

Minutes of the meeting of Cabinet held at Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE on Thursday 23 February 2023 at 5.30 pm

Cabinet Members Physically Present and voting: Councillor David Hitchiner, Leader of the Council (Chairperson)

Councillors Ellie Chowns, Gemma Davies, John Harrington, Diana Toynbee and Ange Tyler

Cabinet Members in remote attendance Councillor Liz Harvey, Deputy Leader of the Council (Vice-Chairperson)

Cabinet members attending the meeting remotely, e.g. through video conferencing facilities, may not vote on any decisions taken.

Cabinet support members in attendance Councillor Peter Jinman

Group leaders / representatives in attendance Councillors Jonathan Lester and William Wilding

Scrutiny chairpersons in attendance Councillors Elissa Swinglehurst and Jonathan Lester

Officers in attendance: Director of Resources and Assurance, Corporate Director - Children & Young People, Director of Governance and Legal Services, Corporate Services and Corporate Director Community Wellbeing

203. APOLOGIES FOR ABSENCE

Apologies were received from Cllr Pauline Crockett.

204. DECLARATIONS OF INTEREST

None.

205. MINUTES (To Follow)

Resolved: That the minutes of the meeting held on 26 January 2023 be approved as a correct record and signed by the Chairperson.

206. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 5 - 8)

Questions received and responses given are attached as appendix 1 to the minutes.

207. QUESTIONS FROM COUNCILLORS (Pages 9 - 10)

Questions received and responses given are attached as appendix 2 to the minutes.

208. REPORTS FROM SCRUTINY COMMITTEES

There were no reports from scrutiny committees for consideration at this meeting.

209. REVIEW OF THE STRATEGIC APPROACH TO HOMELESSNESS

Cabinet considered a report comprising a mid-point review of the Homeless Reduction and Rough Sleeping Strategy 2020 – 2025 and setting out the strategic approach to Homelessness. The cabinet member housing, regulatory services and community introduced the report and explained that the strategy has made good progress overall. The 'Project

Brave' initiative emerged as a response to homelessness during the covid-19 pandemic and has delivered well. The report set out the proposed long term strategic approach, building on the progress delivered during the pandemic.

Cabinet members discussed the report and noted that feedback from those with lived experience is important and helpful to ensure the provision targets those most vulnerable. The strategy has a wide remit, reflecting the range of issues and challenges faced by those living on the street or at risk of becoming homeless. Close co-operation with voluntary sector organisations has supported the efforts of the council and it is important these links are maintained.

Group leaders expressed their support for the work done to date and the need for a strategic approach to the long term and complex needs of this cohort.

It was resolved that:

- a) Cabinet note and approve the mid-point review and progress of the Homeless Reduction and Rough Sleeping Strategy 2020-2025;**
- b) Consider and approve the strategic approach to Project Brave; and**
- c) Authority is delegated to the Corporate Director, Community Wellbeing to take all operational decisions required to implement the Project Brave Strategic approach (as set out in Appendix A), including securing and utilising and relevant external grant funding.**

210. AYLESTONE SCHOOL EXPANSION

Cabinet considered a report setting out proposals to expand Aylestone High School to meet a growing demand for places in the north of Hereford. The cabinet member commissioning, procurement and assets introduced the report and explained that this is the preferred location for expansion as the other school under consideration, Whitecross Hereford High School, is subject to a PFI contract which makes it financially unviable to expand at this time. A longer term piece of work will be undertaken to set out the need for additional school places, taking account of the emerging Local Plan.

Some cabinet members, including the cabinet member who is also ward member for the school, undertook a site visit ahead of the meeting to see the opportunities and challenges presented by an expansion, including transport issues. The next stage is to undertake detailed design work and there will be consultation with stakeholders, including the nursery on the site.

The ward member had expressed concerns about the proposed expansion but was reassured by the site visit and the promise of consultation on the detailed design.

Cabinet members discussed the proposals and noted the importance of creating the best possible learning environment. The leader of the council highlighted the importance of the strategic work to assess the need for additional places in the longer term and set out an additional recommendation that the draft strategic plan be brought back to Cabinet within the next 12 months.

Group leaders welcomed the proposed developments.

It was resolved that:

- a) Cabinet agree to progress with the permanent expansion of Aylestone High School;**
- b) Subject to securing planning consent, Aylestone High School is expanded to enable its permanent expansion to five forms of entry (150 pupils per**

- year group) at a cost of not more than £13.1m including fees and contingency;
- c) Delegated authority for award of procurement contract for the lifecycle of the project, is given to the Corporate Director, Children and Young People; and
 - d) The Service Director, Education, Skills and Learning, be authorised to take all operational decisions necessary to implement the above in consultation with the S151 Officer and the Cabinet Members for Children and Families and Commissioning, Procurement and Assets; and
 - e) The Service Director, Education, Skills and Learning present to Cabinet a draft strategic plan for the delivery of school places across the County for the period 2024 to 2034 for final approval by Cabinet within the next twelve months.

211. LOCAL AUTHORITY SCHOOL BUILDINGS MAINTENANCE WORKS 2023 - 2026

Cabinet considered a report setting out the proposed programme of works for maintenance of local authority school buildings between 2023 and 2026, and accessibility works for 2023/24. The cabinet member commissioning, procurement and assets introduced the report and explained that the grant funding received from the Department for Education is insufficient to undertake all the maintenance work that the council would like to do. The works identified through condition surveys have been prioritised and a contingency set aside for urgent items that arise during the period.

Cabinet members were frustrated that the lack of funding means the council can only do the minimum works to keep buildings safe and open, and not be proactive and enhance the learning environment for children in Herefordshire schools.

Accessibility works are planned for a number of schools to allow identified learners with special educational needs to access mainstream education. The prudential borrowing agreed by Council in setting the capital programme and budget was welcomed as it allowed work to progress in a timely fashion.

Group leaders gave the views of their groups. The pressure on funding was noted and the condition of schools across the country was highlighted as a national challenge. In response to a query, the cabinet member explained that essential statutory works had been prioritised and that the condition surveys completed in 2019 had informed the programme. Surveys on the environmental standards of schools buildings have been completed and the council will use this information to bid for appropriate grant schemes as and when they are available.

It was resolved that:

- a) The Service Director Education, Skills and Learning be authorised to take all operational decisions necessary to implement the programme of works, and any urgent contingency schemes required, within the approved budget of £3.75m for maintenance, subject to addition to the capital programme by the S151 officer;
- b) The Service Director Education, Skills and Learning be authorised to take all operational decisions necessary to implement the additional programme of works, within the additional approved budget of £2.7m for maintenance;
- c) The Service Director Education, Skills and Learning be authorised to take all operational decision necessary to implement the accessibility improvement works, within the approved budget of £1m for accessibility;

- d) **The Service Director Education, Skills and Learning be authorised to take all operational decisions necessary to vary the programme of works should the amount of funding received from the Department for Education differ from that used to determine the initial programme of works; and**
- e) **The Corporate Director, Childrens and Young People be authorised to take all operational decisions relating to the award of contract for the above programmes of work.**

212. QUARTER 3 BUDGET AND PERFORMANCE

Cabinet considered the budget and performance report for the third quarter of 2023/24. The cabinet member finance, corporate services and planning introduced the report and highlighted the forecast increased overspend in the children's services area. The cabinet member set out the background to the increase and mitigation in place. She also highlighted a number of other key points in the report.

Cabinet members discussed the report and noted that the delivery of capital projects within budget have improved and that while there are concerns about the increased costs in children's services it is hoped that the investment will deliver improvements and savings down the line.

Group leaders gave the views and comments of their group. In response to queries raised it was noted that:

- The investment in children's services is showing results in more permanent staff and reduced caseloads. The improved infrastructure will give the council something to build on and progress will continue to be monitored;
- The high cost of placements is a national problem, dedicated finance staff have been deployed in the children's services directorate to try to improve data capture and make sure forecasting is as accurate as possible;
- The investment from reserves into children's services was on budget, it is the pressure in delivery, especially residential placements, that are showing in the overspend.

It was resolved that:

Cabinet, having reviewed performance and financial forecast for year 2022/23, as set out the in appendices A-E, have not identified any additional actions to be considered to achieve future improvements.

The meeting ended at 6.22 pm

Chairperson

PUBLIC QUESTIONS TO CABINET – 23 February 2023**Question 1****Mr P McKay, Leominster****To: cabinet member, infrastructure and transport**

May I please have an update on progress re adding a link on the PROW website to increase the visibility and availability of the Public Rights of Way Glossary of Terms that includes CRF, reference reply to question of 27 October?

Response

Thank you for reminding me that I had promised that the “Public Rights of Way Glossary of Terms” would be published on the Council’s website, please accept my apologies for the team’s oversight in progressing this matter. I can now confirm that a link to the document has been embedded on the page here: <https://www.herefordshire.gov.uk/public-rights-way/definitive-map-statement-dms/3>.

Question 2**Kate Shepherd, Bright Sparks Nursery, Hereford****To: cabinet member, commissioning, procurement and assets**

Since 1979 Bright Sparks have been providing Early Years education & in July 2022 we retained our ‘Outstanding’ OFSTED grade, providing the best possible start in life for those that attend, a key message in the council’s children & young people’s plan for Herefordshire.

When Beacon College plans were publicised we were not consulted prior to this & again we have not been! Therefore we feel we are being victimized & council bodies have not given any due regard in their decision making to all those concerned.

A key consideration in the report is to ensure there are sufficient school places to meet parental demand, I would like to point out, it is also their statutory duty to ensure sufficient childcare places.

What is the council's plan to make sure Bright Sparks is not adversely affected by council decisions again?

Response

Thank you for your question and a huge congratulations on the success with Bright Sparks Nursery. I am so sorry that you have felt excluded from the process and the upset that this has caused. The project is currently at feasibility stage and the purpose of the feasibility was to determine if the suggested capacity increase could be realised on the site. We also required an indicative concept as to what the expansion may look like and some high-level costs. This is not the developed and detailed design stage in which consultation will be undertaken with key stakeholders, including Bright Sparks Nursery. The results of the feasibility are being presented to us as a Cabinet to consider whether we agree that the project moves to this next stage.

I am sincerely sorry for the lack of consultation with the Beacon College, I was not part of this but can absolutely understand how this would have impacted on you, the nursery and the children and families. Please take my assurance that we will work with you as this expansion progresses.

Question 3**Mr J Shepherd, Hereford****To: cabinet member, commissioning, procurement and assets**

Within the plans of the building that is hoped to be built for the expansion of Aylestone, what is going to happen to the current accommodation that the 'Outstanding' Bright Sparks Nursery currently use on site?

Response

Many thanks for your question. I can confirm that the intention is that Bright Sparks Nursery will remain in situ. Please refer to my answer to Kate Shepherd's question for further detail, if required.

Question 4

Ms H James, Hereford

To: cabinet member, commissioning, procurement and assets

With regard to 'Outstanding' Bright Sparks on site, are they within your future plans of the Aylestone expansion so they can continue to support the council with providing early years places?

Response

Many thanks for your question. I can confirm that the intention is that Bright Sparks Nursery will remain in situ. Please refer to my answer to Kate Shepherd's question for further detail, if required.

Question 5

Ms Reid, Hereford

To: cabinet member, children and families.

Two recommendations by the CYP Scrutiny Committee regarding the Improvement Plan agreed by the Cabinet (15/12/2022) have not been enacted.

Recommendation 2 includes:

“Family Group Conference model be targeted for implementation by April 2023.”

However, the Plan submitted to Ofsted states (5.7):

“Determine FGC model and approach by April 2023.”

Recommendation 3 includes:

“Request made for links to the Family Rights Group website and information pages be added to the Council's website in January 2023.”

However, at 20 February 2023, the website does not appear accordingly updated.

FGCs and such information would reduce the number/cost of children in care. Per FOI2022/01890: fostering agencies on average cost per child: £890 weekly (£46,280 pa). Also, family support, family advocacy and family reunification would reduce the number of Looked-After Children.

What will the Cabinet do to ensure that its decisions are timely implemented?

Response

Ensuring that families receive the right support at the right time and that where possible reunification is enabled and supported is an important element of our transformation activity and introducing Family Group Conferencing is a key part of this. The Director has made this an element of the services' practice model and of course it is clear within our Improvement Plan. Additional capacity is being planned for and new posts are currently out for recruitment. Draft changes to our website are currently being tested and are expected to be live by 1 March 2023.

Implementation, progress, and impact of the improvement plan are overseen by the Improvement Board (of which I am a member), and the Corporate Leadership Team and Cabinet through regular assurance meetings.

Supplementary question

Please explain why:

- Recommendation 2 regarding Family Group Conferences will not be implemented by April 2023 as agreed by Cabinet.*
- The website was not updated by 31 January 2023 as per the Improvement Plan (6.3): Recommendation 3.

I do not consider the recommendations have been enacted at pace.

* Family Group Conferences could be implemented by April 2023 if, for example, the Family Rights Group were expeditiously commissioned.

Per FOI2022/01890 at 12 January 2023, the average weekly costs for each child in care were:

- **Fostering: £315 (£16,380 pa)**
- **Fostering agencies: £890 (£46,280 pa)**
- **Children's homes: £5,066 (£263,432 pa)**

Many families could be helped with £46,280.

At pace, implementing Family Group Conferences and reunification, investing more in family support and advocacy (unmentioned in response), would reduce the high rate/cost of children in care, variance of **£7.1 million**.

Response

The cabinet member confirmed that a written response would be provided.

COUNCILLOR QUESTIONS TO CABINET – 23 FEBURARY 2023**Question 1****From: Councillor Ann-Marie Probert, Newton Farm ward****To: Cabinet Member, commissioning, procurement and assets**

Ref the expansion plan for Aylestone School - do these plans include bright sparks nursery?

Response

Thank you for your question. This particular expansion relates to Aylestone School itself and not any other occupiers of this site. Herefordshire Council are expanding the school in light of the growing need for secondary school spaces in the north of the city. Bright Sparks Nursery occupies a space on the wider site of Aylestone School and it is intended that they will remain on site and continue to provide an onsite early years provision.

Question 2**From: Councillor Nigel Shaw, Bromyard Bringsty ward****To: Cabinet Member, Finance, Corporate Services and Planning**

The third quarter revenue report shows an out of control budget deficit rising to £9.147m. Appreciating that there will be some positive balances that crystallise at the year end e.g. for employment costs, nevertheless there is likely to be an appreciable budget deficit at the end of the year. The budget recently passed was silent on this. Which reserve will this year's deficit have to draw on to provide a balanced outcome for 2022/23?

Response

The position reported at Quarter 3 represents the forecast budget outturn based on information available at 31 December 2022. In the remaining months of the 2022/23 financial year, Directorates will continue to identify recovery actions including reducing any discretionary spend where they can and making best planned use of any grant funding as part of financial management in the final quarter of the year to mitigate this forecast overspend.

The 2023/24 budget and Medium Term Financial Strategy 2023/24 to 2026/27, approved by Council on 10 February 2023, included proposals to fund the forecast overspend in 2022/23 from the council's Financial Resilience Reserve. This reserve was established to manage risks in the base budget, for example from unexpected demand which would include movements in forecast for the remaining months of the current financial year. This reserve will also fund the two year transformation programme the council has embarked on to improve the journey of the children in our care and services to the local community in line with the corporate plan. Any further use of reserves will be determined

once the final outturn for 2022/23 is confirmed as part of routine year end procedures to report financial performance and prepare the statutory accounts.

Supplementary question

Thank you for that clarification. It would be helpful if you would confirm where in the budget papers I can see the allocation of the Financial Resilience Reserve to meet the budget shortfall. Following an implementation of the decreased MRP provision what will be the expected balance of this reserve in March 2024?

Response

The 2022/3 in year movement is shown in appendix E of the revenue budget setting papers (page 557) which were presented to Council on the 10th of February.

The expected 31st March 2024 balance for the Financial Resilience Reserve is approximately £3m.