

Corporate Support Centre
Paul Walker - Chief Executive

To: All members of the Council

our ref: Council - 29 July 2022
contact: Matthew Evans, Democratic Services
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email: matthew.evans@herefordshire.gov.uk

21 July 2022

Dear Councillor,

You are hereby summoned to attend the meeting of the Herefordshire Council to be held on **Friday 29 July 2022** at the Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE at **10.00 am** at which the business set out in the attached agenda is proposed to be transacted.

Yours sincerely
Claire Porter



Solicitor to the Council

AGENDA

Council

Date: **Friday 29 July 2022**

Time: **10.00 am**

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

Notes: Please note the time, date and venue of the meeting. Please access the following link for the live webcast of the meeting:

[Council - Friday 29 July 2022 10.00 am - YouTube](#)

For any further information please contact:

Matthew Evans, Democratic Services

Tel: 01432 383690

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If you would like help to understand this document, or would like it in another format or language, please call Matthew Evans, Democratic Services on 01432 383690 or e-mail matthew.evans@herefordshire.gov.uk in advance of the meeting.

Agenda for the Meeting of the Council

Membership

Chairperson **Councillor Sebastian Bowen**
Vice-Chairperson **Councillor Kema Guthrie**

Councillor Graham Andrews	Councillor Paul Andrews
Councillor Polly Andrews	Councillor Jenny Bartlett
Councillor Chris Bartrum	Councillor Christy Bolderson
Councillor Dave Boulter	Councillor Tracy Bowes
Councillor Ellie Chowns	Councillor Pauline Crockett
Councillor Clare Davies	Councillor Gemma Davies
Councillor Barry Durkin	Councillor Toni Fagan
Councillor Elizabeth Foxton	Councillor Carole Gandy
Councillor John Hardwick	Councillor John Harrington
Councillor Liz Harvey	Councillor Jennie Hewitt
Councillor Kath Hey	Councillor David Hitchiner
Councillor Phillip Howells	Councillor Helen l'Anson
Councillor Terry James	Councillor Peter Jinman
Councillor Tony Johnson	Councillor Graham Jones
Councillor Mike Jones	Councillor Jim Kenyon
Councillor Jonathan Lester	Councillor Trish Marsh
Councillor Bob Matthews	Councillor Mark Millmore
Councillor Jeremy Milln	Councillor Felicity Norman
Councillor Roger Phillips	Councillor Tim Price
Councillor Ann-Marie Probert	Councillor Paul Rone
Councillor Nigel Shaw	Councillor Louis Stark
Councillor John Stone	Councillor David Summers
Councillor Elissa Swinglehurst	Councillor Paul Symonds
Councillor Kevin Tillet	Councillor Diana Toynbee
Councillor Ange Tyler	Councillor Yolande Watson
Councillor William Wilding	

Agenda

Pages

(The meeting will be preceded by thought for the day.)

1.	APOLOGIES FOR ABSENCE	
	To receive apologies for absence.	
2.	DECLARATIONS OF INTEREST	
	To receive any declarations of interest in respect of Schedule 1, Schedule 2 or Other Interests from members of the Council in respect of items on the Agenda.	
3.	MINUTES	11 - 18
	To approve and sign the Minutes of the meeting held on 20 May 2022.	
4.	CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS	19 - 22
	To receive the Chairman and Chief Executive's announcements.	
How to submit questions		
<i>The deadline for submission of questions for this meeting is:</i>		
<i>9:30 a.m. on Tuesday 26 July 2022.</i>		
<i>Questions must be submitted to councillorservices@herefordshire.gov.uk. Questions sent to any other address may not be accepted.</i>		
<i>Accepted questions and the response to them will be published as a supplement to the agenda papers prior to the meeting. Further information and guidance is available at https://www.herefordshire.gov.uk/getinvolved</i>		
5.	QUESTIONS FROM MEMBERS OF THE PUBLIC	
	To receive questions from members of the public.	
6.	QUESTIONS FROM MEMBERS OF THE COUNCIL	
	To receive any written questions from members of the Council.	
7.	STRONGER TOWNS PROJECT FULL BUSINESS CASE SUBMISSION	23 - 34
	To approve an adjustment to the capital programme to fund the project from the capital receipts reserve of up to £8m for the Hereford Museum and Art Gallery project and up to £0.5m to the Maylord Orchards Library and Learning Resource Centre project.	
8.	BROOKFIELD SPECIAL SCHOOL CAPITAL IMPROVEMENT PROGRAMME – RE-PROFILE OF SPEND	35 - 44
	To approve an in-year adjustment to the capital programme in respect of the Brookfield Special School project.	
9.	LEADER'S REPORT TO COUNCIL	45 - 78
	To receive a report from the leader on the activities of the executive (cabinet) since the meeting of Council on 4 March.	
10.	NOTICES OF MOTION UNDER STANDING ORDERS	79 - 90
	To consider Notices of Motion.	

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 and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

The Public's Rights to Information and Attendance at Meetings

YOU HAVE A RIGHT TO: -

- Attend all 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.
- 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.
- 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 a reasonable number of copies of agenda and reports (relating to items to be considered in public) made available to the public attending meetings of the Council, Cabinet, 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.
- Copy any of the documents mentioned above to which you have a right of access, subject to a reasonable charge (20p per sheet subject to a maximum of £5.00 per agenda plus a nominal fee of £1.50 for postage).
- Access to this summary of your rights as members of the public to attend meetings of the Council, Cabinet, Committees and Sub-Committees and to inspect and copy documents.

Public Transport Links

- The Shire Hall is a few minutes walking distance from both bus stations located in the town centre of Hereford.

Recording of meetings

- Anyone is welcome to record public meetings of the council using whatever, non-disruptive, methods you think are suitable. Please note that the meeting chairman has the discretion to halt any recording for a number of reasons including disruption caused by the recording, or the nature of the business being conducted. Recording should end when the meeting ends, if the meeting is adjourned, or if the public and press are excluded in accordance with lawful requirements.
- Anyone filming a meeting is asked to focus only on those actively participating.
- If, as a member of the public, you do not wish to be filmed please make a member of the governance team aware.

FIRE AND EMERGENCY EVACUATION PROCEDURE

In the event of a fire or emergency the alarm bell will ring continuously.

You should vacate the building in an orderly manner through the nearest available fire exit and make your way to the Fire Assembly Point in the Shire Hall car park.

Please do not allow any items of clothing, etc. to obstruct any of the exits.

Do not delay your vacation of the building by stopping or returning to collect coats or other personal belongings.

The Chairman or an attendee at the meeting must take the signing in sheet so it can be checked when everyone is at the assembly point.

**Minutes of the meeting of Council held at The Hereford Suite,
Hereford FC, Edgar Street, Hereford, HR4 9JU on Friday 20 May
2022 at 10.30 am**

Present: Councillor Sebastian Bowen (chairperson)
Councillor Kema Guthrie (vice-chairperson)

Councillors: Graham Andrews, Paul Andrews, Polly Andrews, Jenny Bartlett, Chris Barrum, Christy Bolderson, Dave Boulter, Tracy Bowes, Ellie Chowns, Pauline Crockett, Clare Davies, Gemma Davies, Barry Durkin, Toni Fagan, Elizabeth Foxton, Carole Gandy, John Hardwick, John Harrington, Liz Harvey, Kath Hey, David Hitchiner, Phillip Howells, Helen l'Anson, Terry James, Peter Jinman, Mike Jones, Jim Kenyon, Jonathan Lester, Trish Marsh, Bob Matthews, Mark Millmore, Jeremy Milln, Felicity Norman, Roger Phillips, Tim Price, Ann-Marie Probert, Paul Rone, Nigel Shaw, Louis Stark, John Stone, David Summers, Elissa Swinglehurst, Kevin Tillet, Ange Tyler, Yolande Watson and William Wilding

Officers: Chief Executive, Chief Finance Officer, Interim Director Governance and Law, Interim head of legal services, Democratic services manager, Democratic services officer and Senior solicitor, major projects

1. ELECTION OF CHAIRPERSON

Councillor Terry James proposed and Councillor Bob Matthews seconded the nomination of Councillor Sebastian Bowen as Chairperson of the Council.

(Councillor Sebastian Bowen declared a schedule 1 interest and left the meeting for the vote)

(Councillor Kema Guthrie as the Chairperson called for the vote)

RESOLVED: That Councillor Sebastian Bowen is elected Chairperson of the Council for the forthcoming municipal year.

Councillor Sebastian Bowen made the statutory declaration of acceptance of office.

2. APPOINTMENT OF VICE-CHAIRPERSON

Councillor Sebastian Bowen proposed and Councillor Jonathan Lester seconded the nomination of Councillor Kema Guthrie as Vice Chairperson of the Council.

RESOLVED: That Councillor Kema Guthrie is appointed Vice Chairperson of the Council for the forthcoming municipal year.

3. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Jennie Hewitt, Tony Johnson, Graham Jones, Paul Symonds and Diana Toynbee.

4. DECLARATIONS OF INTEREST

There were no declarations of interest at this stage of the meeting, please see minute 1 above and minute 7.

5. MINUTES

RESOLVED: That the minutes of the ordinary meeting held on 4 March 2022 and the extraordinary meeting held on 13 May 2022 be confirmed as a correct record and signed by the Chairman.

6. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS

Council noted the Chairman and Chief Executive's announcements as printed in the agenda papers.

7. ELECTION OF LEADER OF THE COUNCIL

Councillor John Harrington proposed and Councillor Ellie Chowns seconded the nomination of Councillor David Hitchiner as Leader of the Council.

(Councillor David Hitchiner declared a schedule 1 interest and left the meeting for the vote)

RESOLVED: That Councillor David Hitchiner is elected Leader of the Council for the forthcoming municipal year.

8. APPOINTMENTS TO COUNCIL COMMITTEES AND OUTSIDE BODIES

Council considered a report by the director of governance and law relating to appointments to committees of the council and outside bodies in line with the rules of political proportionality, published in the supplement of 17 May 2022. Council noted the correction supplement published on 20 May 2022 which provided a recalculation of the politically proportionate allocation of seats to political groups contained in the table under paragraph 11 of the report. The solicitor to the Council confirmed that all members had a dispensation for recommendation (f) and could participate in the item.

Recommendation (a)

Councillor Sebastian Bowen proposed and Councillor John Harrington seconded recommendation (a) which was carried.

RESOLVED: That the list of ordinary committees listed at paragraph 10 are confirmed with their terms of reference as set out in the council's constitution.

Recommendation (b)

Councillor Sebastian Bowen proposed and Councillor Nigel Shaw seconded recommendation (b) – as updated by the correction supplement published on 20 May 2022 – which was carried.

RESOLVED: That the number of seats on each committee as set out at paragraph 10, and the allocation of those seats to political groups as set out in the correction supplement is approved.

Recommendation (c)

Councillor Sebastian Bowen proposed and Councillor John Harrington seconded recommendation (c) which was carried.

RESOLVED: That the allocation of seats on outside bodies to political groups as set out at paragraph 13 is approved.

Recommendation (d)

Councillor Sebastian Bowen proposed and Councillor Jim Kenyon seconded recommendation (d) which was carried.

RESOLVED: That the appointment of five co-opted members of children and young people scrutiny committee is approved as follows:

- i. one representative as nominated by the diocese of Hereford
- ii. one representative as nominated by the archdiocese of Cardiff
- iii. one parent governor as elected from the primary school sector
- iv. one parent governor as elected by the secondary school sector
- v. one parent governor as elected by the special school sector

Recommendation (e)

Councillor Sebastian Bowen proposed and Councillor John Harrington seconded recommendation (e), the recommendation was carried with no votes against.

RESOLVED: That the suspension of the rules of proportionality in respect of the standards panel, the River Lugg Drainage Board, and the Wye Valley AONB Joint Advisory Committee is approved.

Recommendation (f)

The Chairman provided an update to the recommended chairpersons and vice chairpersons contained in appendix 1 as below:

- Councillor Peter Jinman was recommended as vice chairperson of the health, care and wellbeing scrutiny committee.
- Councillor Paul Rone was recommended as vice chairperson of the planning and regulatory committee.

Councillor Sebastian Bowen proposed and Councillor John Harrington seconded the appointment of chairpersons and vice chairpersons recommended in appendix 1, as updated by the changes outlined above, which was carried.

RESOLVED: That the appointment of committee chairpersons and vice chairpersons is approved as follows:

Committee	Position	Councillor
Audit and governance committee	Chairperson	Councillor Nigel Shaw
	Vice Chairperson	Councillor Jenny Bartlett
Children and young people scrutiny committee	Chairperson	Councillor Phillip Howells
	Vice Chairperson	Councillor Jennie Hewitt
Connected communities	Chairperson	Councillor Jonathan Lester

scrutiny committee	Vice Chairperson	Councillor Tracy Bowes
Employment panel	Chairperson	Councillor David Hitchiner
	Vice Chairperson	Councillor Ellie Chowns
Environment and sustainability scrutiny committee	Chairperson	Councillor Louis Stark
	Vice Chairperson	Councillor Trish Marsh
Health, care and wellbeing scrutiny committee	Chairperson	Councillor Elissa Swinglehurst
	Vice Chairperson	Councillor Peter Jinman
Planning and regulatory committee	Chairperson	Councillor Terry James
	Vice Chairperson	Councillor Paul Rone
Licensing sub-committee	Chairperson	Councillor Paul Andrews
Scrutiny management board	Chairperson	Councillor Christy Bolderson
	Vice Chairperson	Councillor Yolande Watson

(There was an adjournment at 11:25 a.m.; the meeting reconvened at 11:32 a.m.)

The Chairman noted that there was an error in the total committee seats contained in the correction supplement agreed under recommendation (b); the total of committee seats should read 56. It was confirmed that the allocation of seats to political groups set out in the supplement and agreed by Council was correct.

Recommendation (g)

The Chairman introduced a tabled paper which recommended the size (number of members) and political allocation of seats to the scrutiny management board following the election of the chairpersons of the scrutiny committees above.

Councillor Sebastian Bowen moved and Councillor John Harrington seconded the recommended size and political allocation of seats of the scrutiny management board which was carried.

RESOLVED: That the size and political allocation of seats of the scrutiny management board is agreed as below:

	Conservatives	Independents for Herefordshire	Liberal Democrats	The Green Party	True Independents	Not aligned	Total committee seats
Scrutiny Management Board	3	4	2	2	1	0	12

9. RE-THINKING GOVERNANCE

Council considered a report by the chairperson of the audit and governance committee to approve amendments to the council's constitution recommended by the audit and governance committee. The vice chairperson of the audit and governance committee

and chairperson of the rethinking governance working group introduced the report and proposed the recommendations in the report.

Councillor Nigel Shaw, as the chairperson of the audit and governance committee seconded the recommendations in the report.

Council debated the report.

The recommendations in the report were put to the vote and were carried.

RESOLVED – That:

- a) **amendments to the audit and governance committee functions as set out in appendix 1 and the two proposed changes to the constitution set out in paragraphs 9 and 10 with implementation with effect from 20 May 2022 be approved; and**
- b) **authority be delegated to the Director of Governance and Legal Services to make technical amendments (as required by law, grammatical, formatting and consistency) necessary to finalise the revised constitution.**

10. COUNCILLORS' ALLOWANCES SCHEME

Council considered a report by the director of governance and law relating to the councillors' allowances scheme to approve and update the Herefordshire councillors' allowances scheme having regard to the recommendations of the council's independent remuneration panel (IRP), published in the supplement on 17 May 2022. Council noted the correction supplement published on 19 May 2022 and a proposed amendment, circulated on 20 May 2022, to be considered during the debate. The solicitor to the Council confirmed that all members had a dispensation and could participate in the item.

Councillor Sebastian Bowen proposed the recommendations in the report.

Councillor Gemma Davies seconded the recommendations in the report.

Council debated the report.

Proposed amendment - To amend agenda Item 10 recommendation a) II to:
'Introduces a new Special Responsibility Allowance (SRA) for the role of Deputy Leader on a cost neutral basis of 2.25 x the basic allowance and the Leader allowance be reduced to 3.5 x the basic allowance with immediate effect.'

Councillor David Hitchiner proposed and introduced the amendment.

Councillor John Hardwick seconded the amendment.

Council debated the amendment.

The amendment was put to the vote and was carried.

The substantive motion, inclusive of the amendment carried above, was put to the vote and was carried.

RESOLVED - That Council:

- a) **Having regard to the recommendations made by the independent remuneration panel, council:**

- I. Does not introduce a sliding basic allowance scheme linked to committee attendance at the current time, but instead seeks to review this position after one year, following the changes introduced from 20 May 2022**
- II. Introduces a new Special Responsibility Allowance (SRA) for the role of Deputy Leader on a cost neutral basis of 2.25 x the basic allowance and the Leader allowance be reduced to 3.5 x the basic allowance with immediate effect.**
- III. Provides all five chairpersons of the scrutiny committees an SRA at the current rate of 1.25 x the basic allowance.**
- IV. That the SRA rate paid to the Chairperson of the Strategic Management Board is reviewed again in one year's time to examine whether this role does merit a higher rate of allowance**
- V. Does not introduce a one off SRA to Task and Finish group chairpersons at the current time. But instead allows time for the scrutiny improvement programme to influence current scrutiny practices, reviewing this position one year on from the changes introduced from 20 May 2022**

11. CODE OF CONDUCT

Council considered a report by the chairperson of the audit and governance committee to approve a revised code of conduct on the recommendation of the audit and governance committee. The chairperson of the audit and governance committee introduced the report and proposed the recommendations in the report.

Councillor Christy Bolderson, as the vice chairperson of the audit and governance committee, seconded the recommendations in the report.

Council debated the report and the following action was raised during the debate:

- The solicitor to the council agreed to review the use of gender specific pronouns in the code of conduct from an equalities perspective.

The recommendations in the report were put to the vote and were carried.

RESOLVED – That:

- a) The Local Government Association (LGA) model code of conduct, as amended by local arrangements as set out at Appendix 3, is approved for adoption by Herefordshire Council at the annual Council meeting on 20 May 2022; and**
- b) The LGA model arrangements for dealing with code of conduct complaints is adopted and applied to new complaints received after 20 May 2022**

12. REVISED SALARY FOR DIRECTOR OF GOVERNANCE AND LAW

Council considered a report by the chairperson of the employment panel to agree an increased salary package for the director of governance and law post as recommended by the employment panel. The chairperson of the employment panel introduced the report and proposed the recommendation in the report.

Councillor Ellie Chowns, as the vice chairperson of the employment panel, seconded the recommendation in the report.

Council debated the report.

The recommendation in the report was put to the vote and was carried.

RESOLVED – that:

- a) A new search for the Director of Governance and Law is initiated on the basis of a salary of £108,472.**

The meeting ended at 12.09 pm

Chairperson

Chairman's Announcements – Council Meeting – 29th July 2022
Events attended by the Chairman since the last
Council meeting on 20th May 2022

- 21 May - Service of Thanksgiving to commemorate the 40th Anniversary of the Falklands War
- 21 May - Leominster Mayor making ceremony
- 23 May - Royal Three Counties Show launch
- 25 May - Herefordshire Hoard Special Preview Event
- 4 June - Much Marcle Jubilee Celebrations
- 13 June - Citizenship Ceremony
- 17 June - Royal Three Counties Show
- 18 June - A Service to mark 100 years of St John Cadets and 35 years of Badgers
- 19 June - Falklands 40th Anniversary Service, Herefordshire Cathedral
- 20 June – Armed Forces Flag Raising
- 22 June - Military Business showcase
- 23 June - Reopening preview of the Light Infantry Museum
- 25 June - Armed Forces Day, Ross-on-Wye
- 2 July - Herefordshire Veteran Support Centre Afternoon Tea
- 5 July - Commonwealth Baton Relay
- 10 July - Violette Szabo 100th Anniversary
- 11 July - Citizenship Ceremony
- 13 July - Hereford City Council Wave Sculpture Unveiling, Hereford Skate Park
- 19 July - Royal Visit – Haven Herefords - The Princess Royal

Chief Executive Announcement

Full Council 29 July 2022

As I write this report the spell of unprecedented hot weather is just coming to an end. The extreme heat, the likes of which we haven't seen before across the country, has impacted on people and infrastructure. I would like to take this opportunity to thank staff in teams across the council for their preparation and response to the Level 4 heat alert. Our talk community hubs have offered cool spaces and water to those who needed it, and support has been extended to the most vulnerable in our communities through their established networks. Emergency packs were handed out to all street homeless clients which included a £5 voucher for food and cold drinks, a battery operated fan and factor 30 sun cream along with guidance on how to keep cool and to spot signs of dehydration. And our delivery partners ensured the bins continued to be collected by starting earlier in the day and that our roads remained open with gritters on stand-by with dust treatment.

Our children's services are currently the subject of a routine Ofsted ILACS (Inspection of Local Authority Children's Services) inspection. We are on an improvement journey and we are still only in the first year of our three year plan. We know a great deal of work still lies ahead of us however our staff are working hard to make the positive changes needed and we hope that Ofsted will recognise this. We will use the feedback from the Ofsted inspection to help us achieve our top priority of improving our social work practice to ensure that we provide much better support for Herefordshire children and their families. Once Ofsted conclude their inspection we expect to receive their formal feedback report in September.

Our work to support families forced to flee from the war in Ukraine continues. Currently we have 387 Ukrainian guests living with residents across the county that have arrived under the Homes for Ukraine Scheme. We continue to operate our donation centre at Three Elms trading estate to offer furniture, clothing, bedding and other essential items to help these families start to rebuild their lives. Arriving families are also provided with a range of support including from the Early Help team for children aged 18 and under, interpreting services through the Herefordshire Language Network, support with school admissions, community based support through Talk Community and access to financial support and employment through various partner agencies.

A number of exciting developments are on the horizon for Hereford and across the county. Through #StrongerHereford we recently submitted a £8million bid towards the redevelopment of Hereford museum and library as part of a major cultural investment in our City. Full business cases for these transformational projects were among 15 submitted to government by the Hereford Stronger Towns Board earlier this month, with a decision expected in the autumn. Three bids totalling £44million have been submitted to the government's Levelling Up Fund for the upgrading of public spaces in Leominster and Ledbury, development of business land opportunities in Ross and a package of transport and active travel measures to improve connections across the City. We've also developed an investment plan which seeks to secure £7.6m funding allocated to Herefordshire from the UK Shared Prosperity Fund, to support new business and growth, create opportunities in the cultural and creative economies in the county, and develop workforce skills. With several bids for funding submitted to government we are hopeful of a successful outcome that will lead to these projects coming to fruition and benefitting the county. I would like to thank the many staff who work hard to develop projects and detailed business cases often at very short notice. Without this groundwork we wouldn't be able to secure the national funding required to progress our ambitions for growing our county's economy and improving the lives of residents.

The health of our rivers is vital to our county in so many ways, and the council has been instrumental in much of the progress towards understanding and acting on pollution damaging the Wye and tributaries including the Lugg. I'm delighted with the ongoing progress of our innovative scheme to develop wetlands that will help to secure the health of our rivers while allowing some development to restart nearby with the introduction of our national-first phosphates credit scheme which we anticipate will start trading this August.



Stronger Towns Project Full Business Case Submission

Meeting: Council

Meeting date: Friday 29 July 2022

Report by: Cabinet member commissioning procurement and assets

Classification

Open

Decision type

Budget and policy framework

Wards affected

Central;

Purpose

To approve an adjustment to the capital programme to fund the project from the capital receipts reserve of up to £8m for the Hereford Museum and Art Gallery project and up to £0.5m to the Maylord Orchards Library and Learning Resource Centre project.

Recommendation(s)

That:

- a) **Council approve an adjustment to the capital programme to fund up to £8m for the Hereford Museum and Art Gallery project and up to £0.5m for the Maylord Orchards Library and Learning Resource Centre project from the capital receipts reserve.**

Alternative options

1. The alternative options considered were:
 - a. Not to progress the projects/ submit projects for funding consideration. However, this would mean the significant economic challenges identified in the Hereford Town Investment Plan would not be addressed, and the city/county would lose the opportunity to secure up to £13m of external funding.

- b. The projects are scaled back to within the external funding envelope. It is unlikely the scale of change required could be achieved from projects so significantly reduced in scale, and the other funders would be unlikely to commit their funds without the council match
- c. The council could seek alternative funding. No other funding routes of the scale required are available at this time.

Key considerations

2. On 30 June 2022 Cabinet approved a decision to commit up to £8m toward the Hereford Museum and Art Gallery project, and up to £0.5m for the Maylord Orchards Library and Learning Resource Centre project from capital receipt reserves ([Decision - Stronger Towns Projects Full Business Case Submission - Herefordshire Council](#)). The following decision now seeks Council approval to amend the capital programme for these two projects.
3. Herefordshire faces some significant long term economic challenges, further impacted through Covid 19. In particular the visitor economy, non-essential retail and cultural sectors were the worst impacted by Covid 19, required to close for many months during lockdowns.
4. Herefordshire has the lowest¹ county tier Gross Value Added (GVA) of any county in England and is the second lowest in the UK (second to our neighbor Powys). Average weekly wages are 20% below the national average, 39% of residents have a NVQ level 4 or above qualification compared to a national average of 43%, 24% of the population are aged over 65², and the county is a Higher Education and social mobility 'cold spot'. As younger generations reach higher education age they have tended to move away to access university education, and we don't have the higher level jobs to attract them back.
5. All towns and cities across the UK are going through significant change. Covid 19 has accelerated the decline of larger box retailers in towns and city centres. Hereford has encountered these same issues. As identified in the Hereford Town Investment Plan, we need to consider how we can regenerate the city centre building on our strengths to create a new vibrant place for people to live, work, visit, study and invest.
6. As a major centre for employment, education, transport, leisure, health and access to public services, Hereford plays a critical role in the economic success and wellbeing of the wider rural county. Both the Hereford Museum and Art Gallery project and the Maylord Orchards Library and Learning Resource Centre are flagship projects in the Hereford Town Investment Plan.
7. The Hereford Town Investment Plan recognises that '*Hereford's strongest assets are its unique heritage and distinctive rural identity, with 316 listed buildings, 12% of its total footprint given over to green space, a fabulous river corridor and a globally significant collection of treasures including its Cathedral, Magna Carta, Mappa Mundi and the Herefordshire Hoard*'.
8. The Investment Plan states '*The cluster of assets at the heart of the city (Maylord, Cathedral Close etc) currently controlled by the City Council, Herefordshire Council and the Diocese represents significant collaborative potential to repurpose the city centre*'.
9. The Herefordshire County Plan 2020 to 2024 also recognises the significant economic, skills and social mobility challenges the county faces, as well as opportunities to maximise our tourism and cultural assets. In terms of the Stronger Towns fund the County Plan specifically states '*We will work with partners to maximise the Stronger Towns Fund grant (up to £25m) awarded to Hereford and to support investment programmes across all our market towns*'.

¹ [Mapping inequality in the UK \(ons.gov.uk\)](#)

² [Economy & place - Understanding Herefordshire](#)

10. The regeneration of the city centre, and opportunities to develop the historic cathedral quarter are likely to be priorities in the emerging City Centre Masterplan and the Big Economic Plan. The two projects will also complement and work closely with other investments such as the Hereford City Centre Improvements £6m (£3m funded from the Marches Local Enterprise Partnership and £3m funded by the council) public realm and greening project, creating a new vibrant city playing a critical role for the county as a whole for many years to come. The proposed projects will also support the development of Hereford as a university city, enhancing the cultural offer, and establishing a new modern library for students to access resources and to study at the heart of the city.

Herefordshire Museum and Art Gallery

11. The full business case for the museum redevelopment supports the creation of a world class cultural and visitor experience at the heart of Hereford. The value of this is recognised in the Hereford Town Improvement Plan with its assertion that *'Hereford's strongest assets are its unique heritage...a fabulous river corridor and a globally significant collection of treasures including its Cathedral, Magna Carta, Mappa Mundi and the Herefordshire Hoard'*.
12. The Town Investment Plan also recognises that Herefordshire underperforms in relation to its tourist potential. The Town Investment Plan points out that *'Hereford's tourist performance is modest. It only has the same proportion of jobs in accommodation and food services and a lower proportion of jobs in arts, entertainment and recreation than the England average. It would not be unreasonable for a city with the potential of Hereford in this context to have 3-5 times more employees in these sectors than the national average'*. In particular, only a small proportion of visitors to the county visit Hereford itself during their stay. There is a lack of a high quality, high profile venue which can build on local heritage and can offer a range of services including national and international exhibitions. This is recognised in the Hereford Town Improvement Plan *'Hereford is an important heritage centre with assets that have significantly underperformed their potential as tourist attractions. Our current museum and art gallery...are in urgent need of contemporary refreshment and upgrading.'*
13. It is forecast that the proposed project will attract 75,000 people per annum to the county, generating an additional visitor spend of at least £2.5m (based on the spend per head identified in the STEAM economic impact assessment in 2019). It will create a high profile national attraction, making a significant difference to the countywide perception as a visitor destination and cultural asset as a place to live, work, study and invest, setting the county apart from neighbouring rural locations.
14. The structural and physical limitations of the building in its current condition and format impacts on access to the area's heritage and history which negatively affects both residents and visitors. For health and safety reasons, access to the museum and art gallery is currently limited to a maximum of ten people at any one time. There are also thousands of items reflecting the county's culture and history which are kept in storage with no means to display them or facilitate widespread access. The council is also in the process of obtaining the Herefordshire Hoard, Viking treasure unearthed in the county in 2015, but currently has nowhere to exhibit it. The proposed redevelopment will create a high quality attraction for visitors regenerating the city's 'cathedral quarter' while connecting local people to their heritage. It will facilitate education and skills development in a prominent building at the heart of the city. The redeveloped building will provide a café and retail element to attract visitors to the museum, complementing Hereford Cathedral and the Mappa Mundi. A key element will be an open exhibition and events space on the roof of the building, offering unique views over the historic city. The redevelopment will renew and reactivate a powerful, dormant asset for the city, significantly enhancing a sense of place while making a significant contribution to the repurposing and regenerating of the city as a whole.

15. In addition to regenerating the city the All-Party Parliamentary Group on Arts, Health and Wellbeing (APPGAHW) in partnership with the Local Government Association (LGA) have undertaken a major Inquiry into the role of the arts and culture in health and wellbeing. The Inquiry yielded a substantial report – Creative Health: The Arts for Health and Wellbeing LGA (culturehealthandwellbeing.org.uk) – providing evidence that creative and cultural activities can have a positive impact on people’s health and wellbeing.
16. Alongside seeking £5m from Stronger Towns, £5m funding is being sought from the National Lottery Heritage Fund through a grant application process as well as the proposed funding from the council (as per the recommendations above). The project will deliver an outstanding new museum, redesigned to operate on EnerPhit principles in a listed building (thereby providing a national example of best practice), whilst reducing ongoing revenue costs for running the building and reducing the building’s carbon footprint.
17. The full extent of the redevelopment is outlined in the Full Business Case. The RIBA Stage 2 design has been developed through extensive consultation with key stakeholders such as Historic England and the council’s Planning and Conservation officers. Wider consultation with staff, other key stakeholders and the wider public is currently underway and ongoing via a consultation strategy agreed between the council and Architype.
18. At the time that the Town Investment Plan was submitted to government (cabinet decision can be found here: [Decision - Hereford Towns Fund town investment plan submission - Herefordshire Council](#)) it was anticipated that the proposed £5m council contribution to the HMAG project would be funded through a loan to be repaid through income generated by the museum. Through the development of the project, and including commissioning expert third party advice, it became apparent that the income generated will not be high enough to sustain a loan repayment. The income generating report suggests that the development will be able to sustain its operational costs, and in time generate a surplus of income to the council, but not on the scale required to repay a loan of this scale or even at a reduced level or borrowing at this stage.
19. It is also recognised that whilst developed by an expert design team the current cost plan (£15.5m) for the development is based on RIBA stage 2, prior to planning approval and listed building consent, and has not been market tested. At this time high inflation is a global issue, which has been considered in the cost plan (allowance for 8% inflation).
20. Therefore, in order to address these issues, following a decision by cabinet on 30 June 2022, this decision seeks approval to amend the capital programme to commit up to £8m from the capital receipts reserve to the project.

Maylord Orchards Library and Learning Resource Centre

21. The purpose of the project is to establish a new, innovative and modern library and learning resource centre, creating a mixed development to support the regeneration of the city centre, and to improve the opportunities and wellbeing outcomes of the population through enhanced cultural facilities. It will create an ‘attractor’ to bring people into the city centre which will in turn support delivery of the council’s County Plan. Developing a new modern library facility and service will support Hereford in becoming a university city, addressing the ‘cold spot’ in higher education and addressing the higher level skills gap. The Maylord Orchards Library and Learning Resource Centre full business case can be found in Appendix 2.
22. Hereford library has historically been the busiest library in the county with its book stock supporting the delivery of the service in the other library sites. The building has not undergone any major renovation for some time and in its current state is not offering the wealth of opportunities that could be offered from a remodelled, redesigned and repurposed building.

23. The learning resource centre will provide rentable space for a range of services and organisations including the council's Adult Learning Services and health and wellbeing clinics. It will have two large rooms which can be split to enable the running of simultaneous activities as well as a number of smaller rooms. Adult Learning Services will use their space with the strategic aim of engaging with local residents who are least likely to participate in learning and enable them to access a range of high quality learning opportunities. This will facilitate their ability to lead more independent lives, support their families, gain qualifications, get a job, volunteer and become less socially isolated. It is also anticipated the Learning Resource Centre will provide an ideal and accessible city centre location for access to other public services such as health and wellbeing support.
24. In addition to the proposed new library and learning resource centre, the project includes significant enhancements to the atrium and Trinity Square. The atrium is very dated and tired, and dominated by two escalators that are now at the end of their operational life, despite there also being a lift available. Through the removal of the current escalators and enhancing the environment, the project will create a much improved experience for all users, a place to meet and for social interaction. Trinity Square is also very dated, and the facades of the building in need of significant improvement. Through new cladding and enhancements to the square the project will improve the aesthetics, creating a new vibrant centre with opportunities for events.
25. The RIBA stage 2 cost plan has identified that a total £3.5m cost for the proposed project, including the enhancements to the atrium and Trinity Square. Following the cabinet decision on 30 June 2022, subject to this decision to amend the capital programme, the required £0.5m of funding to complete the project will be funded by the council.

Community impact

26. The contributions of both projects with regard to positive impact on the community are set out in the business cases which accompany this report. On a national level, both projects contribute to the missions in HM Government's White Paper proposals on levelling up by
 - I. Enhancing Hereford as a city in which to live, work and study as well as visit, supporting the growth of the tourism industry as well as regenerating Hereford as the primary economic driver of Herefordshire
 - II. Providing new public facilities for local people, improving education, and enabling access to culture and heritage
 - III. Regenerating the city centre and creating a world class visitor and cultural facility
27. The projects contribute towards HM Government's 'Build Back Better: Our Plan for Growth' document published in March 2021. On page 13 of the report, the section dealing with infrastructure says that 'the Government will connect people to opportunity via the UK-wide Levelling Up Fund and UK Shared Prosperity Fund as well as the Towns Fund and High Street Fund to invest in local areas'. The report also references the need to reduce carbon emissions and this will be addressed by the use of EnerPhit principles in the design of the redeveloped museum.
28. The development projects also reflect the aspirations of the Arts Council England Strategy 2020-2030 which has three stated outcomes
 - I. Creative people – everyone can develop and express creativity throughout their life

- II. Cultural communities – villages, towns and cities thrive through a collaborative approach to culture
- III. A creative and cultural country – England's cultural sector is innovative, collaborative and international

29. Locally, a priority of the council's County Plan 2020-2024 is '*Use council land to create economic opportunities and bring higher paid jobs to the county*', and to '*Invest in education and the skills needed by employers*'. The County Plan also states '*We will work with partners to maximise the Stronger Towns Fund grant (up to £25m) awarded to Hereford and to support investment programmes across all our market towns*'. These projects support the ambitions as detailed within the council's Delivery Plan priorities, specifically community (CO0.1), economy (EC2.1, EC5.1) and environment (EN5.1, EN5.2).

Environmental Impact

- 30. The redevelopment of the Hereford Museum and Art Gallery on Broad Street building will be done using Passivhaus techniques to reduce the carbon footprint of the building as much as possible. The Hereford Museum and Art Gallery (HMAG) will become a national exemplar in seeking to achieve the Enerphit standard in a grade 2 listed building.
- 31. As Maylord Orchards Library and Learning Resource Centre is largely the internal fit out of an existing building, it is not possible to significantly enhance the environmental standards of the building as a whole. However, the project will seek to achieve the highest environmental standards wherever possible.
- 32. Aspects of stakeholder and public consultation will be done online and using video calls to reduce the amount of paper being used and to limit carbon emissions by reducing the need for travel.

Equality duty

33. 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.
34. 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 will be made aware of their contractual requirements in regard to equality legislation.

35. Equality Impact Assessments have been carried out and recently updated for both projects and these will be reviewed regularly as the project progresses. The Equality Impact Assessments have been included in appendix 3 and appendix 4. The assessments identify a number of benefits, such as enabling access for all to all of the museum and art gallery (there is no access at all for anyone with a disability at present), and improving accessibility and facilities in Maylord Orchards.

Resource implications

36. The HMAG project was seeking £5m from the Stronger Towns Fund, £5m from the National Heritage Lottery Fund (the first two stages of application have been approved), and the final £5m from the council. It was originally anticipated that the council's contribution would be provided through a loan to be repaid through the income generated in the museum. However, income advice commissioned as part of the development of the project has identified that this will not be possible.

37. The current Royal Institute of British Architects (RIBA) stage 2 cost plan for the HMAG project has identified a cost of £15.5m. Recognising the still relatively early stage of design, current global inflation issues and that the costs are yet to be market tested, a budget of circa £18m is more likely to be required to meet the aspirations of the project. Therefore, following the cabinet decision on 30 June 2022, and subject to Council approval to amend the capital programme, £8m will be funded from the council's capital receipts reserve.

38. The current RIBA stage 2 cost plan for the Maylord Orchard Library and Learning Resource Centre project has identified a cost of £3.5m to fully deliver the project, against a maximum Stronger Towns grant of £3m. To ensure the full aspirations and outcomes of the project can be achieved, it is also recommended that the £0.5m balance be funded through the council's capital receipts reserve.

39. At the end of the 2021/22 financial year there was a balance of £43.3m in the capital receipts reserve, of this £30.2m has been allocated to fund projects within the capital programme which leaves a balance of £13.1m that can be allocated to this and other projects when approved at full Council.

Funding streams (indicate whether base budget / external / grant / capital borrowing)	2022/23 (including previous year)	2023/24	2024/25	Future Years	Total
Hereford Museum & Art Gallery					
Stronger Towns Fund (capital)	400,000	3,792,065	807,935		£5,000,000
Heritage Lottery (capital)	77,000	2,492,750	2,430,250		£5,000,000
Council Funding (funded via capital receipts)	923,000	4,515,185	2,561,815		£8,000,000
Total	1,400,000	10,800,000	5,800,000		18,000,000
Maylord Orchards					
Stronger Towns Fund (capital)	268,000	2,732,000			3,000,000
Council Funding (funded via capital receipts)	500,000				500,000
Total	768,000	2,732,000			3,500,000
Programme Total	2,168,000	13,532,000	5,800,000		21,500,000

Revenue or Capital cost of project (indicate R or C)	PY	2022/23	2023/24	2024/25	Total
Hereford Museum and Art Gallery (C)	2,026	1,397,974	10,800,000	5,800,000	18,000,000
<i>Maylord Orchards Library and Learning Resource Centre (C)</i>	1,109	766,891	2,732,000	0	3,500,000
Total	3,135	2,164,865	13,532,000	5,800,000	21,886,772

Legal implications

40. Under Part 3 Section 1 of the council's constitution, full Council is responsible for adopting a capital investment budget and a capital strategy. This decision report concerns an adjustment to the capital programme to fund up to £8m for the Hereford Museum and Art Gallery project and up to £0.5m for the Maylord Orchards Library and Learning Resource Centre project funded from the capital receipts reserve and therefore requires the approval of full Council.
41. All works and services required for the delivery of these projects should be procured in accordance with the council's contract procedure rules and the Public Contract Regulations 2015.

Risk management

Risk	Mitigation
Hereford Museum and Art Gallery: Operating Model (Revenue Report) forecasts that the museum and art gallery are unable to make the required revenue to pay back the council loan.	This decision paper is requesting that the £5 million council contribution is funded from capital receipts rather than a loan, whilst also requesting an additional £3 million (£8 million total).
Changes in government Stronger Towns funding programme, leading to reduced funding, meaning the scope of the projects would need to be revised to meet the new budget.	Final funding decisions in relation to Stronger Towns fund will be made between June and September 2022, with confirmation of how much Stronger Towns funding we have secured for the projects. In relation to the Museum and Art Gallery, the project team will be aware of funding secured by the time the development stage application is made to National Lottery Heritage Fund, ensuring cost certainty for this element of the funding package.
Change of administration during project development period resulting in a change in council priorities, delaying or questioning the project's value/futures.	Stronger Towns Funding terms and conditions and commitments made by the council to the Stronger Towns fund, as well as cross party support, will mitigate this.
Timescales for National Heritage Lottery funding and Stronger Towns fund do not match, and may cause delays.	The issue of timing has been discussed with National Heritage Lottery Fund. They are used to working on projects with complex funding packages and with projects that are therefore working to a range of dates. Whilst this leads to some complexity, it does mean the project will have secured this funding in advance of the development phase application to the National Heritage Lottery Fund, which is a positive position for the project Museum and Art Gallery project to move forward.
Projects fail to secure planning permission (and listed building consent for the museum and art gallery). If planning permission for either project is not obtained, the projects will face delays to delivery and cost implications.	Library and Learning Resource Centre: The project is primarily focussed on internal renovations to the current atrium and building. Following the completion of the Pre-Application process, the project team will continue to engage with Planning Officers throughout RIBA Stages 2, 3 and 4. Hereford Museum and Art Gallery: The project team continues to work with Historic England and have sought pre-planning advice. Letters of support from have been received in the form of pre-planning feedback from the council's Planning Officer and pre-planning feedback from the council's Conservation Officer.
The Learning Resource Centre is not utilised by local residents, business, partners, etc. If the Learning Resource Centre does not generate the required income to	The project team have identified existing Council services who will utilise some of the bookable spaces daily, once available. In addition, the rentable spaces are being designed to remain flexible to maximise their uses for a diverse group

<p>cover the service charges, this would create a cost pressure on the service.</p>	<p>of users. The project team has also procured a consultant expertise 'Take The Current' who have produced a revenue report to strengthen the need for rentable spaces; high quality meeting rooms, which are well managed, are key to its success.</p> <p>Take the Current also identified that a commercial café, run by an external operator will generate enough income to cover its business rates and service charges.</p>
<p>The Cafe and Learning Resource Centre are unable to generate enough income to cover the service charges/business rates. This would create cost pressures on the services and the café would struggle to attract operators.</p>	
<p>Café does not attract an operator. This would create additional cost pressures on the service.</p>	<p>Library and Learning Resource Centre: The Maylord Orchards Centre Manager has already secured a community café operator who is currently using the existing café space until the project commences. This demonstrates that there is demand for a café in this area of the city. The project team will continue to work with the design team to ensure the new space is desirable to future operators. Cafes have previously operated from the centre for a number of years, with a social enterprise currently in situ.</p> <p>Hereford Museum and Art Gallery: The project team will continue to work with the design team to ensure the new space is desirable to future operators.</p>
<p>The Hereford Museum and Art Gallery attracts lower visitor numbers than forecast, resulting in lost income and reputational damage.</p>	<p>The quality of the exhibitions and activities are essential to this. A significant amount of funding has been allocated to ensure that the end product is of a high quality. Experienced staff are in place to work with the community and engage people in new heritage experiences, but additional staffing resource is required, as outlined within this decision paper. Marketing will also be critical to the ongoing success of the Museum and Art Gallery. A significant marketing budget has been allowed for in the business model.</p>
<p>Projects are over budget due to incorrect assumptions at feasibility. The projects would face value engineering to bring the cost within in budget and some objectives may not be delivered. This could also delay the projects.</p>	<p>The project team is working closely with Mace and the design teams to look at ways achieve both project's main objectives, whilst delivering within budget.</p> <p>This decision paper requests additional funding in order to further mitigate this risk.</p>
<p>Rise in inflation may result in an increase in costs. Work Packages and project requirements become over budget; value engineering opportunities may not be viable as works remain the same, but costs change.</p>	<p>The project will need to consider: value engineering, or reducing the project scope. As above, this decision paper requests additional funding in order to further mitigate this risk.</p>
<p>Unable to procure contractor to undertake the physical work. This would result in delays to the project timetable and additional costs</p>	<p>The project team is working closely with council's procurement team and with Mace's procurement team, who understand the current market. This expertise and advice will reduce this risk.</p>

Procurement timeframes are longer than expected. Delays to project delivery and additional cost.	The project team is working closely with the council's procurement team and with Mace's procurement team, who understand the current market. This expertise and advice will reduce this risk.
Stronger Towns Board Full Business Case response is not received within the project predicted timeframe. The projects will not move forward if we do not receive positive feedback from the Stronger Towns Board and Central Government once the full business cases have been submitted within the time frames that match the programme timeline.	The Stronger Towns assurance process will review and recommend changes before submission to Central government.
Grant applications unsuccessful, development costs create revenue pressure.	A technical team have been appointed to develop a comprehensive grant application. Cabinet aware of the risk through key decisions taken in February 2022. Alternative reserve to be identified to meet risk of project unsuccessful.
Additional staffing required to fulfil the business model developed by 'Take the Current'. Costs of additional staffing will need to be covered in order to ensure viability of the future business plan. An under resourced museum and art gallery, and library and learning resource centre will not be sustainable.	This decision paper requests support for additional staff and revenue budget in order to fully resource these services and ensure that service delivery is sustainable.
Unforeseen works are identified once works are underway during 'strip out', or when surveys are undertaken, resulting in increased costs and delays to the projects.	A number of surveys have already been commissioned or completed which inform costs and designs across both projects. Further survey works will be carried out over the life of these projects to ascertain building condition before strip out occurs. Contingency has been built into the budget.
Project not delivered on time or not delivered within the allocated budget, resulting in reputational damage, potential funding claw back, and further delay to the projects.	The project team will ensure continued communication with funding providers throughout the life of the project, and will raise any issues via the council's Project Management Office monitoring procedure. Project team will also work closely with the governance team and funding partners to map out timelines and key milestones.
Delays to start dates of tasks and milestones due to the council's governance and funder requirements, resulting in reputational damage, delays to the project, and financial implications.	Project team to work closely with the governance team and funding partners to map out timelines and key milestones. Time allows in the current timetable.

Risks will be managed at corporate level with regular reporting to the Corporate Leadership Team as required.

Consultees

42. Consultation with political groups was undertaken as part of the cabinet decision making process, positive comments were received in relation to both projects. Consultation strategies for the design and service delivery elements of both projects have been developed by Architype in conjunction with the Council and are currently being implemented, involving staff, key stakeholders and the wider public.

Appendices

None

Background papers

None identified

Report Reviewers Used for appraising this report:

Please note this section must be completed before the report can be published

Governance	John Coleman	Date 08/07/2022
Finance	Karen Morris	Date 08/07/2022
Legal	Alice McAlpine	Date 13/07/2022
Communications	Luenne Featherstone	Date 07/07/2022
Equality Duty	Carol Trachonitis	Date 05/07/2022
Procurement	Lee Robertson	Date 05/07/2022
Risk	Kevin Lloyd	Date 05/07/2022

Approved by Ross Cook Date 14/07/2022



Title of report: Brookfield Special School Capital Improvement Programme – re-profile of spend

Meeting: Full Council

Meeting date: Friday 29 July 2022

Report by: Cabinet member children and families;

Classification

Open

Decision type

Budget and policy framework

Wards affected

(All Wards);

Purpose

To approve an in-year adjustment to the capital programme following Cabinet's decision to accept the Department for Education (DfE) funding offer towards The Brookfield Special School upgrade project.

Recommendation(s)

That:

- a) **Full Council agree an in-year adjustment to the capital programme, for capital improvements to The Brookfield Special School as agreed by Cabinet on 21 July 2022 to be completed within a re-profiled budget of £5m;**

Alternative option

1. Full Council could decide not to agree to an in-year adjustment to capital programme. The advantage to this would be that there would be no requirement to use capital reserves in order to provide the council's share of the funding. The disadvantage of this decision would be that the council would miss out on a significant DfE contribution and the very modest amount of government grant left available and allocated to the project at Brookfield i.e. £849,000, would only be able to realise a small percentage of the priority improvements proposed; which include: the provision of female toilets for pupils, the upgrade of the internal stairwells to full fire

Further information on the subject of this report is available from Michael Griffin, , email: Michael.Griffin2@herefordshire.gov.ukl

compliance, and an external fire escape to the first floor of the secondary block. It would not be possible to move the Arrow cohort from the very poor accommodation in Symonds Street into a purpose built vocational block on the Brookfield site, nor provide a sports hall, or any compliant sized classrooms for the secondary setting. This option is not recommended as not to proceed with the full programme of upgrade works would impede significant improvement to the education of the Special Educational Needs and Disabilities (SEND) pupils offered a place at the school. A likely consequence of the lack of capital investment in Brookfield would be an increase in the commissioning of places for Herefordshire children out of county, which would be costly (putting the high needs funding block at risk of entering deficit), and incur greater travel time to and from school for some Herefordshire pupils.

Key considerations

2. The Brookfield Special School is an academy situated in Hereford City on two sites – the main site being close to the racecourse and the second located across the city in a mobile classroom close to the inner ring road (approximately 20 minutes apart by car). It has both primary and secondary phases. It is Herefordshire’s only Social Emotional Mental Health (SEMH) special school.
3. The premises are inadequate – A small group of the most vulnerable and challenging pupils are currently accommodated offsite in a temporary demountable building of poor quality and unsuitable layout on Symonds Street. The use of this building is subject to a temporary planning permission which requires the mobile building to be removed by 16 April 2023. There are no female pupil toilets in the secondary building and as there is now demand for female places at the school (although this has not been the case previously), this poses an equality issue. All current classrooms are small and there are only 9 as opposed to the 10 described as necessary in BB104. There are no indoor sports facilities despite physical education being a statutory requirement of the national curriculum.
4. Following funding allocations by full Council, on 28 April 2020, Cabinet approved spend of £3.939m to improve the premises ([Link](#) for reference). This report seeks to update on the position since that decision and not the background as to how that decision came to pass as this has not fundamentally changed.
5. At the time of the Cabinet decision in 2020, the DfE acknowledged that as the school is an academy, the deterioration of the building and its inadequacies were their responsibility and therefore suggested a contribution towards the project. However, this offer of financial contribution was never formally agreed.
6. On 15 July 2021, the Regional Schools Commissioner (RSC) made a decision that Brookfield was to join the Mercian Educational Trust (MET).
7. As a result of this decision, concerns were raised by Cabinet Members in relation to the DfE’s funding of the improvement works at Brookfield and therefore project delivery activity was paused to allow further negotiation with the DfE to bring a formal proposal for their financial contribution to the urgent capital works.
8. Following talks with the DfE, the Minister has approved a decision, in principle, to pay 70% of the costs of the proposed improvements at Brookfield on the condition that the council agrees to fund the remaining 30% and Brookfield school transfers to the MET.
9. In the Cabinet report of 21 July 2022, the transfer was scheduled for 1 October 2022. However, following the publication of the Cabinet report, the council has been informed by MET that this may take until 1 March 2023 to allow for statutory staff consultations to be undertaken.

10. The total project cost has been reviewed by the council appointed consultant and it is anticipated the project will now cost £4.62m, of this, the council is expected to pay 30%. A further contingency amount, in addition to the 30% contribution, has been added to give an overall budget of £5m.
11. This presents a significant saving to council borrowing. In April 2020, as well as a high needs grant, Council agreed to fund the project using Corporate funded borrowing of £1.895m and Capital receipts reserve £1.195m. Borrowing of £1.895m is no longer required to fund the project. In addition, there will be a reduction in funding from the capital receipts reserve of £0.276m, therefore this reduces the burden on council's overall funding.
12. As the capital line for the project needs to increase, albeit with the DfE paying the majority share, a decision by Full Council is required. The approval of new leases to both the Brookfield School and the Greyhound rugby club will be overseen and approved by the Strategic Assets Delivery Director in line with advice from council's legal services.

Community impact

13. The County Plan outlines the council's priorities. The improvement to Brookfield supports three of these: Ensure all children are healthy, safe and inspired to achieve, Protect and improve the lives of vulnerable people, and Invest in education and the skills needed by employers. The children and young people's directorate [schools capital investment strategy](#) itemises 11 principles. The Brookfield improvement project would align with principles 1, 2, 7, 8, 10 and 11.
 1. High quality learning environments are more likely to deliver the best outcomes for all children and young people
 2. A high quality learning environment is one where:
 - The building is in good condition with an affordable and planned programme of maintenance
 - The building has the right number of suitable places
 - The building supports the delivery of a suitable curriculum and learning
 - There is sufficient suitable outdoor space including playing fields and all weather surfaces
 - Children are not taught in temporary classrooms
 - The building is energy efficient
 - The school has full disabled access
 - The school meets all health and safety requirements
 7. As a whole across Herefordshire, there should be no more than 10% surplus school places. This margin is designed to reflect population variations and trends over time
 8. The council will be increasingly responsible for taking steps towards protecting the environment and will expect all schools to work towards achieving and displaying energy certificate rating of C or above and a silver eco schools rating along with reducing energy consumption located near community assets
 10. Any financial investment must represent best value for investors and could come from a variety of sources, including:
 - Specific grants and one off government schemes

- The planned release of sites to sell and reinvest
- External funding such as from The Education Funding Agency, the Diocese and section 106 agreements with housing developers

11. The council will carry out detailed consultation on any changes or investment proposals
14. As with all school provision, improvements to the quality of education is vitally important in improving the life chances of children and young people in the care system. The improvements to Brookfield will improve the quality of education, and the educational experiences for all of the pupils on roll, including those who are in care and therefore the responsibility of the corporate parenting board.

Environmental Impact

15. The 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 environmental impact of this proposal has been considered through the design of the improvement works and includes appropriate requirements on the contractor/delivery partner to minimise waste, reduce energy and carbon emissions and to consider opportunities to enhance biodiversity. This will be managed and reported through the ongoing contract management.
17. The main purpose of this project is to address a number of suitability issues at the school. There is no plan to retro fit the main part of the building in order to reduce its carbon footprint at this time. However, elements of the project will reduce the overall consumption of energy at the site thus there will be a carbon saving to be had by the measures detailed below.
18. An energy strategy has been prepared to address the new proposal for the Arrow Centre and the Sports Hall buildings and aims to significantly exceed the minimum UK Building Regulations Standards and to reduce the carbon emissions associated with the operation of the buildings.
19. The development of this project has sought to minimise any adverse environmental impact and will actively seek opportunities to improve and enhance environmental performance. Below are summarised main design principles which have been followed to deliver a high-performance building. The key environmental drivers are reducing the energy demand and carbon emissions associated to the building and to provide a comfortable environment with good Indoor Air Quality.
- Passive Design measures - In order to deliver a high-efficiency building, the first aim of the Energy strategy should be reducing its energy demand. This is called a 'fabric first' approach which engages passive measures and an efficient building envelope prior to considering systems optimisation to satisfy the demand. These fundamental concepts are always engaged from the very early stages of the design to maximise the energy efficiency of the development and to minimise its carbon footprint.
 - Efficient building services - A balanced mechanical ventilation strategy with heat recovery is proposed to optimise the energy performance of the system. A thermal

comfort analysis has been carried out to assess the internal temperatures within the occupied spaces. Two windcatchers will serve the Sports Hall to provide fresh air throughout the year. The majority of the occupied spaces within the Arrow Centre will be served by mechanical ventilation with heat recovery and cooling. Low energy lighting with daylight and occupancy controls will be provided throughout the development to reduce the electrical load.

- Low carbon and Renewable technologies - After incorporating the energy efficiency measures in the design, low carbon technologies have been considered for the proposed development in order to further reduce the carbon emissions associated to the use of the building. To reflect the rapid decarbonisation of the grid, a heat pump system has been considered the most carbon efficient and cost effective solution to provide heating (and cooling in the Arrow Centre). Furthermore, it is proposed to install a photovoltaic (PV) array on the roof of the Sports Hall to generate renewable energy for the building. This will be in addition to the PV array already installed on the main school building.

Equality duty

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.
20. The decision to invest in capital improvements to Brookfield advances equality of opportunity by; giving the school the ability to offer placements for girls with SEMH needs and, by improving the quality of accommodation supporting the fostering of good relations between children and young people who have a designated special need of SEMH at the school, and those in mainstream settings.
21. The education of children and young people at Brookfield is a commissioned service. As this is the case, 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 incoming providers, The Mercian Educational Trust will be reminded of their contractual requirements in regards to equality legislation.

Resource implications

22. By taking the decision to proceed to implementation of the project, the project will follow the council's Programme Management Office process. There will be no call on ICT and human resources within the council for this project. If council Property Services decides to tender for this element of the project, the cost will be met from the budget for fees and services. This service is accounted for in the budget plan.

23. This report seeks approval for a budget of £5m for the project. Details of the funding are included in the table below. The final DfE grant is dependent on actual tendered costs following the procurement process which will be carried out in line with the council's contract procedure rules. The costs shown are estimates only and may vary once tenders are received.
24. There are no future revenue implications to the council as any ongoing maintenance costs will be funded from the schools budget.
25. The capital costs of the decision are set out below. All project costs to be incurred, from the decision to proceed point, have been included. Funding sources have been itemised, and include the year during which they will be required. It is anticipated that the completion of the project would support continuing prudent use of the schools high needs block budget by future proofing available places within Herefordshire for SEMH placements, thus reducing the need for expensive out of county placements.

Capital cost of project	Previous years	2022/23	2023/24	Future Years	Total
	£000	£000	£000	£000	£000
<i>Construction Costs</i>	0	200	3,158	550	3,908
<i>Design & Cost Consultants</i>	190	32	156	22	400
<i>Other Professional & Internal Fees</i>	24	45	35	6	110
Furniture and IT	0	0	25	75	100
Contract Contingency	0	10	80	10	100
HC Risk Contingency	0	50	200	132	382
TOTAL	214	337	3,654	795	5,000

Funding streams (indicate whether base budget / external / grant / capital borrowing)	Previous spend	2022/23	2023/24	Future Years	Total
	£000	£000	£000	£000	£000
<i>Special Provision Capital Fund government grant</i>	214	86	548	0	848
<i>DfE 70% share</i>	0	201	2,568	464	3,233
<i>Capital receipts reserve</i>	0	50	538	331	919
TOTAL	214	337	3,654	795	5,000

26. The council's Property services have been working closely with the Greyhound Rugby club to negotiate the surrender of their lease, the cost of which will be picked up within the project budget.

Legal implications

27. The council has power to act in its capacity as freehold owner of the Brookfield School site, subject to the requirements of the Secretary of State arising from the academy status of Brookfield. Furthermore Section 1 of the Localism Act 2011 provides a general power of competence for local authorities. It gives local authorities the same power that an individual generally has, to act (subject to its fiduciary and statutory duties).

28. The council is under a duty to ensure that primary and secondary education facilities for the area include adequate provision for recreation and social and physical training for children (s507A and B Education Act 1996). Academies are required to follow a broad and balanced curriculum that promotes the physical development of pupils. While the Act does not state that facilities for physical education to be provided on site, the provision of indoor sports facilities would assist the school to meet the needs of its pupils in delivering the curriculum.
29. It is also a requirement that separate toilet facilities are provided in schools for boys and girls of 8 years and over (Reg 4 School Premises (England) Regulations 2012)(s542 Education Act 1996).
30. The value of the proposed improvement works is in excess of the UK's procurement threshold for tendering therefore all procurement processes for the delivery of the project will be compliant with not only the council's contract procedure rules but also the Public Contract Regulations 2015.
31. The council is empowered to deal with the Brookfield lease and grant a fresh lease to Brookfield, by a variety of statutes. Section 123 (1) Local Government Act 1972 provides that a principal council may dispose of land held by them in any manner they wish provided that it is not for a consideration less than the best that can reasonably be obtained, unless with Secretary of State's consent. The grant of a lease constitutes a disposal of land. Dealings with land specifically in relation to schools are governed by the Academies Act 2010 and the School Standards and Framework Act 1998.
32. Whilst the freehold to the site is owned by the council, there are existing lease provisions creating shared use of some spaces with other council tenants. Furthermore, part of the proposed development sits on land which is currently let to another council tenant and the council cannot compel the tenant to surrender this land to the council or to alter the provisions regarding shared spaces.
33. The council's legal team will deal with the preparation and completion of the necessary legal documentation including a development agreement with the DfE and the Mercian Education Trust, the build contract and leases.
34. Once all third party negotiations are concluded, it is the intention of the council to grant a 125 year lease to the Mercian Educational Trust, for a peppercorn rent. The DfE model lease will be used which includes clauses preventing the academy trust from disposing of its leasehold interest in the public land without the prior consent of the Secretary of State for Education. This will also be included within the Academy's funding agreement.

Risk management

35. The risks presented by the project commencement are identified below, along with consequences of the risk factor occurring, and mitigations proposed to resolve the issues.

Risk / opportunity	Mitigation
<p>Reputational- there is a reputational risk to the council should the project not progress, and vulnerable children and young people continue to be educated in a sub-standard setting.</p>	<p>Ensure that all required documentation needed in order to progress the project is provided, and contains sufficient information for key decisions to be made. Corporate and directorate level.</p>
<p>Reputational – If the project progresses but does not meet the key gateways outlined in the project timeline, the council might be subject to reputational damage.</p>	<p>Ensure that the project is kept to time by efficient project management, and that the corporate communications team provides key information to stakeholders at appropriate times within the project lifecycle. Corporate level.</p>
<p>Financial – there is a risk of investment into a developed design for the improvements being made, and the project becoming compromised by delay in the agreement of the new leases by either tenant.</p>	<p>The council's property services are in continued discussion with the Brookfield trustees and the Greyhound Rugby Club trustees. A compromise has been identified and all parties are now working towards lease exchange ahead of the transfer 1 October 2022</p>
<p>Financial – there is a risk to the continuity of education for current pupils at the school, if the project timeline is compromised. In the current timeline projection, all works necessary may be accommodated around the normal daily operation of the school. If there are delays to the project, a small amount of decanting of pupils to an alternative site may be necessary. This could be at extra cost to the project.</p>	<p>Make appropriate plans if necessary, to provide temporary alternative accommodation at little or no extra cost, in liaison with the MET. These eventualities have already been discussed and solutions proposed, using current other education settings, at minimal extra cost. Service level. In addition, ensure efficient implementation of project management methodology to keep the project to time. Corporate level.</p>
<p>Financial – there is a risk that if the project timeline is compromised, there would be inflation to cost, greater than that which was allowed in the feasibility study.</p>	<p>Ensure that the project has a further council contingency in place, in case of any unanticipated delays. Corporate level.</p>

Consultees

36. Consultation was undertaken ahead of the decision on 28 April 2020. In addition, this updated proposal has been discussed with the cabinet member children's and family services and young people's attainment, the cabinet member commissioning, procurement and assets and the cabinet member finance, corporate services and planning. An updated political consultation presentation took place on 18 May 2022 which was attended by Councillors from the Conservative Party, Liberal Democrats, Independents for Herefordshire (IFH), True Independents and the Green Party. A number of comments were received.

- A question was raised about funding (Conservative); whether this was specifically for Brookfield and would it detract from works required at Westfield. The High Needs Grant identified for Brookfield was grant funding received 3 years ago. Further funding has subsequently been received which will be used in part towards Westfield.
- (Lib Dem)The project should not be just about value for money and the physical facilities but it does need to provide better outcomes for children, however it was queried whether the extra facilities could be accommodated on the cramped site. The design for the school has been completed and is able to be accommodated on the site using some land that is currently used by the Greyhound Rugby Club.
- (Lib Dem, Conservative) Queries were raised around the Mercian Trust, whether this trust is the best place for this provision, their knowledge and skill set and who signed off on the transfer to them. The decision to transfer the academy to the trust is made by the regional schools commissioner with delegated authority from the Secretary of State and is outside the control of the council.
- (IFH)There is a pressure on autism places in Herefordshire. Rectification of this should be progressing more quickly as this would reduce the pressures on the special schools to provide this resource. Work is progressing on this requirement in parallel with this project and some of the future High Needs Grant will be allocated to this area.

37. All other councillors had the opportunity to view the presentation and comment, no further comments were received.

38. Cabinet discussed the proposal at Cabinet meeting held on the 21 July 2022. Cabinet agreed to make a recommendation to full council.

Appendices None

Background papers

None Identified

Report Reviewers Used for appraising this report:

Governance	John Coleman	Date 26/05/2022
Finance	Karen Morris	Date 06/06/2022
Legal	Alice McAlpine	Date 27/05/2022
Communications	Luenne featherstone	Date 26/05/2022
Equality Duty	Carol Trachonitis	Date 25/05/2022
Procurement	Mark Cage	Date 26/05/2022
Risk	Elizabeth Freeland	Date 16/06/2022
Approved by	Darryl Freeman, Corporate Director, Children and Young People Date 21/07/2022	

Please include a glossary of terms, abbreviations and acronyms used in this report.

SEND – special educational needs and disabilities

SEMH – social emotional mental health (special needs)

BB104 – (government) Building Bulletin 104: Area guidelines for SEND and Alternative Provision

RSC – Regional Schools Commissioner

DfE – Department for Education

MET – Mercian Educational Trust

PV - Photovoltaic



Title of report: Leaders report to Council

Meeting: Council

Meeting date: Friday 29 July 2022

Report by: The Leader of the Council

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

To provide an update on the work of the Cabinet since the meeting of Council held on 4 March, 2022 and on progress made in the previous year towards achieving the council's priorities and priorities for the coming year.

Recommendation(s)

That:

- (a) the report be noted.**

Alternative options

1. There are no alternative options; the constitution requires the Leader to provide Council with reports on the activities of the executive.

Key considerations

2. It is a constitutional requirement that the Leader of the Council provides a report to each ordinary council meeting, other than the budget meeting, on the work of cabinet since the last meeting. At the first meeting following the annual meeting I am also required to report on the annual priorities of the cabinet and progress made in meeting those priorities.
3. Our Delivery Plan for 2022/23 (appendix B) entitled “Respecting our past, shaping our future” includes a review of 2021/22 showing what we have done so far, and what we plan to do in 2022/23 I would encourage all Members to read the document. We have much to be proud of in terms of protecting and enhancing our environment, and keeping Herefordshire a great place to live, strengthening communities to ensure everyone lives well and safe together, and supporting the economy which builds on the County’s strengths and resources. . All against a backdrop of Covid, now the war in Ukraine and increasing concerns about global warming. As the introduction to the plan says “The Covid pandemic has provided a powerful reminder of the importance of frontline services, and the council’s central role in supporting communities. It also confirmed that power of working together to address key issues and in making improvements to people’s lives”
4. In my report I include a summary of the matters decided by the cabinet, cabinet members, any decisions taken under the urgency provisions and those subject to call in.
5. It is customary for all of the decisions to be listed in an annex to this report (appendix A). These decisions have been made available on the council’s website. All councillors and members of the public have the opportunity to review these decisions as they are being made.
6. Of the decisions taken since my last report to Council, no key decisions were taken under the general exception provisions (giving more than five but less than 28 days’ notice) and none were taken under the urgency provisions (less than five days’ notice).
7. Included in my report is a summary of what I consider the most significant decisions since my last report to Council supporting the achievement of the County Plan, as well as some additional subjects that I hope will be of interest.

OFSTED Visit and update on Children’s Services

8. The Council is aware that OFSTED began their inspection on Monday, 18 July 2022. Their findings will become public on 12 September 2022.

The Children’s Improvement Plan

9. Officers within our children’s services continue to update the Children Improvement Plan following the High Court Judgement in 2021, the finding of the Ofsted Inspection (2018) and subsequent Focused Visits. Ensuring our children’s services are the best they can be has been the council’s number one priority since 2021. It will continue to be so until improvements to our services for our most vulnerable children, young people and families ensure that all children have the best start in life.
10. This revised Improvement Plan goes into more detail than the previous version, published in November 2021, and is informed by a clear set of outcomes to be achieved, and it sets out our priorities to improve, how we will do this, and what can be expected from improved activity.

11. We have already taken immediate steps since the High Court Judgement in 2021 of increasing capacity across the service and to start to build a new permanent senior leadership team. Additional funding from the Council has been received to resource our improvement activity and we have received support from the Department for Education (DfE) by way of a grant to support increased improvement activity during 2021-22. Delivery against the ambitions in the Plan are continuously reviewed by the Children's Improvement Board and reported regularly to the Corporate Leadership Team, the Children and Young People Scrutiny Committee, the Cabinet, and full Council.

Update on Phosphate concerns within the County

12. Herefordshire Council is undertaking a lead role in efforts to support the restoration of the Wye, developing the UK's first development Phosphate Calculator, delivering Integrated Wetlands and an Agricultural Supplementary Planning Policy which is about to be published for consultation. The Council has been a driver for supporting improvement around the Nutrient Management Board and has invested in a significant national influencing role to progress river restoration.
13. On 28th January 2022 Council approved a motion calling for a WPZ. The response from the Secretary of State was disappointing. A fuller update on this is contained elsewhere in the papers for this meeting.
14. On 12th May 2022 we received notification from Natural England that they were introducing more stringent Phosphate targets for both the Lugg and the Wye, the previous one having been set in 2016. In July 2022, the latest source apportionment data was published indicating the main causes of phosphate pollution following sampling work in the river. This reported a further reduction from water companies and other sources and a 5% increase from agriculture;
 - 72% agricultural diffuse pollution including run-off
 - 23% sewage treatment works
 - 5% other (eg highways run off)
15. On May 31st, 2022 [RePhoKus](#) published its report "Re-focusing Phosphorus use in the Wye Catchment" with significant recommendations which local authorities including Herefordshire Council need to assess.
16. On 29th July 2022 George Eustice made a statement part of which included support for the approach to nutrient credits and wetlands that the Council has adopted. I consider that we are playing a part in leading on these issues.
17. However, the recent reports described above and failure to deliver a Water Protection Zone means that there is a need to consider what more can be done. A Cabinet Commission is proposed to undertake a more strategic and systems led review of river quality and in particular to consider how Herefordshire Council can use all the powers and influence available to it to progress the restoration of the Wye and Lugg.
18. In particular the Commission will consider whether it is now reasonable to use Planning Conditions and the Planning Enforcement regime to ensure that nutrient outputs from new developments are certified to ensure that they do not create down-stream impacts within the Lugg and Wye Catchments. The Commission will also address what more can be done to address river quality issues caused by current developments.
19. We are in discussion with the Environment and Sustainability Scrutiny Committee to review the draft terms of reference at their July 26th 2022 meeting. Over the summer work will be undertaken

to finalise the Commissions terms of reference, work programme and timetable with regular progress reports to be provided to Cabinet. Additional capacity will be created by commissioning support where existing gaps exist. It is envisaged that the Commission will want to draw on expertise, leading national experts, other impacted local authorities and from our national regulatory partners.

Integrated Wetlands

20. I am pleased to say the work to assure ourselves that the issue of Nutrient Neutrality can be addressed has been completed and Cabinet will consider this at our meeting on 27th July 2022 enabling trading to commence soon afterwards. We will also be producing a forecast of when credits are likely to become available from our other sites.
21. The capital budget of £2m for the Integrated Wetlands project is funded through use of the Council's New Homes Bonus, and is supplemented by a £1m capital grant allocation from the Marches Local Enterprise Partnership through the Getting Building Fund.

Market Town Business Briefings

22. As an administration we are committed to improving communication with business. The six monthly market town business briefings combined with the quarterly business briefings and the regular CEO blog have improved our engagement and given an opportunity to listen to the views of business and communicate what the Council is doing.

Stronger Towns Fund

23. In terms of the Stronger Towns fund the County Plan states 'We will work with partners to maximise the Stronger Towns Fund grant (up to £25m) awarded to Hereford and to support investment programmes across all our market towns'. The regeneration of the city centre, and opportunities to develop the historic cathedral quarter are likely to be priorities in the emerging City Centre Masterplan and the Big Economic Plan. The two projects will also compliment and work closely with other investments such as the Hereford City Centre Improvements £6m public realm and greening project, creating a new vibrant city and playing a critical role for the county as a whole for many years to come.
24. Both the Hereford Museum and Art Gallery project and the Maylord Orchards Library and Learning Resource Centre are flagship projects in the Hereford Town Investment Plan. These projects were approved at the Cabinet meeting held on 29th June 2022 and briefed to all Councillors at various other meetings. I would like to thank Cllr Davies and the library team for their extraordinary energy in getting these projects to their current state.
25. The Hereford Town Investment Plan recognises that 'Hereford's strongest assets are its unique heritage and distinctive rural identity, with 316 listed buildings, 12% of its total footprint given over to green space, a fabulous river corridor and a globally significant collection of treasures including its Cathedral, Magna Carta, Mappa Mundi and the Herefordshire Hoard'.
26. The proposed projects will also support the development of Hereford as a university city, enhancing the cultural offer, and establishing a new modern library for all to access resources, and to study at the heart of the city.

27. The Stronger Towns Fund Board has been an interesting example of the Council, business and the community working together. It was a government requirement that the Board be business led, with limited involvement with the Council, whilst at the same time the Council took on the obligation of Accountable Body. Navigating this was not easy and there has been tension at times. The result is something that all should be proud of. I would like to publically thank Cllr Chowns in particular for her commitment and contribution to this project.

Levelling Up

28. The UK Government has announced an initial £4 billion for the Levelling Up Fund for England over the period up to 2024-25. Funding will be delivered through Local Authorities. The Levelling Up Fund is an opportunity to secure external funding to help support the county's economic future.
29. Herefordshire has the lowest county tier Gross Value Added (GVA) of any county in England and is the second lowest in the UK (second to our neighbour Powys). Average weekly wages are 20% below the national average, 39% of residents have a NVQ level 4 or above qualification compared to a national average of 43%, 24% of the population are aged over 65, and the county is a Higher Education and social mobility 'cold spot'.
30. We are responding to these challenges. Recent and upcoming investment in NMITE, Hereford Enterprise Zone, Hereford Towns Fund programme and Leominster Heritage Action Zone demonstrate significant opportunities that the proposed Levelling Up Fund bids will add value to. The county and council are encouraging a move towards a greater higher education provision, stronger investment in jobs and productivity, and partnership working on key infrastructure priorities.
31. Cabinet approved 3 bids for the second round of Levelling Up Funding. For the second round of funding, Herefordshire has rightly been identified as a priority 1 area (previously priority 2 area). Herefordshire faces some significant long term economic challenges, including the lowest Gross Value Added per hour of any county in England. We are pleased that in this round the prioritisation for funding support has been recognised.

UK Shared Prosperity Fund

32. The UK Shared Prosperity Fund is a separate fund of £7.45m over three years. Both Jesse Norman MP and I wrote to the Secretary of State comparing this allocation to the last EU programme period, where we benefitted from c.£25m of European Regional Development Funding and European Social Funding. The net £6.6 million of funds is a significant reduction. The UKSPF prospectus suggests that the allocations are 70% based on population, and only 30% on local need. The per capita focus significantly disadvantages rural areas with lower levels of population but with some of the greatest areas of need which is at odds with the levelling up white paper. The response from the Secretary of State was not sympathetic. I will continue to press for a proper allocation for our County in Government allocation of funding.
33. As required in the UKSPF guidance, the council has also formed a strategic partnership board to oversee the development of the Investment Plan. The Herefordshire Sustainable Growth Strategy Board (HSGSB) was formed in June 2022, and includes representation across the county's business sectors, geographies, communities, and the chairs of other local stakeholder groups such as the Herefordshire Business Board, Skills Board and Climate and Nature Partnership. The membership of the HSGSB can be found in appendix 1 to the report which is due to go to Cabinet on 28 July. I am pleased to see this further engagement with the

community. It is important that such consultation is not lip service and attendees must see their attendance as worthwhile and making an impact.

34. I would like to take this opportunity to thank all officers involved in setting out the business case and putting Herefordshire's bids together on both of these funding opportunities. They have been delivered at pace and have given the council a very credible evidence base.

Herefordshire County Business Investment District

35. The new Herefordshire County BID has requested a loan from the council for the first year of its operation. It will be repaid as the levy is collected from businesses. This will support the set up costs and the initial marketing activity to promote tourism in the county. A similar facility had been put in place for the Hereford City BID when it was first set up. As the council is the billing authority it would be responsible for collecting the levy and would deduct the repayments from the funds collected. There is no financial risk to the council as nationwide figures show only a very small percentage of businesses fail to pay and the loan will be recouped in less than a year.
36. I have joined the Board of the County Business Investment District and look forward to playing a part in encouraging the tourist (and retail) sector of our local economy which is so important to us.

Herefordshire Local Plan – replacing the current Herefordshire Local Plan Core Strategy

37. Work on the Herefordshire Local Plan 2021-2041 is underway which will replace the current Herefordshire Local Plan Core Strategy. The third public consultation; Place Shaping options for the new Local Plan began on Monday 13 June and will continue until Friday 29 July. The consultation sets out possible options and/or potential strategic development areas for Hereford, each of the County's market towns together with a range of alternative settlement hierarchies for rural parts of Herefordshire.
38. The strategic approach is to focus most development in Hereford and the Market Towns as its basis was the most supported in the Spatial Options consultation held in January and February. In rural areas of the county, there was a general preference expressed in development to be less dispersed. Therefore the options consider alternative ways to distribute development to fewer settlements than currently identified in the Herefordshire Local Plan Core Strategy.
39. It is important that this consultation provides the opportunity for everyone to have their say at a formative stage of plan making. The consultation does not set out firm proposals, which will come later in the process. A number of events have taken place across the county as well as on-line sessions for Members and Parish Council's. Please encourage local residents and businesses to look at the consultation material on-line <https://hlp.commonplace.is/> and respond to the consultation. Further public consultation on a draft plan will take place later in the year.

Waste Management Strategy

40. The council's county plan states that we will improve the sustainability, connectivity and wellbeing of our county by strengthening our communities, creating a thriving local economy and protecting and enhancing our environment. Our [Waste Management Strategy 2021 - 2035](#) is the

embodiment of this vision. It will help us address the management of waste across Herefordshire now and in the future with the following key targets:

- Target 1 - Net zero carbon by 2030
- Target 2 - Reduce residual household waste arising's to less than 330kg /per house per year by 2035
- Target 3 - Achieve national municipal reuse and recycling rate targets of 55% by 2025, 60% by 2030 and 65% by 2035
- Target 4 - To meet the requirements of the Environment Bill
- Target 5 - No more than 1% of municipal waste to be sent to landfill from 2025 and zero waste to landfill by 2035
- Target 6 - Improve reuse and recycling at all HWRC sites to achieve a reuse and recycling target of 85% by 2035.

41. By implementing this strategy we will deliver on our strong commitment to recycle more, reduce our waste and meet the goals established in our climate emergency declaration. The strategy also forms the basis for our response to changes to legislation set out in the Environment Act 2021 and provides the direction to the service from 2021 to 2035 (the last target year in the national strategy). Our strategy also provides the framework for the planned procurement of new waste collection and disposal contract(s),
42. On 21st July, cabinet approved the commencement of a competitive procurement process to include the procurement of a separate cargo bike food waste collection service in central Hereford City. In the next year we will be undertaking pilot projects alongside the winding down of the current collection contract. This will be a significant change moving from the current green and black bin collection service to separate food, garden twin-stream recycling and residual waste, offer the public better ways to recycle.

Ukrainian refugees

43. The Government launched the Homes for Ukraine Sponsorship Scheme on the 18th March 2022. The Council mobilised operations and set up a team to lead on all of the essential checks that are required on sponsors and their families. This includes DBS and home checks to make sure that the host accommodation is safe. The team also ensure that all of the prescribed payments are made to both hosts and guests as they arrive. The operational team are managing the tremendous work of collection, distribution and support based at unit 37 on the Three Elms Trading Estate, co-ordinating the support for Ukraine response.
44. Herefordshire Council receives a grant of £10,500 per person. Of this sum £200 is paid to each individual arriving as an initial payment. The remaining £10,300 is to be used to cover costs incurred by the local authority as a result of the scheme and to facilitate and extend community based support through voluntary, community and public sector organisations.
45. As a county we should all take a huge sense of pride in the generosity and friendship extended to Ukrainian refugees. On behalf of this council I would like to thank the many families offering their homes and helping the families to integrate into our communities and society. There has been an extraordinary response to the scheme and the wider plight of Ukrainian people from communities across Herefordshire. Herefordshire has the second highest number of arrivals in the West Midlands, second only to Birmingham. As at 21 July 2022:

- I. There are 208 unique sponsors from Herefordshire on the [Governments Foundry System](#).
 - II. There are 618 unique guests seeking to come to Herefordshire.
 - III. 387 guests have arrived to-date, coming to a total of 125 sponsors located across the county.
46. As of July 21 the council has placed 111 children to allocated school places by the Councils schools admissions team. 70 of primary age and 41 secondary. 7 other children awaiting a decision. The demand for school places is broadly distributed around the county with demand being monitored carefully for potential pressures on certain areas/schools.

A refugee champion

47. I have proposed that a new member champion is appointed dedicated to supporting refugees arriving in the county. Initial considerations include:
- I. Promoting Herefordshire as a place that welcomes refugees, a safe haven and home
 - II. A role that promotes the work of the council, and our partners, in our collective assistance for refugees relocating to the county
 - III. A role that demonstrates 'leadership and example' for others to follow in extending their support to refugees
 - IV. A sign post for those in the county seeking to offer their homes and support for refugees and their families
 - V. A focal point to help show case the contribution that refugees make in our communities, to our economy and our diversity as a county
 - VI. A role that highlights the generosity extended by the many families of Herefordshire who are extending their homes to accommodate the refugees arriving in our county, both through the family scheme and the national home scheme to local support being provided, principally, to Ukrainian refugees

The Herefordshire Hoard

48. The campaign to acquire the Herefordshire Hoard for the people of Herefordshire is gathering momentum. Of the £70,000 identified as being raised from the public campaign, around £30,000 has been donated so far. Of the £706,250 to be raised from external grants, a large grant has been secured from a national funder. The Herefordshire Museum Service Support Group (HMSSG) has also made applications to national and local funders. Eight public engagement events in Hereford and around the county have taken place so far and been received with great interest and enthusiasm. Talks have also been well attended, particularly the talk from the British Museum expert on the Hoard which attracted over 100 people.
49. There has been outreach activity with local business resulting in further donations and there are still a number of engagement events to go. The campaign is very grateful to all the volunteers who are supporting the museum team at events and behind the scenes, particularly HMSSG members who are contributing a great deal of their time and skills.

Hoople

50. Hoople continues to expand its services in the Council. It recently won two awards at the Geoplace Exemplar Awards – a Platinum Award for street data and a Best in Region Award in relation to the quality and improvements in the street data Hoople manage on behalf of

Herefordshire Council. The data custodian role is within Hoople, but works closely with the Council's departments to manage the data in line with national standards and guidelines. Its focus is on Local Land and Property Gazetteer [LLPG] address and Local Street Gazetteer [LSG] street data.

51. I have recently been advised that in order to address a possible conflict of interest, the role of monitoring Hoople at a Cabinet Portfolio level should be carried out by someone who is not a Director of the Company. Accordingly the monitoring role is to be passed to the Portfolio holder for Finance and Corporate Affairs. This is reflected in the amended portfolio document attached. I will continue as a Director.

Finance year end outturn

52. At Cabinet on 26th May 2022 the quarter 4 results were considered. Cabinet was pleased to note that notwithstanding that the council had faced the largest in-year savings target ever, at over £11m, in addition to the continued challenges of Covid, the final outturn was an underspend of nearly £550k. Additional Covid grant support from central government has gone a long way towards meeting the additional costs incurred due to Covid but there were still significant impacts such as delays to delivery of capital projects. I would like to place on record my thanks, and the thanks of all Councillors, to the finance team and all the officers who have contributed to achieving these results.

Covid – recovery fund

53. Members will be aware that in September 2021 the government set out its investment fund as part of the Covid-19 Recovery measures. The council has used over £800,000 of this money to ensure that everybody will have access to free weekend bus services. Travel was within county only and additional bus services were commissioned for Sunday travel. This free service is due to end on 28 August 2022.
54. Bus travel remains free to residents of pensionable age, and those with a qualifying disability through the English National Concessionary Travel Scheme (ENCTS). The council has been monitoring usage and will be able to assess a more accurate timescale for the duration of the scheme over the coming months. Suffice to say this free service has proved very popular.
55. Free weekend bus travel is just one element of the Covid-19 Recovery Plan, which is providing funding of £6.14 million to support the county in its recovery from the Covid-19 pandemic. Members will recall that additional measures included a complimentary £15 'spend local' card which was later topped up by a further £10. Many local business have highlighted that, following their many months of lockdown and closure, this money was helpful in increasing the level of business.

The annual Performance review and objective setting of the Chief Executive

56. The annual performance review for the chief executive has been undertaken and it was externally facilitated by West Midland Employers. Objectives for the current year have been set and these will be reviewed in the next year in line with the framework for assessment agreed by employment panel. These can be found at appendix C of this report.

Members Mandatory Training

57. I would like to thank all members who have recently undertaken the mandatory training as well as some of the optional training sessions offered by the council and by the Centre for Governance and Scrutiny (CfGS). I appreciate this has been an extensive time commitment in and amongst your other duties as a councillor.
58. I know some members were unable to attend some of the mandatory training. Democratic services will be in touch shortly to run some further 'mop- up' sessions for those members who could not make every mandatory training session. Please make every effort possible to attend these follow up training events.

Councillor Briefings.

59. The new approach to member briefings to seek views on future decisions is in my view much more effective than the previous system of asking for written comments. Thank you to officers for providing these briefing sessions.

Community impact

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

Environmental Impact

61. The environmental impacts of any decisions of the executive have been set out within the relevant decision report and taken into consideration at the time the decision was taken. Reporting to Council the activities of the executive demonstrates the council's commitment to the council's [environmental policy commitments](#) and aligns to the following success measures in the County Plan.
- Increase flood resilience and reduce levels of phosphate pollution in the county's river
 - Reduce the council's carbon emissions
 - Work in partnership with others to reduce county carbon emissions
 - Improve the air quality within Herefordshire
 - Improve residents' access to green space in Herefordshire
 - Improve energy efficiency of homes and build standards for new housing
 - Increase the number of short distance trips being done by sustainable modes of travel – walking, cycling, public transport

Equality duty

62. 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.
63. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. As this report provides a summary of activity undertaken, we do not believe that it will have an impact on our equality duty. These considerations are set out in each of the relevant reports informing the decisions listed at appendix A, and will inform any future decision making.

Resource implications

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

Legal implications

65. The council and committee, and cabinet rules within the constitution require the Leader to provide a report to Council on the work of the cabinet since the last meeting of Council and, at the first meeting to follow the annual meeting of Council (except in a year when there are ordinary elections), on the priorities of the cabinet and progress made in meeting those priorities. This report ensures these requirements are met.
66. There are no legal implications arising from the recommendations of this report. The legal implications of any decisions of the executive listed at appendix A have been set out within the relevant decision report and taken into consideration at the time the decision was taken.

Risk management

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

Consultees

None

Appendices

Appendix A: Decisions taken from 4 March to 21 July, 2022

Appendix B: Respecting our past, shaping our future. Delivery Plan 2022/23

Appendix C: Chief Executive Priorities

Background papers

None Identified

Appendix A: Decisions taken from 4 March to 21 July, 2022

Decisions				
Title	Date	Effective from	Call-ins	
Multiply Local Investment Plan submission to the Department for Education	01/07/2022	08/07/2022	Call-in expired	
Household Support Fund	23/06/2022	07/07/2022	Call-in expired	
Local Growth Funds for the New Model Institute In Technology and Engineering	30/06/2022	07/07/2022	Call-in expired	
Stronger Towns Projects Full Business Case Submission	29/06/2022	06/07/2022	Call-in expired	
Highway Capital Equipment Expenditure	01/06/2022	10/06/2022	Call-in expired	
Levelling Up Fund Capacity Funding	01/06/2022	10/06/2022	Call-in expired	
Herefordshire County Business Improvement District Advance Request	26/05/2022	02/06/2022	Call-in expired	
Nutrient Certainty	26/05/2022	02/06/2022	Call-in expired	
Phosphate Credit Pricing and Allocation Policy	26/05/2022	02/06/2022	Call-in expired	
Energy Rebate Discretionary Fund	26/05/2022	02/06/2022	Call-in expired	
Quarter 4 Budget & Performance Report	26/05/2022	02/06/2022	Call-in expired	
Promoting Safety: Herefordshire Domestic Abuse Strategy 2021-24	26/05/2022	02/06/2022	Call-in expired	

Decisions			
Title	Date	Effective from	Call-ins
Green Homes Grant, Local Authority Delivery, Phase 1a project (GHG LAD 1a) Grant Balance Processing:	18/05/2022	25/05/2022	Call-in expired
Procurement of CCTV/Security Monitoring Staff	16/05/2022	21/05/2022	Call-in expired
Public Realm Services Annual Plan 2022-2023	03/05/2022	10/05/2022	Call-in expired
Citizens Climate Assembly Next Steps and Recommendations	28/04/2022	06/05/2022	Call-in expired
Herefordshire Natural Flood Management (NFM) Project	20/04/2022	27/04/2022	Call-in expired
Adoption of the Tarrington neighbourhood development plan and consequential updates to the countywide policies map	14/04/2022	23/04/2022	Call-in expired
Scrutiny Training - mandatory sessions	06/04/2022	13/04/2022	Call-in expired
Communications Strategy 2022-2025	31/03/2022	08/04/2022	Call-in expired
Care and Support Charging Policy	31/03/2022	07/04/2022	Call-in expired
Delivery Plan 2022/23	31/03/2022	07/04/2022	Call-in expired
High Needs Budget 2022/23	31/03/2022	07/04/2022	Call-in expired
Herefordshire Children's Services Transformation	31/03/2022	07/04/2022	Call-in expired
Market Town Investment Plans (MTIP's) - to approve the Investment Plans	31/03/2022	07/04/2022	Call-in expired
Stronger Towns Project Development Fund Acceptance (Greening the City)	28/03/2022	02/04/2022	Call-in expired
Herefordshire's co-ordinated admissions arrangements for 2023/2024	25/03/2022	01/04/2022	Call-in expired

Decisions			
Title	Date	Effective from	Call-ins
Adoption of the Llangarron parish neighbourhood plan and consequential updates to the countywide policies map	25/03/2022	01/04/2022	Call-in expired
Contract Variation for The Public Health Nursing Service 0-25 years	24/03/2022	31/03/2022	Call-in expired
National Bus Strategy - Enhanced Partnership Agreement with bus operators	23/03/2022	30/03/2022	Call-in expired
Holiday Activities and Food (HAF)	23/03/2022	30/03/2022	Call-in expired
Kington Car Parks	23/03/2022	30/03/2022	Call-in expired
Property services estates capital programme 2022/25 and residual improvement works from the 2019 estates condition reports	18/03/2022	25/03/2022	Call-in expired
Property services planned and reactive maintenance programme 2022/23	18/03/2022	25/03/2022	Call-in expired
Herefordshire Hoard	15/03/2022	22/03/2022	Call-in expired
Town Fund – Final Business Case (Projects) Summary Submission	14/03/2022	19/03/2022	Call-in expired
Children Improvement Plan - Progress Update	26/05/2022	02/06/2022	Call-in expired
Levelling Up Fund Bid Submission to Government	29/06/2022	06/07/2022	
Procurement of new waste collection service	29/03/2022	For Determination	

Respecting our past, shaping our future

2022-23

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OUR DELIVERY PLAN

Priorities for 2022/23

This document highlights the key activity planned for 2022-23 financial year in meeting the ambitions set out in the County Plan 2020-24.

The council is setting in motion activity now that will have long-term benefits for the future of Herefordshire in supporting our economy, our communities and our environment.

The Covid pandemic has provided a powerful reminder of the importance of frontline services and the council's central role in supporting communities. It also confirmed the power of working together to address key issues and in making improvements to people's lives.

We are realistic about the scale of the challenge - the loss of government funding, rising costs and changing demands means facing tough choices about where to focus resources. Our day to day services are important in making it possible for residents to get on with their everyday lives, for businesses to thrive, and provide support to people at different stages of their lives.

This delivery plan focuses on commitments beyond the day to day services to show how the council will progress its priorities in meeting our vision to...

Improve the sustainability, connectivity and wellbeing of our county by strengthening our communities, by creating a thriving local economy and by protecting and enhancing our environment

Wellbeing

- We will nurture **children in our care**, provide support for families as soon as they need it, and help young people to meet their potential through education and training.
- We will instigate new ways of providing **care of older people**, including progressing the council's own care facility.
- We will aim to reduce **inequalities** in our county, including access to a network of Talk Community Hubs and libraries.

Sustainability

- We will respond to the **climate and ecological emergency** including tackling pollution and will protect the countryside, all of which will improve quality of life for all.
- We will invest in new **housing** for people that is affordable and environmentally sustainable.
- We will reduce the amount of **waste** generated in the county, change how it is collected and increase reuse and recycling.
- We will involve more people in planning for the county's future as we update the **core strategy** planning policy framework.

Connectivity

- We will boost different **travel choices** through new walking and cycling routes and widen other transport options whilst creating a long term travel plan for the county.
- We will continue to extend digital connection for households and businesses, and make the most of **digital technology** to improve service delivery options.
- We will support businesses and skills development to aid economic growth, along with investing in our **town and city centres** and promoting the county as a vibrant place to live, work and visit.

Highlights of 2021-22



46 Talk Community Hubs open, and Talk Community kitchen providing healthy meals.



Shell Store opened with 2,000 sq metres of space for new and growing businesses.



Over 93% of premises with access to superfast broadband.



Over 91,000 journeys on Hereford Beryl Bike Scheme, covering more than 220,000kms.



New student accommodation at Station Approach in Hereford with 178 rooms.



Distribution of £46m to businesses to address effects of Covid and £8m for social care provision.

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Brush, Book, Bed! promoting oral health for under 5s as part of a daily bedtime routine with baby pack from libraries.



9,774 free swimming sessions for children and young people; 2,740 free gym membership for students in years 11,12 and 13.



Beacons College opened as new special needs school in Hereford.



Over 58,000 Shop local cards issued benefiting over 1,500 businesses.



219,196 Covid home test kits distributed and c6,500 contact tracing cases completed by the council.



More than 62,000 free journeys at weekends with many new routes.

During 2021-22, we did...



In 2021 over **2,700** children attended the Holiday Activity Fund projects



3,197 planning applications determined



4,441k new library members
80k eBooks and eAudio books issued



1,000 children in need and their families supported



910 fly tips removed
57 graffiti removals

11,000 households support with the council tax reduction scheme



61,729 calls to the contact centre, average answering time 48 second.

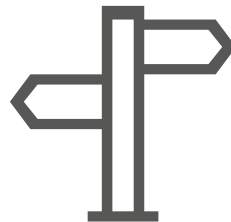
4,054 additional calls on the Covid 19 helpline.

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41,000 repairs on the roads, footways and public spaces of Herefordshire

21,000 pot holes repaired



27 public rights of way footpath schemes completed



200 community leaders trained in mental health awareness and first aid.



£3.196m on improving school buildings



5,337 referrals made to Adults Social Care



3,405 Blue Badge applications issued

Our Delivery Programme 2022 - 2023

Herefordshire Council delivers a wide variety of services to residents and businesses. The following pages highlight some of the key activity that has taken place since April 2021 and what is planned for the forthcoming financial year in meeting the ambition of the county plan, with reference to the related objectives.

Council Plan **Environment Objective:** Protect and enhance our environment and keep Herefordshire a great place to live.

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Programme	So far we have...	This year we will...
Commissioning of new waste collection and disposal service (supporting objective EN1)	<ul style="list-style-type: none"> Produced a new Integrated Waste Strategy to meet ambitious waste reduction and recycling targets. 	<ol style="list-style-type: none"> Implement a new waste strategy in preparation for collection changes in 2024. Promote changes to the new collection system for refuse and recycling throughout the year. Run pilot schemes for reusable nappies with 75 families and trial recycling storage options with people living in flats.
Deliver the Hereford Transport Strategy and City Centre Masterplan (supporting objectives EN2 & EN4)	<ul style="list-style-type: none"> Set up 4 new car share clubs in Kington, Leominster, Fownhope and South Hereford. Implemented free weekend bus travel scheme and an enhanced Sunday service. Produced a Bus Service Improvement Plan to support a funding bid of £18.1m. Secured £1.49m towards new active travel schemes and eastern road link. Appointed lead on strategic planning for transport. Installed new city trees providing natural filters to reduce air pollution. Extended Hereford's Beryl Bike scheme to 200 pedal bikes and introduced 30 new ebikes. Launched a new contract to increase electric vehicle charging points. 	<ol style="list-style-type: none"> Produce the Hereford City Masterplan to support long term planning for transport. Deliver active travel programmes to encourage more walking and cycling along with measures to improve air quality and travel plans with businesses. Install new cycle routes for St Owen's Street and on Aylestone Hill in Hereford. Complete feasibility study of route options for Eastern river crossing. Introduce an additional 70 ebikes as part of the Beryl Bike scheme. Consult on design options for the city Transport Hub. Complete design for Holme Lacy Road improvements. Commence construction of Hereford Enterprise Zone Quiet Route. Expand the county's electric vehicle charging point network (100 new points planned by 2025).

Programme	So far we have...	This year we will...
Address the climate and ecological emergency in the county (supporting objectives EN3 EN4, EN6 & EN7)	<ul style="list-style-type: none"> Established a countywide climate and nature partnership. Engaged residents in a citizens' climate assembly and allocated £1.33m to the climate reserve to deliver new initiatives. Drafted supplementary guidance on Environmental Building Standards for consultation. Grant funded 100 properties with first-time central heating schemes. 	<ol style="list-style-type: none"> Run a Greener Footprints campaign to raise awareness of the actions households can take to address climate change. Respond to the citizens' climate assembly recommendations and agree a funded programme working with partner organisations. Seek resources for a countywide domestic energy retrofit programme, and deliver a domestic energy efficiency and renewable heating retrofit programme to support 150 homes. Provide free and impartial home energy advice to 1,000 households through the Keep Herefordshire Warm service. Construct our first integrated wetland to reduce levels of phosphate pollution entering the Special Area of Conservation. Adopt a new nature strategy for the county.
Deliver initiatives to reduce the council's carbon footprint (supporting objectives EN5 & EN7)	<ul style="list-style-type: none"> Completed energy performance surveys of the tenanted properties of the council. Established an energy improvement programme. Reduced the council's carbon footprint by 59.6% from baseline of 2008/9. 	<ol style="list-style-type: none"> Install new energy efficiency measures at 4 council buildings supported by the Sustainable Energy in Public Buildings projects. Develop a new 3 year decarbonisation programme for school buildings. Including delivery of energy audits at 20 schools and installation of solar PV systems at 2 schools. Deliver the highway biodiversity net gain project. Improve the environmental and energy efficiency standards of Council buildings through the introduction of new minimum standards for energy efficiency, developing a plan for investing in energy efficiency and renewable energy measures for existing buildings for consideration in future budget requests, and a plan for achieving net zero carbon for all new-build council buildings.
Update planning policy for the council (supporting objective EN0)	<ul style="list-style-type: none"> Commissioned a needs assessment and public consultation started to meet regulation 18. 	<ol style="list-style-type: none"> Complete 3 key consultations to progress production of the updated Core Strategy. Deliver full draft of the Core Strategy Update ready for pre-examination public consultation (Regulation 19). Implement the new supplementary planning documents for Agriculture and Planning and Environmental Building Standards. Progress the Minerals and Waste policy through examination to adoption.

Council Plan **Community Objective:** Strengthen communities to ensure everyone lives well and safe together.

Programme	So far we have...	This year we will...
<p>Improve the health and wellbeing of children (supporting objective CO1)</p>	<ul style="list-style-type: none"> • Provided free gym and swimming lessons for children. • 14 enhanced play areas supported by Covid recovery grant. • Introduced new Universal Public Health nursing visits for 4-6 month olds. • Introduced an on-line oral health training package reaching 177 professionals and parents. • Launched a new campaign to improve young children's oral health based on 'Brush, Book, Bed' with packs from libraries and supervised tooth brushing in children's settings. 	<ol style="list-style-type: none"> 1. Use the Improvement Plan to work more closely with partners, and agree a common understanding of a Child Friendly County. 2. Strengthen the role of children's centres and early years in prevention, with more families aware of the services they are entitled to and be connected to more opportunities within their community. 3. Run training programmes for 200 staff on oral health. 4. Deliver a training programme of road safety including pedestrian training for school pupils.
<p>Deliver schools investment programme (supporting objective CO1)</p>	<ul style="list-style-type: none"> • Completed Marlbrook School extension. • Created new drop-off area at Mordiford School. • Opened a new special needs sixth form in Hereford at Beacon College. • Completed 16 feasibility studies to inform key investment priorities for schools. • Built a new science block at John Kyrle High School adding extra school places in Ross-on-Wye. • Obtained planning permission for development at The Brookfield School. 	<ol style="list-style-type: none"> 1. Tender construction of new school building at Peterchurch Primary School. 2. Tender refurbishment and expansion of The Brookfield School. 3. Plan and agree first phase of school expansions to deliver additional school places across the county. 4. Seek approval for the rebuild of Westfield School and move to the design stage. 5. Conduct feasibility work to inform plans to increase capacity at Hereford Pupil Referral Service and Blackmarston School.

Programme	So far we have...	This year we will...
School Improvement to support young people to learn (supporting objective CO1)	<ul style="list-style-type: none"> Supported schools to be open and operating through Covid-19 restrictions. Embedded and maintained an online learning offer through 2020-2022. Provided support in the distribution of lap-tops to children. 	<ol style="list-style-type: none"> Ensure all schools have better informed pupil's mental health and wellbeing support via a training and development package. Develop a range of traded services to support increase in number of schools who operate as academies. Improve the educational outcomes for those pupils with Education and Health Care plans.
All children known to the safeguarding services receive the best possible service (supporting objectives CO1 & CO2)	<ul style="list-style-type: none"> Renewed Children's Improvement Plan. Revised Quality Assurance Framework and Practice Standards. Audited current children social worker cases. Implemented new scheme of exit and retention interviews to better inform our recruitment and retention strategy. 	<ol style="list-style-type: none"> Put in place effective 'Voice of the Child' engagement so children are involved in designing services in a meaningful way. Increase the number of foster carers by 25. Integrate a "Right Help – Right Time" approach within the Talk Community programme, so families are better supported within communities. Improve the range of support for care leavers. Provide more support for the Children's Rights and Advocacy Service. Progress plans to build a children's residential home. Increase the number of social workers with a new retention and recruitment approach.
Invest in creating affordable net zero carbon housing (supporting objective CO3)	<ul style="list-style-type: none"> Agreed housing delivery model. Identified pipeline of viable sites for housing and commissioned feasibility assessment. 	<ol style="list-style-type: none"> Progress the delivery of new affordable net zero housing on council owned land. Submit planning applications for 2 housing sites on council land. Support at least 230 additional affordable properties in the county.
Development of council owned care home to meet future demands (supporting objectives CO4 & CO5)	<ul style="list-style-type: none"> Completed options appraisal and decision to progress with a council owned care facility. Created a discharge to assess facility at Hillside Care Home including refurbishment and environmental upgrades. 	<ol style="list-style-type: none"> Progress the building of the council's own care home with site identified, design outlined and planning application developed. Complete site works for Hillside Independent living demonstration centre.

Programme	So far we have...	This year we will...
Ensuring quality of care and develop technology enabled living (supporting objective CO5)	<ul style="list-style-type: none"> Implemented a strengths based and community focussed approach in supporting adults with social care needs and emerging support needs. 	<ol style="list-style-type: none"> Create 50 bespoke wellness packages using a technology enabled 'proactive and preventative' care model. Move the existing Telecare Service to a digital delivery model. Create a digital tool and website that shows how technology can support people's independence and aid assessments. Develop and deliver a training programme to support at least 50 staff on the use of technology to support residents.
Become a Sustainable food county (supporting objectives CO4 & EN3)	<ul style="list-style-type: none"> Establish a sustainable food partnership. 	<ol style="list-style-type: none"> Develop and agree a Food Charter for the county. Submit application for the Sustainable Food Place Bronze award.
Work to minimise inequalities in our communities (supporting objective CO4)	<ul style="list-style-type: none"> Developed and implemented a Covid vaccine inequalities programme. Supported more than 11,000 bill payers through the council tax reduction scheme. Supported over 200 individuals via debt, financial and fuel poverty service available in all market towns. 	<ol style="list-style-type: none"> Produce a Physical Activity Strategy that outlines plans and programmes to aid health through fitness. Offer maximum council tax reduction scheme for eligible pensioners and people of working age. Work with partner organisations to produce a plan to tackle health inequalities and lead health equity audit process for commissioned services.
Further develop the Talk Community approach (supporting objective CO6)	<ul style="list-style-type: none"> Created 46 talk community hubs created. Completed community wellbeing survey. Trained 200 community leaders and volunteers in mental health awareness and first aid. Provided 2,700 children with free holiday activities throughout the school holidays. Established the Talk Community kitchen with healthy meals to the local community. Awarded over £1m to the voluntary and community sector through grants and operation of services 	<ol style="list-style-type: none"> Increase the number of Talk Community hubs to 75. Deliver 2 integrated service hubs using existing community facilities that includes working with the whole family. Make investment and improvements to libraries and museums.

Programme	So far we have...	This year we will...
Deliver improvements in the infrastructure and public realm (supporting objective CO0)	<ul style="list-style-type: none"> Brought back into council-owned operation the Public Rights of Way and Traffic Regulation Order teams. Submitted outline business case for Pontrilas Station to Restoring Your Railways programme. Installed new street furniture in High Town, Hereford. 	<ol style="list-style-type: none"> Publish and implement plan to improve the Public Rights of Way Service by working in partnership with volunteers, communities and parishes. Develop 20mph speed limit policy and programme for the county to cover significant villages and market towns. Install 20mph limits in Presteigne and Cusop, as part of the 1st year of 5 year 20mph speed limit programme. Enhance the Cathedral and River Wye quarters of the city. Make Improvements to the city street scene in Widemarsh Street and High Town in Hereford.
Council modernisation programme (supporting objectives CO0 & CO4)	<ul style="list-style-type: none"> Reviewed modernisation and transformation programme, with resources and aligned budgets. Increased the role of Hoople as a jointly owned company for building maintenance and cleaning. Creation of a programme management office to support delivery of projects and schemes. 	<ol style="list-style-type: none"> Roll out and embed hybrid working model for employees, creating effective flexible working arrangements. Develop and implement updated Digital Strategy for improved customer experience, communication and connectivity. Establish a “spirit of Herefordshire” approach to attracting and retaining workforce through celebrating the positives of the county. Work with NHS and Public Health partners to implement the Integrated Care System approach agreed for Herefordshire & Worcestershire. Establish Hoople Care to deliver care services for the council.
Management of the council's assets to maximise their use (supporting objective CO0)	<ul style="list-style-type: none"> Placed operation of Maylord Orchards centre management with Hoople. Moved to increase flexible working in response to Covid 19 and vacated two key buildings creating a revenue saving. 	<ol style="list-style-type: none"> Produce asset management plans for each council owned property based on up-to-date knowledge of conditions. Plan capital works for the Shirehall to bring back into council and community use.

Council Plan **Economy Objective:** Support an economy which builds on the county's strengths and resources

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Programme	So far we have...	This year we will...
Develop the 2050 Economic Big Plan (supporting objective EC1)	<ul style="list-style-type: none"> Held Economic Summit in Hereford, along with a series of mini Economic Summits in all market towns. 	<ol style="list-style-type: none"> Work with stakeholders to consult, draft and publish a new economic strategy and UK Shared Prosperity Fund Investment Plan to support the continued recovery of the county, leading to longer term accelerated growth and higher value jobs for local people.
Town Investment Plan for Hereford (supporting objectives EC1 & EC2)	<ul style="list-style-type: none"> Submitted initial business cases for Town Investment funding. 	<ol style="list-style-type: none"> Implement the £22.4m Town Investment funded through the Stronger Towns Fund working closely with partners. Produce and submit detailed proposals for investment in the Hereford Museum and Art Gallery, Maylord Orchard Library and the Learning Resource Centre. Deliver the detailed business case for Greening the City.
Develop & implement Market Town Economic Development Investment (supporting objectives EC2 & EC5)	<ul style="list-style-type: none"> Produced plans for each market town based on public consultation. Awarded grant to market town projects worth £550,000. Made investment in Leominster Heritage Action Zone. 	<ol style="list-style-type: none"> Commence implementation of the Market Town Investment Plans, allocating the £20.6m investment to bring forward employment land and to create incubation space for businesses. Pursue potential sites for new commercial employment land uses in market towns. Progress the Leominster Heritage Action Zone Project; including completion of public realm improvements.
Support economic opportunity through business support (supporting objectives EC2 & EC6)	<ul style="list-style-type: none"> Invested £6m in Covid 19 recovery programmes supporting economic and wellbeing support. Introduced the Shop Local Card, so far benefitting over 1,500 shops. 	<ol style="list-style-type: none"> Increase engagement with the private sector through a Talk Business programme of communications, networking and events including quarterly business briefings and six monthly meetings in the market towns. Increase the level of engagement and quality of support provided through the Marches Growth Hub, with a specific focus on supporting businesses to respond to climate change and reduce their carbon impact. Deliver a business case for the Recovery and Investment Fund to support businesses to expand in Herefordshire.

Programme	So far we have...	This year we will...
Development of the Hereford Enterprise Zone (supporting objective EC2)	<ul style="list-style-type: none"> Completed 90% of civil works at the North Magazine of the Hereford Enterprise Zone. Opened the Shell Store with 20% of units occupied. Supported the opening of Midlands Centre for Cyber Security. 	<ol style="list-style-type: none"> Continue sales of council owned land resulting in business growth, private sector investment and creating more and better paid jobs. Complete the North Magazine Civil Works with first plots sold for development. Complete NMITE's Skylon Park campus including the Centre for Advanced Timber Technology and Centre for Automated Manufacturing.
Work with partners to increase the Skills and Workforce in the county (supporting objective EC3)	<ul style="list-style-type: none"> Put in place contracts with 2 Community Renewal Fund projects. Supported the Kickstart scheme launched to support young people into work / apprenticeships. Used Covid 19 recovery funding to support 28 young people most at risk of not being in education, employment and/or training. 	<ol style="list-style-type: none"> Review the skills and supply chain required to meet the needs of the county, aligned to the Economic Big Plan. Implement a new recruitment platform for council employees, to attract skilled workers to the county. Run a joint marketing campaign with Higher Education providers to attract students to study in the county, including those from the local population. Provide more apprenticeship, supported internship and work experience opportunities, including through the council's direct contracts. Engage with 300 young people via Youth Employment Hub to support 16 to 24 year olds into education, employment and/or training. Agree a new strategic plan and future delivery model for the council's adult and community learning education service.
Deliver broadband coverage via Fastershire whilst addressing the barriers for people going online (supporting objective EC4)	<ul style="list-style-type: none"> Worked with suppliers to reach 93.7% of premises with superfast and full fibre broadband. Introduced a new community broadband scheme to connect some of the hardest to reach premises. Secured additional government funding for Project Gigabit support to extend the county's full fibre broadband coverage. Introduced digital household grant and new business broadband programme. 	<ol style="list-style-type: none"> Secure at least 15 businesses taking up the new business grant, provide new household grants to eligible residents, and at least 100 residents improving their digital skills. Commission Age Concern to deliver support for older people to improve their digital skills, including 288 places for 6 week computer café course, 60 attending 1-2-1 course and 50 tablet loans. Increase superfast and full fibre broadband coverage in the county, and move to new stage of gigabit capable speeds.

Programme	So far we have...	This year we will...
Support Tourism and Cultural Sector in the county (supporting objective EC5)	<ul style="list-style-type: none"> • Commissioned first TV advert for Herefordshire reaching more than 8.3 million people. • Promoted over 450 businesses through new Visit Herefordshire website. • Conducted a ballot on forming a Herefordshire Business Improvement District. 	<ol style="list-style-type: none"> 1. Support the growth of the tourism industry across Herefordshire, working closely with private sector partners and building on strengths and new opportunities in areas such as accessible and green tourism, creative industries, promotion of the cultural sector, and improving our Public Rights of Way.

How we monitor the Plan

The activity detailed in this plan will be managed through a robust approach to project management to ensure visibility of progress, risks and accountability for delivery.

The involvement of residents and stakeholders in the development of services and projects is critical to ensure that we do the right things at the right time and in the right way. This includes in January 2022 running the very first Citizens' Climate Assembly, and continuing to run the parish council summits.

The council has undergone a major review of its governance arrangements, resulting in clarity on how members of the public can be involved in decision making, scrutiny and holding the council to account.

We recognise and value the central role our employees play in delivering this plan and the running of our many statutory services. We will continue to invest in activities that ensures we attract and retain skilled and committed workforce, whilst making the most of working with external partners to share particular expertise to ensure this plan is delivered.

Appendix A of this plan demonstrates how the activity identified in this plan meet the original ambitions from our County Plan. This appendix also identifies the outputs we will monitor to show progress and the high level outcomes which will evidence the success of our County Plan ambitions. These will form the basis of quarterly reporting for 2022/23.

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Councillor David Hitchiner

Leader of Herefordshire Council

Councillor Liz Harvey

Deputy Leader of Herefordshire Council / Cabinet Member for Finance, Corporate Services and Planning

Councillor Diana Toynbee

Cabinet Member for Children and Families

Councillor Gemma Davies

Cabinet Member for Commissioning, Procurement and Assets

Councillor Ellie Chowns

Cabinet Member for Environment and Economy

Councillor Pauline Crockett

Cabinet Member for Health and Wellbeing

Councillor John Harrington

Cabinet Member for Infrastructure and Transport

Councillor Ange Tyler

Cabinet Member for Housing, Regulatory Services and Community Safety

Herefordshire Council

Chief Executive's Priorities

1. The transformation of children's services
2. Development of Covid recovery plans for the local economy and Community Wellbeing
3. Focus on the economy, build new partnerships and deliver key regeneration and growth projects and programmes
4. Shape and influence the development of a successful Integrated Care System for Herefordshire
5. Devise and implement an organisational Strategic Transformation and Change Programme
6. All Council strategies, projects and programmes take account of and align with local and national zero carbon targets
7. Promote the reputation and profile of Herefordshire Council locally, across the west midlands and with national government



Title of report: Motions on notice

Meeting: Council

Meeting date: Friday 29 July 2022

Report by: Monitoring Officer

Classification

Open

Decision type

This is not an executive decision.

Wards affected

Countywide

Purpose

To consider motions received on notice.

Recommendation

THAT: the motion listed at paragraph 6 is debated and determined by Council.

Alternative options

- 1 There are no alternative options to the recommendation; the constitution makes provision for motions on notice to be debated and decided by Council.

Key considerations

- 2 The constitution provides that members of Council may submit written notice of motions for debate at Council. A motion must be signed by the proposer and seconder and submitted not later than midday on the seventh working day before the date of the meeting. A member cannot propose more than one motion on notice per meeting and a maximum of three motions will be debated at meetings of full Council.
- 3 Motions must be about matters for which the council has a responsibility or which affect Herefordshire.
- 4 Motions for which notice has been given will be listed on the agenda in the order in which notice was received unless the member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.

Further information on the subject of this report is available from
Matthew Evans, democratic services officer on Tel (01432) 383690

- 5 Up to one and a half hours will be allocated to debate motions on notice but that time may be varied at the discretion of the chairman.
- 6 One motion has been received and will be debated at the meeting. The motion for discussion is set out below:

Motion 1 – Cabinet Commission on Phosphates

(Proposed by Councillor Toni Fagan, Seconded by Councillor Jennie Hewitt)

We welcome all the actions that Herefordshire Council and other statutory partners have taken and continue to take to address the issue of phosphate over-loading of the River Wye SAC.

As scientific research now exists which indicates that further impactful and coordinated responses are required to save the river catchment from permanent eutrophication, this motion calls upon the executive to:

Consider including the following areas of urgent action in the remit of the proposed Cabinet Commission on Phosphates:

1. **Request of government that:**
 - the new Minister in charge of Defra clarifies what additional evidence they require before they would be prepared to reconsider the Council's Water Protection Zone request for the Wye;
 - DEFRA commission the catchment-wide appraisal of nutrient flows in the Wye (and all other river systems) that will inform and enable consideration of the cumulative impact of development.
2. **Request of agency partners that:**
 - the Environment Agency improve the effectiveness of their regulatory and enforcement actions and their work with partners, to deliver best practice in sewerage treatment and manure management and to encourage and support the ongoing work of compliant farm businesses.
 - Natural England update their current (2011) River Wye water quality data in relation to the SSSI and SAC targets in a timeframe which is aligned to the current update of the Herefordshire Local Plan; and provide guidance on appropriate conditioning of permissions to achieve the necessary reduction targets.
3. **Identify now how best to use the update of the Local Plan to:**
 - recognise and address proportionately the legacy and ongoing contribution to phosphate pollution made by each development sector;
 - promote and support best practice nutrient actions across all sectors;
 - encourage and incentivise catchment restoration through alternative, restorative and regenerative land use.
4. **Using the 'precautionary principle' explore immediately the adoption of a planning position statement for all future development which accurately reflects the sector risks identified in research; and reinstating the consideration of '*cumulative impact*', to ensure that the Supplementary Planning Document on Agricultural Development, which is already in progress, enables officers to exercise the full extent of the council's planning powers in these regards.**
5. **Consider urgently how data sharing, data management and data visualisation can support science-led and evidence-based decision-making at all levels and across all stakeholders.**

- 7 The constitution provides that the report to Council containing notices of motion on hand will also include detail of progress of all outstanding resolutions. There are outstanding resolutions with respect to motions considered at earlier meetings of full Council; updates of progress against these resolutions are provided below:

Date of meeting	Motion	Current Status
12 July 2019	Community Infrastructure Levy	<p>The decision taken on the update to the Core Strategy on 9th November 2020, see:</p> <p>http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=7296</p> <p>This included resolution as follows: (e) work on progressing a Herefordshire Community Infrastructure Levy should be put on hold pending the outcome of the significant proposals for reform of planning obligations in the White Paper</p> <p>The outcome of the Planning White paper is still awaited, we remain unsure when a new Planning Bill will be published by the Government or a new system implemented.</p> <p>In respect of the first resolution on the Community Infrastructure Levy I would advise that the recently published Levelling Up Bill included proposals to introduce a new infrastructure levy to ensure that developers contribute their fair share to the local area. This is intended to replace the current Community Infrastructure Levy and amend the approach to Section 106 agreements. The Government have indicated that the levy would ensure a local authority can set a sum that it can use for local infrastructure and that they will consult on what provisions there should be to ensure that a fixed proportion of affordable housing can be created.</p>
<p>RESOLVED:</p> <p>That this Council asks the executive to investigate the adoption of the Community Infrastructure Levy as a matter of urgency, ensuring it is implemented for Herefordshire no later than January 2021.</p>		

Date of meeting	Motion	Current Status
17 July 2020	Tree Strategy	<p>The development of a new countywide tree strategy and a Herefordshire Council tree management plan are included with the priority actions for the approved £1.3m budget following the Citizens Climate Assembly and a business case is currently in development.</p> <p>The Council is also finalising a new Nature Strategy as a holistic approach to protecting and enhancing biodiversity. This strategy will form an important part of the development of the wider Nature Recovery Strategy which is a new obligation from the recent Environment Act.</p>
<p>RESOLVED:</p> <p>We call upon the executive to expedite the delivery of a detailed tree strategy for the county. A 2014 draft document exists that might provide the basis for a new strategy which will reinforce our commitment to the environment and align with our declaration of a climate emergency.</p> <p>The Government is currently consulting on an England Tree Strategy and we ask for the council to respond to this consultation.</p> <p>Furthermore, in the interim and as a matter of urgency, we ask the executive to consider what can be done to protect existing trees and to take immediate action by planting, maintaining and protecting trees in order to have established growth by 2030.</p>		

Date of meeting	Motion	Current Status
9 October 2020	Decline in hedgehog population	<p>The Council is currently developing a new Nature Strategy as a holistic approach to protecting and enhancing biodiversity. This strategy will form an important part of the development of the wider Nature Recovery Strategy which is a new obligation from the recent Environment Act.</p> <p>This will encompass the further development of the draft tree strategy and include measures to ensure the further protection of hedgehogs.</p>
<p>RESOLVED: That –</p> <p>A recent study has shown that the UK population of Hedgehogs has declined from around 30 million to only 1 million. Whilst it is not yet a European Protected Species it is a British mammal where the population is in steep decline and I am calling upon our executive to please consider ways in which Herefordshire Council can include measures for adaptation, mitigation and for the protection of Hedgehogs to a level comparable to that required for European Protected Species.</p>		

Date of meeting	Motion	Current Status
8 October 2021	Belmont	<p>The council is currently reviewing the resource required in order to undertake an appraisal of Belmont.</p> <p>The process required is set out within the Planning (Listed Buildings and Conservation Areas) Act 1990 and will require a formal process which comprises an appraisal followed by a public consultation.</p> <p>Planning (Listed Buildings and Conservation Areas) Act 1990 (legislation.gov.uk)</p> <p>The Act (para 69) also advises the council has a duty to review all existing conservation areas of which there are currently 64 within the county.</p> <p>In addition to a full review of existing designations, requests have been made by a number of parish councils to consider further historic settlements for consideration.</p> <p>We are therefore considering the resources and timescales required to invest in a full review of conservation areas across the county which would be beneficial in providing a consistent approach to the process, an executive response for which will be brought forward in the autumn of this year.</p> <p>The need to undertake this work proposed for Belmont and to address the need for conservation area assessments across the county is on the list of works to find one-off funding from within the discretionary funds we are prioritising separate from the budget process. The timeline for getting a cabinet decision on the funding options for these works has been extended.</p>
<p>RESOLVED: That –</p> <p>That in recognising the importance and potential of Belmont, this Council calls on the Executive to appraise Belmont for designation as a new Conservation Area to include the House, Abbey and Park on the south side of the River and the adjacent hamlets of Warham and Breinton on the north side, seeking funding to support this work; and</p> <p>This council calls upon the executive to appraise all sites of significant historic interest that are not currently conservation areas with a view to reviewing whether more conservation areas should be approved.</p>		

Date of meeting	Motion	Current Status
8 October 2021	Wye and Lugg Bathing Water	<p>A business case for staff resourcing the team to undertake this work was submitted by the Environmental Health Service Manager.</p> <p>As a consequence the officers were asked to make a business case for the additional £35K for next financial year 2023/24. This request has been made.</p>
<p>RESOLVED: That –</p> <p>This Council therefore resolves to call upon the executive to:</p> <p>Investigate seeking designation of appropriate stretches of the Wye and Lugg to be officially identified as bathing water;</p> <p>Urge concerned residents to support the River Action petition, which asks the English and Welsh governments to double the Environment Agency and Natural Resources Wales’s regulatory budgets so that they can more effectively enforce the existing legal protections for the Wye and Lugg;</p> <p>Forward this resolution to the Members of Parliament in Herefordshire, to ask them to support the campaign by River Action for increased funding for the Environment Agency;</p> <p>Forward this resolution to other English and Welsh councils in the Wye Valley to ask them to support the campaigns for bathing water status and for increases in regulatory budgets.</p>		

Date of meeting	Motion	Current Status
28 January 2022	Water Protection Zone for River Wye System	<p>Following the motion on the 28th January 2022, the Leader immediately wrote to the Undersecretary of State for Defra on the 2nd February 2022, setting out the case that the best way to achieve progress would be for an independent review through a Phosphate Commission. Such a commission would develop a robust action plan with a glide path to a Water Protection Zone as has been granted to Poole Harbour.</p> <p>On the 13th April 2022 a response was received from Parliamentary Undersecretary of State indicating she did not yet wish to proceed with a Water Protection Zone. Here reasons are as follows,</p> <p>“Moving to the issue of Water Protection Zones (WPZ) you raised in your letters, whilst a WPZ is one of the available solutions, I would stress that it is important to assess whether this is the</p>

appropriate mechanism to achieve nutrient reduction in the catchment. The introduction of a WPZ would impose new and distinct regulatory obligations on the farmers and businesses within the catchment. This would lead to additional regulatory burdens on those operating within the WPZ in comparison to businesses in other areas of the country. Furthermore, since a WPZ is a bespoke solution for a designated catchment, a sizeable amount of evidence would be required to design effective regulations, and a formal assessment on the impact for the agricultural industry in the area would need to be carried out. WPZs are not quick solutions.”

Since receiving the letter in April, the Leader, the Chief Executive and Officers have met with our partners at Natural England, Natural Resources Wales the Environment Agency and Powys Council on a number of occasions. There is broad agreement among partners that the Council could provide additional strategic leadership and capacity to unlocking the wider structural and systemic issues which are needed for river restoration. This would free the NMBs Technical Advisory Group to focus on essential and urgent incremental improvements within the present delivery systems at a practitioner level.

Cabinet at its meeting on the 27th July will be asked to consider and agree proposals for a Cabinet Commission to gather the evidence necessary for a Water Protection Zone and bring forward a package of measures that the Council can undertake now to improve water quality on the Wye and Lugg, particularly but not exclusively through its Planning, Economic Development, Enforcement and Community Leadership functions. Arrangements will be put in place to ensure regular engagement with the Chair of NMB, the Chair of TAG, our statutory partners and Cabinet Commission leads to ensure the work adds capacity. Cabinet will also be asked to agree a budget allocation to enable the Cabinet Commission to bring in additional expertise to support and facilitate its work.

RESOLVED: That –

So this Council urges the executive to press-engage with both the EA and NRW, consulting Powys and Monmouthshire CCs and other interested parties as necessary, to press for nothing less than a Water Protection Zone (WPZ*) for the whole of the River Wye system.

This should include pushing both Agencies for work to start asap on detailed modelling to demonstrate the need for a WPZ, in order to put a business case to

DEFRA; Also for funding for this work to go ahead; And for the Executive to provide regular reports to Council on progress.

Date of meeting	Motion	Current Status
28 January 2022	Fireworks and animal welfare	<p>Herefordshire's multi agency Safety Advisory Group (SAG) will consider the impact of noise from organised firework displays as and when they receive event management plans showing that the event will include fireworks.</p> <p>Regulatory officers also now work much more closely with the council's communication team to raise the awareness of fireworks and their impact on animal welfare and vulnerable people around the time events are likely to promote the use of fireworks.</p> <p>Regulatory officers are also writing to local stockists to encourage them only to supply silent fireworks.</p> <p>Officers from our regulatory service will support our Property Services team in the consenting of any council land to be used for fireworks.</p>
<p>RESOLVED: That –</p> <p>This Council therefore resolves to ask the executive to:</p> <ol style="list-style-type: none"> 1. Encourage organisers of public firework displays to use 'silent' fireworks, and where large displays are planned, to notify Herefordshire Council's Safety Advisory Group at least two months in advance to allow for advertisement in the interest of public protection and animal welfare. 2. Actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people – including the precautions that can be taken to mitigate risks. 3. Write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private displays and for fireworks to specify noise levels on their labelling. 4. Encourage local suppliers of fireworks to stock 'silent' fireworks for public display. 5. Investigate the feasibility of implementing a formal consent regime for the use of fireworks on sites in council ownership. 		

Date of meeting	Motion	Current Status
4 March 2022	Ukraine	<p>The Government launched the Homes for Ukraine Sponsorship Scheme on the 18th March 2022. There has been an extraordinary response to the scheme and the wider plight of Ukrainian people from communities across Herefordshire.</p> <p>The Council has established an operations team to lead on all of the essential checks that are required on sponsors and their families, including DBS and home checks to make sure that the host accommodation is safe. The team also ensure that all of the prescribed payments are made to both hosts and guests as they arrive. The operational team are also managing the tremendous work of collection, distribution and support based at unit 37 on the Three Elms Trading Estate, co-ordinating the support for Ukraine response.</p> <p>Herefordshire Council will receive a grant of £10,500 per person. Of this sum £200 is paid to each individual arriving as an initial payment. The remaining £10,300 is to be used to cover costs incurred by the local authority as a result of the scheme and to facilitate and extend community based support and integration through voluntary, community and public sector organisations.</p> <p>As of w/c 11/07/22:</p> <ul style="list-style-type: none"> • There are 211 unique sponsors from Herefordshire on the Governments Foundry System. • There are 615 unique guests seeking to come to Herefordshire. • 340 guests have arrived to-date, coming to a total of 125 sponsors located across the county. • A total of 98 children and young people have been placed in schools through the county by the Councils schools admissions team.
<p>RESOLVED:</p> <p>This motion calls on the executive to consider and put in place whatever facilities as may be reasonably expected to receive Ukrainian refugees, subject to direction from national government and an evaluation of council resources required, to ensure that schooling and health services are alerted and to inform the government in Westminster, immediately, that Herefordshire will not be found wanting in our welcome. And to extend a wider request to our residents to be willing to welcome any refugees that they can into their homes, and to be ready to facilitate such organisation and support as these actions may require.</p>		

Date of meeting	Motion	Current Status
4 March 2022	Award scheme for the built environment	The Built and Natural Environment Service recognises the merit in raising standards of design and restoration of the built environment through an award scheme. The conservation team are in the process of drafting the detail of the scheme; categories for awards, resource required, assessment of awards and key stakeholders in the scheme. An executive response setting out an overview of the project is to follow in autumn of this year.
<p>RESOLVED:</p> <p>Council requests the Executive to investigate setting up a County of Herefordshire award scheme to encourage and recognise exemplary work in the areas of design, conservation and sustainability for the built environment.</p>		

Date of meeting	Motion	Current Status
4 March 2022	Rural impact assessment and rural proofing	This work is now being led by the new Corporate Director Community Wellbeing and the work is being progressed.
<p>RESOLVED:</p> <p>This motion asks to refer to the executive at Herefordshire Council consideration of the undertaking of a Rural Impact Assessment from the outset of every budget and contract whether for service or products, which includes engagement with rural stakeholders. The results of the Rural Impact Assessment (RIA) are to be included in all future reports.</p> <p>Rural proofing will ensure the needs of rural communities will become transparent and would demonstrate whether Government or local policies address the needs of rural communities and rural economies like Herefordshire. It is the first step towards developing a Rural Strategy for Herefordshire.</p> <p>This motion considers a reformed approach to rural proofing should be introduced and that the executive should take into account the following during its considerations:</p> <p>a) A rural assessment should take place at the start of the policy process, including engagement with rural stakeholders, and be treated as integral, rather than as an adjunct to urban-focused policy. No budget or service should be brought forward without an accompanying rural assessment statement;</p>		

- b) The impact of new policies on rural areas should be systematically and consistently monitored as they are implemented. This would include an update on the performance of rural proofing across Herefordshire Council;
- c) The executive at Herefordshire Council is required to monitor and report annually on the rural impacts of relevant policies and services, and to encourage its strategic partners to do the same; and
- d) The executive at Herefordshire Council agrees to write to the Government and MPs in response to this motion that:
 - Government should put in place the appropriate structures to facilitate a more robust rural proofing regime; and
 - Government needs comprehensively to rethink and reform the rural proofing process across Government, to ensure that relevant policies and legislation are attuned to the needs of rural communities and rural economies like Herefordshire.

Community impact

- 8 Herefordshire Council's adopted code of corporate governance provides the framework for maintaining high standards of corporate governance in order to achieve the council's vision of "people, organisations and businesses working together to bring sustainable prosperity and well-being for all, in the outstanding natural environment of Herefordshire."
- 9 In accordance with the code, the long-term nature of many of Herefordshire Council's responsibilities mean that we should define and plan outcomes and that these should be sustainable. Decisions should further the council's purpose, contribute to intended benefits and outcomes, and remain within the limits of authority and resources. Input from all groups of stakeholders is vital to the success of this process and in balancing competing demands when determining priorities for the finite resources available.

Equality duty

- 10 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.
- 11 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. If any motion results in a request that the executive (cabinet) consider

taking some action, the cabinet will have regard to the equality duty when determining its response to the request.

Resource implications

- 12 None arising from the recommendation; if any motion results in a request that the executive (cabinet) consider taking some action the implications of such action will inform any decision by cabinet.

Legal implications

- 13 None arising from the recommendation; if any motion results in a request that the executive (cabinet) consider taking some action the implications of such action will inform any decision by cabinet.

Risk management

- 14 None arising from the recommendation; if any motion results in a request that the executive (cabinet) take some action the risks associated with such action will inform any decision by cabinet.

Consultees

- 15 None.

Appendices – None

Background papers – none identified