk</small> Tel: 01432 260944</p> <p>Cabinet member Infrastructure and transport</p>	<p>Economy and Place</p>	<p>15 February 2021 150036856</p>	<p>KEY Open</p>

Report title and purpose	Decision Maker and Due date	Lead officer and lead cabinet member	Directorate	Notice of decision first published / ID	Issue Type and exemptions
<p>Registration Services – Non-statutory charges To consider and approve new charges (none statutory) for Registration Services</p>	<p>Director of Economy and Place 21 March 2021</p>	<p>John Gibbon, Direct Services Manager jgibbon@herefordshire.gov.uk Tel: 01432 383204</p> <p>Cabinet member housing, regulatory services, and community safety</p>	<p>Economy and Place</p>	<p>25 February 2021 150037017</p>	<p>Non Key Open</p>
<p>Local Flood Risk Management Strategy Action Plan To seek the views and invite policy influence from the scrutiny committee on the action plan which identifies a programme of work for reducing local flood risk within Herefordshire</p>	<p>General scrutiny committee 22 March 2021</p>	<p>Steve Hodges, Directorate services team leader sthodges@herefordshire.gov.uk Tel: 01432 261923</p> <p>Cabinet member Infrastructure and transport</p>	<p>Economy and Place</p>	<p>18 February 2021 150036937</p>	<p>Non Key Open</p>
<p>Holmer & Shelwick - Traffic Calming and Pedestrian Improvements To propose and implement highway regulation measures, and associated engineering measures as part of Holmer and Shelwick Traffic Calming & Pedestrian Improvements. The scope and funding for this scheme has been approved and monies received by Herefordshire Council as part of planning process and associated S106 agreements following recent development in the locality.</p>	<p>Cabinet member Infrastructure and transport 22 March 2021</p>	<p>Bruce Evans, Engineering manager bje@herefordshire.gov.uk Tel: 07792880548</p> <p>Cabinet member Infrastructure and transport</p>	<p>Economy and Place</p>	<p>18 September 2020 150035199</p>	<p>KEY Open</p>

Report title and purpose	Decision Maker and Due date	Lead officer and lead cabinet member	Directorate	Notice of decision first published / ID	Issue Type and exemptions
<p>Project Plan for the Local Plan update To set out a project plan for the preparation of an updated Herefordshire Local Plan</p>	<p>Cabinet member Infrastructure and transport 23 March 2021</p>	<p>Kevin Singleton, Team leader strategic planning ks1@herefordshire.gov.uk Tel: 01432260137 Cabinet member Infrastructure and transport</p>	<p>Economy and Place</p>	<p>22 February 2021 150035981</p>	<p>KEY Open</p>
<p>Property services estates capital works programme To agree the property services estates capital works programme. The proposed programme of works as set out in appendix A and B incorporates a series of planned project works that enables the council to deliver on its obligations to maintain buildings fit for purpose utilising the agreed £2.067m capital budget which was approved at council budget meeting of 12 February 2021</p>	<p>Cabinet member commissioning , procurement and assets 23 March 2021</p>	<p>GianCarlo Paganuzzi, Architectural technologist gpaganuzzi@herefordshire.gov.uk Tel: 01432 261896 Cabinet member commissioning, procurement and assets</p>	<p>Economy and Place</p>	<p>15 February 2021 150036873</p>	<p>KEY Open</p>
<p>Affordable Housing Supplementary Planning Document (SPD) To seek approval on the adoption of the Affordable Housing Supplementary Planning Document (SPD) following consultation</p>	<p>Cabinet member Infrastructure and transport 31 March 2021</p>	<p>Tina Wood, Housing development officer twood2@herefordshire.gov.uk Tel: 01432 261975 Cabinet member Infrastructure and transport</p>	<p>Economy and Place</p>	<p>27 January 2021 150036685</p>	<p>KEY Open</p>

Report title and purpose	Decision Maker and Due date	Lead officer and lead cabinet member	Directorate	Notice of decision first published / ID	Issue Type and exemptions
<p>Acceptance and implementation of Solar PV for schools project To seek approval for the Council to invest capital £941,151 across schools allocated for the solar photovoltaic (PV) project. The Council will install solar PV without any cost to the schools and charge the schools for discounted solar generated electricity.</p>	<p>Cabinet member environment, economy and skills 31 March 2021</p>	<p>Danny Lenain, Marches Sustainable Energy Project Officer, Economy, Communities and Corporate Directorate daniel.lenain@herefordshire.gov.uk Cabinet member environment, economy and skills</p>	<p>Economy and Place</p>	<p>5 February 2021 150036775</p>	<p>KEY Open</p>
<p>Freehold Transfer of the Town Hall into a third sector community organisation The purpose of the report to approve the freehold transfer of the Town hall into a third sector community organisation.</p>	<p>Cabinet member commissioning , procurement and assets 23 April 2021</p>	<p>Helen Beale, Senior Estate Manager HBeale@herefordshire.gov.uk Tel: 01432 260688 Cabinet member commissioning, procurement and assets</p>	<p>Economy and Place</p>	<p>150036993</p>	<p>Non Key Open</p>
<p>Highways Maintenance Plan 2020 To update the original plan, incorporating updates in legislation.</p>	<p>Cabinet member Infrastructure and transport 3 June 2021</p>	<p>Bruce Evans, Engineering manager bje@herefordshire.gov.uk Tel: 07792880548 Cabinet member Infrastructure and transport</p>	<p>Economy and Place</p>	<p>21 January 2020 150030462</p>	<p>KEY Open</p>

Schedule of General Scrutiny Committee recommendations made and action in response (May 2019 on)

Meeting	item	Recommendations	Action	Status
23 July 19	Gambling Policy 2019-22 Review	<p>RESOLVED TO RECOMMEND TO THE EXECUTIVE THAT:</p> <p>a) Officers review the wording in Para 1.1 of the policy to ensure it places clear emphasis on promoting compliance with the principles set out in the Act, and make clear that it is not about promoting gambling;</p> <p>b) Officers include a glossary of terms to cover all technical and legal terms set out in the report before it goes on to cabinet and full Council;</p> <p>c) a sentence be added to the policy document to highlight where people can be directed to apply for a license;</p> <p>d) a new category (i) be added to the itemised list in para 15.6 to include training in child protection and child safeguarding;</p>	<p>Done</p> <p>Done</p> <p>Done</p> <p>(We don't recommend it's mandatory because it's not proportionate to the evidence locally but we can make licensees aware of the risks to CYP and the</p>	Completed

		<p>e) officers look at all of the suggested various changes to wording of the policy suggested in bullet point 7 above and update the policy to ensure there is clarity in the phraseology used.</p> <p>f) the various references to children and young persons should – for consistency – be changed to children and young people throughout the policy document.</p> <p>g) officers revise the wording to highlight that the gambling policy is ‘reviewed’ every three years and to add clarity to the reference of policy review from ‘time to time’ – with the additional context that this will happen when/if there are changes to legislation during the three year period;</p> <p>h) officers remove the reference to ‘the governance team’ in para 4.5 of the policy;</p>	<p>training opportunities that are available.)</p> <p>The phraseology used within the Policy reflects the terms used within the Act and the use of different terminology within the policy may cause confusion).</p> <p>(the term children and young persons is the term used within the Act and again may cause confusion if different terms are used within the policy) .</p> <p>Done</p> <p>Done</p>	
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		<p>i) officers state clearly what the deadline timeframes are in para 5.2.</p> <p>j) grounds for a review of a premises license as set out at section 18 of the policy should also include any breaches to the principles that the licensing authority, upholds in overseeing and this policy and any related enforcement action; and</p> <p>k) details on rights of appeal should be included in the policy document.</p>	<p>Done</p> <p>Done</p> <p>Done</p>	
9 September 2019	Call-in of cabinet member decision on hereford transport package and south wye transport package	<p>RESOLVED: That the decision be referred back to the cabinet member to reconsider, and in doing so:</p> <p>The cabinet member seeks clarification from the funders, of both the South Wye Transport Package and the Hereford Transport Package, of the funding implications of a review and ensures that both projects are not interdependent of each other;</p> <p>Ongoing planned activity, programmed in to take place</p>	<p>THAT, having regard to the recommendations made by General Scrutiny Committee on 9 September 2019:</p> <p>(a) a review of the South Wye Transport Package be undertaken to determine next steps, and work on the Southern Link Road and active travel measures (the scope of which will be determined in a further report and be subject to the agreement of funders to draw down funding or provision being made within the capital</p>	Completed

		<p>during the pause, continues while the review is underway;</p> <p>The cabinet member hosts a time limited series of ‘open days’ with parish councils, businesses and members of the public to ensure their views are taken into account on all of the evidence under consideration as part of the review; and</p> <ul style="list-style-type: none"> That all council, and council contractors, contact databases, as far as is practicable, are kept up to date ahead of contacting members of the public 	<p>programme) is continued whilst the review is undertaken;</p> <p>(b) a review of the bypass project to determine next steps be undertaken, and work on the Hereford Transport</p> <p>package active travel measures and the other bypass work as listed below is continued whilst the review is undertaken;</p> <p>Phase 2a consultation report completion £12,000</p> <p>Geophysical survey report completion £3,000</p> <p>Ground Investigation Report (GIR) completion £6,000</p> <p>Walking and Cycling (WCHAR) assessment completion £5,000</p> <p>Traffic Modelling £22,000</p> <p>Large Local Major Bid completion £18,000</p>	
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			<p>(c) discussions continue with funding organisations to clarify the funding implications of a review and to seek to minimise the risk of loss of any secured funding;</p> <p>(d) consultation with parish councils, businesses and members of the public be included within the scope of the review;</p> <p>(e) the acting director for economy and place be authorised to take all operational decisions necessary to scope the review work for both road schemes within a budget of £50k (Southern Link Road) and £70k (Hereford By-pass) to inform a further decision in this calendar year on the scope of the review to be undertaken; and</p> <p>(f) the acting director for economy and place be authorised to take all operational decisions necessary to undertake the bypass work listed in recommendation (b) above within a budget envelope of £66,000 and to approve variance between the activities within a tolerance of £5,000.</p>	
22 October 2019		RESOLVED:	(i) Noted – The LEP is working to support the local authority climate	Completed

		<p>(a) to recommend to the executive that:</p> <ul style="list-style-type: none"> i. the LEP be encouraged to declare a climate emergency as a priority; ii. the LEP be encouraged to raise its profile through engagement with Parish and Town Councils and business forums; iii. the LEP be requested to focus on promoting available schemes to the market towns; and <p>(b) provision be made in the Committee’s work programme for an annual report from the LEP.</p>	<p>emergency strategies and has allocated resource to support this.</p> <p>The Marches LEP Senior Energy Officer is supporting each of the Local Authorities with the implementation of their climate emergency strategies alongside his work to develop an action plan to implement the Marches Energy Strategy.</p> <p>(ii) Noted – this is a priority for 2020/21 and being led by the Chair.</p> <p>(iii) Noted. Available schemes are currently being promoted through the Marches Growth Hub https://www.marchesgrowthhub.co.uk/.</p> <p>The Marches LEP is also represented on the Boards for the Towns Funding which Hereford and Telford are eligible to bid for https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/843843/20191031_Towns_Fund_prospectus.pdf and the Historic England town fund which Leominster and Oswestry are seeking to access https://historicengland.org.uk/servi</p>	
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			<p>ces-skills/heritage-action-zones/regenerating-historic-high-streets/</p> <ul style="list-style-type: none"> The LEP will continue to lobby government for funding for market towns in line with the agreed priorities set out in the Strategic Economic Plan 2019. <p>(b) Included</p>	
29 November 2019	2020/21 Budget and Corporate Plan Proposals	<p>RESOLVED: That</p> <p>(a) In relation to the draft corporate plan:</p> <p>I. Specific emphasis is given to investment and commitment to high quality members of staff in delivering the corporate plan;</p> <p>II. the wording and presentation of the ambition for Herefordshire and the corporate plan as a whole be reviewed; and</p> <p>III. the corporate plan should address the needs of the county as a whole including the market towns and their environs;</p> <p>(b) in relation to the 2020/21 budget</p> <p>I. any business cases reflect current association with business partners and any</p>	<p>(as stated at para 63 of budget report to Cabinet 30 January 2020)</p>	Completed

		<p>II. current government funding available;</p> <p>III. consideration be given to a specific budget for measures to address the climate emergency;</p> <p>IV. the feasibility of allocating a ring fenced sum for highway maintenance to the market towns should be explored;</p> <p>V. during development of business cases consideration be given to whether greater community use could be made of educational facilities; and the following recommendations of the Adults and Wellbeing and Children and Young People Scrutiny Committees be considered</p> <p>Adults and Wellbeing Scrutiny Committee – 18 November 2019</p> <p>1. The committee welcomes the proposed areas for investment which support prevention and the strengths based agenda.</p>	<p>i (The detailed business cases will include reference to the matters raised by the committee and will form part of the decision to spend against the investment proposal.</p> <p>li This is for cabinet to consider further at this meeting.</p> <p>lii This is for cabinet to consider further at this meeting.</p> <p>lv The detailed business cases will include reference to the matters raised by the committee and will form part of the decision to spend against the investment proposal</p> <p>v</p> <p>Noted</p> <p>The detailed business cases will include reference to the matters raised by the committee and will</p>	
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		<p>2. Acknowledging that the lack of specific details in the outline business cases was due to the timing constraints and early sight of potential projects coming forward, the committee would be pleased if attention can be given to the matters it has raised and for deeper levels of detail to be provided in the next iterations of the business cases.</p> <p>3. That terminology and language be used consistently, using Plain English.</p> <p>Children and Young People Scrutiny Committee – 25 November 2019</p> <p>RESOLVED: That the committee:</p> <ul style="list-style-type: none"> • Supports the planned investments for looked after children, edge of care and improving social care services and requests further information is submitted to the committee regarding proposals for these services; and 	<p>form part of the decision to spend against the investment proposal</p> <p>Agreed, later papers include a glossary of terms.</p>	
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		<ul style="list-style-type: none"> Asks that a report concerning the dental health initiatives is provided to the committee setting out key performance indicators for the proposals. 		
20 January 2020	Review Of Budget And Corporate Plan Proposals For 2020/21	<p>RESOLVED: That</p> <p>(a) in relation to the draft corporate plan:</p> <p>reference be included to protecting and enhancing our local health care services with the inclusion of key performance indicators to underpin this commitment;</p> <p>(c) the presentation of the till receipt as at p7 of the Plan be reviewed to ensure it is an accurate representation of the actual spend;</p> <p>(d) the plan explains where the council is paying less than it did in the previous financial year;</p> <p>(e) the plan at p15 includes success measures – to consider additional focus on resources to improve infrastructure and community resilience in market towns;</p> <p>(f) that the committee receives a briefing note on the progress on broadband roll out;</p> <p>(g) the corporate plan is reworded on page 7 to reflect that the figure of</p>	<p>(Report to cabinet 30 January 2020)</p> <p>(para 24) The recommendations from the scrutiny committees have been incorporated into the latest draft Corporate Plan.</p>	Completed

		<p>£46m is revised to ensure it reflects the compensation paid to the tenants; and it is made clear that £46m is not enough to fund 1000 new homes and that further borrowing is being proposed of up to a further £100m;</p> <p>(h) the corporate plan is reworded on page 18 – to say ‘spend more locally’ and on page 19 – rather than say ‘sweat our assets’ the committee recommends this is changed to say ‘better use of our assets; and</p> <p>(i) that the corporate plan includes a specific element on what farmers are doing to contribute to the climate change emergency.</p> <p>(b) in relation to the 2020/21 budget:</p> <p>IV. that the executive respond to the proposal that schools are better supported in updating their travel plans;</p> <p>V. the cabinet considers providing a specific capital allocation for market towns to be able to bid for public realm improvements;</p> <p>VI. the MTFS includes a separate line on what is being proposed for climate change;</p> <p>VII. that specific resources are identified and included to support the proposed</p>	<p>(as stated at para 63 of budget report to Cabinet 30 January 2020)</p> <p>Vi “This is added as a tracked change in appendix 1.</p> <p>Vii There is a specific earmarked reserve allocated to waste, this is to be reviewed for its adequacy to fund the costs identified</p> <p>The detailed business cases will include reference to the matters raised by the committee and will</p>	
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		<p>work on the waste task and finish group;</p> <p>III. greater clarity be provided on the funding sources for capital investment as set out at paragraph 23 of the report;and</p> <p>IX. the following recommendations of the Adults and Wellbeing and Children and young People Scrutiny Committee be considered:</p> <p>Adults and Wellbeing Scrutiny Committee – 13 January 2020</p> <p>1. To inform the detailed business cases for the key areas of capital investment and to provide assurance that they are sustainable and represent value for money, the executive be asked to arrange an all members’ seminar to explore the options appraisals.</p> <p>2. That the options appraisal for public housing also consider the potential to support key workers with their accommodation needs.</p> <p>3. There is further clarification and detail provided on the proposed shared social care pooled budget between the adults and children’s directorates when it is available.</p>	<p>form part of the decision to spend against the investment proposal</p> <p>This is for Cabinet to consider further at this meeting</p> <p>This is for Cabinet to consider further at this meeting</p> <p>Agreed as proposals are drafted further consultation will be completed</p> <p>Noted</p>	
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		<p>Children and Young People Scrutiny Committee – 14 January 2020</p> <p>VI. That the committee supports the additional areas of investment identified in the budget.</p>		
28 September 2020	Minerals and Waste Local Plan	<p>RESOLVED TO RECOMMEND TO THE EXECUTIVE:</p> <p>That</p> <ul style="list-style-type: none"> (a) a plain English and practical guidance/executive summary document be produced to support the report; (b) a more explicit definition, with links to the examples of acceptable sustainable development - within the context of this report - be included (c) while it recognises that the insertion of a stronger line on preventing fracking/unconventional hydrocarbon extraction in 	<p>Agreed. It would be useful to provide a non-technical summary of the MWLP, in order to reach as wide an audience as possible.</p> <p>Sustainable development has been defined in the glossary of the MWLP. In sections of the text which directly mention sustainable development, references to the glossary will be added to aid technical understanding of this phrase.</p> <p>No changes to the MWLP are required in response to this recommendation, however, officers will work with the Cabinet Member Infrastructure and</p>	completed

		<p>Herefordshire may make the MWLP ‘unsound’ due to national policy guidelines - the committee wishes to voice its view and see a clearer statement from government that fracking/extraction of unconventional hydrocarbons is unacceptable in Herefordshire; and</p> <p>(d) the current draft MWLP be endorsed to go forward to public consultation.</p>	<p>Transport to lobby Government for a stronger statement on fracking to be issued.</p>	
<p>28 September 2020</p>	<p>Task and finish group report - waste management strategic review</p>	<p>RESOLVED:</p> <p>That (a) the Task and Finish Group report and all of its recommendations be approved, subject to including:</p> <p>1. that, as part of the consultation process, there is clear explanation given as to why option</p>	<p>Decision by cabinet member – commissioning, procurement and assets 26 October 2020</p> <p>http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=7273</p> <p>(a) accept the recommendations around consulting on options 2 & 3 from</p>	<p>Update to Committee in April 2021</p>

		<p>one is not being put forward as an option;</p> <p>2. the Waste Team continue to work with and lead the communications on each of the schemes to ensure public understanding for the preferred options is secured;</p> <p>3. asking that the reuse of waste is brought forward as quickly as possible at our local household recycling centres; and</p> <p>4. that the Task and Finish group report is shared with Defra; and</p> <p>(b) the findings and recommendations be submitted to the executive for consideration.</p>	<p>General Scrutiny Committee held on 28 September 2020</p> <p>(b) consent be given for expenditure up to the value of £75,000 is allocated from the council's waste revenue reserves to the Economy & Place Directorate's revenue budget for 2020/21 to award a tender and include expenditure required for resources to allow the council to carry out an effective and engaging consultation on the future of its Waste Management Service;</p> <p>(c) a further report is brought back to the cabinet member for procurement and assets outlining the resources required to deliver the waste services management review;</p> <p>(d) a further report is brought back to cabinet in Spring 2021 with a recommendation on future collection services and outlining future resources required to</p>	
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			<p>implement the recommendation; and</p> <p>(e) Subject to the provisions of the Financial Procedure Rules, the Assistant Director for Regulatory, Environment and Waste be authorised to take all operational decisions required to implement the above recommendations.</p>	
9 November 2020	Hereford Transport Strategy Review	<p>RESOLVED TO RECOMMEND TO THE EXECUTIVE:</p> <p>That (a) more detailed studies are undertaken on the benefits and dis-benefits of traffic light management in more locations in Hereford;</p>	<p>(As reported to cabinet on 3 December)</p> <p>Whilst the removal of traffic signals along the A49 was looked at and discarded by the review due to negative impacts on pedestrians and cyclists, traffic light management would form an element of the Intelligent Transport Systems option (page 53 of the review) which is included in Package C.</p> <p>If cabinet is minded to support this recommendation this would be additional work which the cabinet could ask officers to consider and set out the resource requirements to progress.</p>	completed

		<p>(b) as a result of this review, the committee recommends that the cabinet consider 'weighting of the preferred outcomes' to help determine the preferred package to take forward;</p> <p>(c) support is given to promoting more 'park and choose' options in combination with more investment into public transport options and cycle</p>	<p>The review has specifically chosen not to weight the 4 objectives or 16 outcomes which underpin these objectives. This provides a comparative view of performance for all of the six packages. Cabinet may choose to assign its own strategic priorities in respect of objectives and outcomes and reference these priorities in determining its preferred package.</p> <p>If cabinet wished for weightings to be applied to the package assessments it could ask for this as a further step to the review. Cabinet would need to confirm its preferred weightings or instruct that alternative weightings are assessed. If cabinet wished to progress this work it would need to defer its decision on the preferred packages and this would extend the review.</p> <p>The recommendation is noted. Package A includes investment in park and choose options (identified as mobility hubs at page 51 of the review) and cycle</p>	
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		<p>routes to reduce demand for car journeys into or through the city centre with a particular focus given to the limited transport options currently experienced by Herefordshire’s rural communities and that the executive set up a transport team as a matter of priority to implement the planning of cycling and walking, and that the road schemes are reconfigured to accommodate walking and cycling safely within the city;</p>	<p>routes (Page 45) and Package A+B includes significant investment in public transport options within the Hereford’s urban area and urban fringe (options set out at pages 45, 46, 47 and 49 of the review) and these will support longer distance travel needs. Cabinet will be able to select this combination of package options noting the support indicated by committee.</p> <p>Whilst this review has focused on transport issues in Hereford in line with the scope set out in the cabinet member decision of January 2020 it is appreciated that it would be helpful to review transport challenges and solutions countywide. The cabinet report sets out the original intention to review the Local Transport Plan within 5 years of its adoption which would be by 2021. It is also important to note that the core strategy update is due to comment in the next few months. As such, the intention would be to undertake a wider review of transport strategy for the whole county over the coming year.</p>	
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		<p>(d) the cabinet follow up on the suggestion for a 'River-Bus Service' in ongoing refinement and review of the Hereford transport package options;</p> <p>(e) consideration is given to a wider, more in depth study, on the transport options that address countywide transport challenges and solutions, not just in Hereford City;</p>	<p>Cabinet may ask officers to consider the approach to designing and delivering transport schemes and report back on options and funding implications for different approaches.</p> <p>Whilst this proposal was not considered in the review or suggested by members or stakeholders during the engagement stages of the review cabinet could include this option in its preferred package combination and instruct that this is considered further in the context of package development work. The cost of undertaking this work would need to be confirmed and set out in a subsequent report to the cabinet member</p> <p>Whilst this review has focused on transport issues in Hereford in line with the scope set out in the cabinet member decision of January 2020 it is appreciated that it would be helpful to review transport challenges and solutions countywide. The cabinet report sets out the original intention to</p>	
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		<p>(f) cabinet should not feel constrained by having to consider just the package of options that has been presented to them as part of this review.</p> <p>(g) the committee considers that further analysis is undertaken to assess further the mitigation measures of traffic utilising an eastern crossing before the dis-benefits of an eastern crossing rule it out as an option.</p>	<p>review the Local Transport Plan within 5 years of its adoption which would be by 2021. It is also important to note that the core strategy update is due to comment in the next few months. As such, the intention would be to undertake a wider review of transport strategy for the whole county over the coming year.</p> <p>The recommendation to cabinet sets out that cabinet may consider the packages as assessed in the review or combination of package options.</p> <p>Cabinet may choose to agree a package which includes an eastern river crossing noting that 2 eastern river crossing options have been assessed within the 6 packages. If cabinet considers that further technical work is required to understand the impacts and potential mitigations of these elements (or any other transport elements) it could ask officers to consider and set out the resource</p>	
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		<p>(h) school travel and transport is given greater priority and that more work is done to undertake survey work with schools and parents to gain a better understanding to what the barriers to uptake of school transport are;</p> <p>(i) carbon offsetting is looked at in relation to offsetting on major infrastructure projects.</p> <p>(j) the impact of assessing routes over other river crossings, in particular, the Bridge Sollars crossing, is built into the analysis of options and packages under review.</p>	<p>requirements for any additional technical work.</p> <p>Whilst an assessment of the barriers to uptake of different modes of travel to school (other than by car) was not part of this review and the review did not undertake fresh and comprehensive surveys of travel to school for county schools. This is additional work which the cabinet could ask officers to consider and set out the resource requirements to progress.</p> <p>Carbon offsetting is being considered in the work being undertaken on the carbon management plan – Pathway to Carbon Neutral. The Plan indicates that offsetting is likely to follow in the 5 years following the current management plan and between 2025 and 2030.</p> <p>Cabinet is invited to consider whether or not it wishes to instruct that further work is done to understand wider traffic movements through the county and outside of the Hereford transport network in the context</p>	
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		<p>(k) that the executive abandon the Western Bypass and reject other major road infrastructure schemes, barring only the eastern river crossing option;</p> <p>(l) the executive take a look again at the robustness of the qualitative assessment of the evidence presented; and</p>	<p>further development of a preferred package. This is additional work which the cabinet could ask officers to consider and set out the resource requirements to progress.</p> <p>The recommendations for cabinet include the option to stop work on the western bypass and southern link road and the western bypass as also include in package A+C+D. Two of the package options include eastern river crossings and cabinet may determine to progress either of these options. Any decision which would result in a significant change to current adopted policy and strategy may require the need for consideration by full council.</p> <p>If cabinet wished to look again at the robustness of the qualitative assessment this would extend the review and would require it to defer any decision.</p> <p>Cabinet have been briefed on the review at various stages of its development and also requested</p>	
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		<p>(m) Herefordshire Council should immediately implement a well-designed comprehensive safe and attractive network of active travel measures across the entire county to reduce</p>	<p>the engagement of a critical friend in the form of an independent transport consultant to review the draft report and inform final reporting. The critical friend has confirmed that in their view the details of the assessment have been done at a level appropriate to the stage of work, noting that further detailed work would be required. The review includes both qualitative assessment and assessment which is based on modelled outputs. The qualitative assessment was undertaken by transport planners with experience of strategy development and scheme delivery across a range of transport interventions and work was subject to discussion and challenge with council officers, stakeholders and members through the engagement sessions.</p> <p>This aligns with policy and the types of measures identified in Package A. A number of active travel measures are being progressed which will include improvements for pedestrians, cyclists, bus and rail users and we</p>	
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		the effect of climate change and the risk of surface flooding.	are continuing to deliver the choose how you move behavioural change programme countywide. Clearly, more of these measures could be introduced more quickly if additional funding is available and it is anticipated that there will be further opportunities to bid for external funds over the coming months as government provides more details following its publication of 'Decarbonising Transport' and 'Gear Change' earlier in 2020.	
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<p>7 December 2020</p>	<p>Marches Local Enterprise Partnership - Update</p>	<p>That (a) the update from the Marches LEP including current priorities and projects be noted;</p> <p>(b) the executive be recommended that:</p> <p>(1) the LEP be asked to bear in mind the importance of having regard to the needs of the market towns and the rural areas when considering allocating funding for projects;</p> <p>(2) the LEP be encouraged in its stated intention to revisit its Strategic Economic Plan and other policies to ensure that they</p>	<p>The important economic role of the market towns is recognised in the Marches LEP Strategic Economic Plan and the draft Local Industrial Strategy. The LEP also recognises the significant impact of Covid 19 has had on town centres, particularly retail and hospitality. At this time it is not clear what future government funding will be made available via the LEPs, in terms of the amount of funding or the related criteria. However, wherever possible, in meeting the priorities of the Strategic Economic Plan, the draft Local Industrial Strategy and in supporting the recovery of Covid 19, the LEP will ensure that the needs of the market towns are fully considered in future calls for project applications.</p> <p>It is welcomed that the Marches LEP will be revisiting the SEP and other policies to review in the</p>	<p>Recommendations f and g outstanding</p>
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		<p>are sustainable and resilient having regard, for example, to the impact of transport schemes in the context of the declared climate emergency;</p> <p>(3) the LEP be asked to consider how it can improve its engagement with creative industries;</p> <p>(4) the LEP be asked to consider appointing a creative industries champion to the LEP Board;</p>	<p>context of the climate emergency. The Marches LEP will confirm the timetable for these reviews but it will be dependent on the government making resources available in 2020/21 to enable the LEP to do this work in consultation with partners.</p> <p>The Marches LEP recognises the important contribution creative industries make to the local economy. The LEP are currently considering how it can improve (with the respective local authorities) sector based engagement in each area. The LEP will ensure that engagement with the creative industries sector is fully considered and improved through this process.</p> <p>In accordance with the Articles of Association, with the exception of the Local Authority representation on the LEP Board (which is subject to the local election process), all of the remaining Board positions are openly recruited. Therefore, the LEP don't currently have a means to</p>	
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		<p>(5) the LEP Board be recommended to appoint a rural and market Towns Champion;</p> <p>(6) the LEP be asked to bid for funding to address the impacts of flooding, noting</p>	<p>directly appoint a representative for a specific sector or geography, but do seek to ensure the Board is representative through the recruitment and selection process.</p> <p>As above, in accordance with the Articles of Association, with the exception of the Local Authority representation on the LEP Board (which is subject to the local election process), all of the remaining Board positions are openly recruited. Therefore, the LEP don't currently have a means to directly appoint a representative for a specific sector or geography, but do seek to ensure the Board is representative through the recruitment and selection process. As a predominately rural LEP area, a number of the existing Board members either have business interests in and/or themselves live in a rural area or market town, representing these needs.</p> <p>The LEP are a member of the River Severn Partnership</p>	
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		<p>that these are of a significance comparable to the impacts of Covid 19 for which the Government has provided funding;</p> <p>(c) the Executive considers how it can facilitate better engagement between the Herefordshire Cultural Partnership and the LEP;</p>	<p>alongside the local authorities, seeking to lobby government for funding to support improved infrastructure to reduce flooding and enable the growth of the local economy. Should the government provide an opportunity for the LEPs to seek funding for flood prevention, the LEP would commit to doing so. At this time, it is not yet clear what future government funding will be made available via the LEP network.</p> <p>The LEP are not currently members of the Herefordshire Cultural Partnership, but are represented on a number of cross cutting Herefordshire partnerships such as the Herefordshire Business Board (where the cultural partnership is represented) and the Hereford Towns Board. Herefordshire council are represented on the Cultural Partnership, and can ensure enhanced engagement and improved co-ordination with the LEP.</p>	
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		<p>(d) the Executive work with the LEP to make representations for there to be a small towns LEP group along the lines of the national rural LEP Group;</p> <p>(e) the Executive ensures that it has a number of approved prioritised projects available for submission to the LEP in order to take advantage of funding opportunities when they arise; and</p>	<p>The council and the LEP will work in partnership to encourage government and the LEP network to consider establishing a small towns LEP group. It is noted that over the last 12 months government has launched a number of council led initiatives to support towns, such as Stronger Towns Funding (Hereford and Telford currently selected), Future High Street Funding, and Heritage Action Zone (Leominster selected).</p> <p>The council will ensure that a pipeline of high quality, worked up shovel ready projects are established in order to apply for funding opportunities. The council is currently working with the Hereford Towns Board to develop a Town Investment Plan, and is leading the development of Economic Development Investment Plans for each of the five market towns. These plans will identify the strategic needs/ opportunities for these areas and develop project proposals in</p>	
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		<p>(f) the Committee establishes a task and finish group to review the processes in place to deliver projects, ensuring that the reasons that have led to delays in the past on council managed projects have been addressed and that the current processes are fit for purpose; and</p> <p>(g) the LEP be asked to report to the Committee on the level of inward investment achieved.</p>	<p>anticipation of future government funding. A similar investment plan for the wider rural areas is also planned, identified as an action in the County Plan Delivery Plan 2020 to 2022.</p> <p>For consideration in the work before.</p> <p>The LEP and the Local Authorities work with the Department for International Trade to engage foreign owned businesses and support investment. The LEP and Herefordshire Council will work together to better monitor and report against inward investment into the county.</p>	
7 December 2020	Work Programme	(d) the executive be requested to provide a fuller explanation of its response to the Committee’s recommendation (b) in its consideration of the Hereford Transport Package review on 9 November that the cabinet consider ‘weighting of the	In considering the General Scrutiny Committee’s recommendation (b) of its meeting of 9 November 2020 the cabinet member confirmed at the cabinet meeting of 3 December 2020 that it was not proposed to delay	completed

		preferred outcomes' to help determine the preferred package to take forward'.	making a determination on the preferred strategy to introduce a system to weight preferred outcomes. The cabinet member confirmed that cabinet was able to consider its preferred strategic packages in the context of the information provided by the review and its priorities. The priorities for the review were clear and the detailed information and analysis set out in the review documents were considered sufficient to inform the decision taken by cabinet.	
15 January 2021	2021/22 Budget Setting	<p>The recommendations and the responses to them are set out in the 2021/22 budget setting report to council on 12 February 2021 (paragraph 51)</p> <p>http://councillors.herefordshire.gov.uk/documents/s50086885/202122%20Budget%20Setting.pdf</p> <p>http://councillors.herefordshire.gov.uk/documents/s50086885/202122%20Budget%20Setting.pdf</p> <p>The following recommendations are for the Committee itself to address:</p> <p>(b) In its review of Covid measures the Committee consider how grants have</p>	See report to Council 12 February 2021	

		<p>been used and seek comparative information from other authorities;</p> <p>(c) the committee makes arrangements to include monitoring of savings plans in work programme; and</p> <p>(d) mindful of the impact of the budget proposals on the Economy and Place Budget briefings be provided to the Committee on progress in achieving the proposed savings and their impact and the Committee be informed of other savings proposals that have been identified with a view to ensuring appropriate contingency plans are in place.</p>		
25 January 2021	Task and Finish Group Report – Climate Emergency Review	<p>RESOLVED: That the findings of the report, and recommendations as amended and set out at appendix 3 to the minutes, be submitted to the executive.</p> <p>http://councillors.herefordshire.gov.uk/documents/g8054/Public%20minutes%20Monday%2025-Jan-2021%2014.00%20General%20scrutiny%20committee.pdf?T=11</p>	Executive response awaited.	

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