

**Corporate Support Centre**  
Paul Walker - Chief Executive

**To: All members of the Council**

our ref: Council - 21 October 2022  
contact: Matthew Evans, Democratic Services  
telephone: 01432 383690  
email: matthew.evans@herefordshire.gov.uk

13 October 2022

Dear Councillor,

**You are hereby summoned** to attend the meeting of the Herefordshire Council to be held on **Friday 21 October 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**



**Monitoring Officer**



# AGENDA

## Council

Date: **Friday 21 October 2022**

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Time: **10.00 am**

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

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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 21 October 2022 10.00 am - YouTube](#)

For any further information please contact:

**Matthew Evans, Democratic Services**

Tel: 01432 383690

Email: [matthew.evans@herefordshire.gov.uk](mailto:matthew.evans@herefordshire.gov.uk)

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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](mailto:matthew.evans@herefordshire.gov.uk) in advance of the meeting.

# Agenda for the Meeting of the Council

## Membership

**Chairman**

**Vice-Chairman**

**Councillor Sebastian Bowen**

**Councillor Kema Guthrie**

Councillor Graham Andrews

Councillor Polly Andrews

Councillor Chris Bartrum

Councillor Dave Boulter

Councillor Ellie Chowns

Councillor Clare Davies

Councillor Barry Durkin

Councillor Elizabeth Foxton

Councillor John Hardwick

Councillor Liz Harvey

Councillor Kath Hey

Councillor Phillip Howells

Councillor Terry James

Councillor Tony Johnson

Councillor Mike Jones

Councillor Jonathan Lester

Councillor Bob Matthews

Councillor Jeremy Milln

Councillor Roger Phillips

Councillor Ann-Marie Probert

Councillor Nigel Shaw

Councillor John Stone

Councillor Elissa Swinglehurst

Councillor Kevin Tillett

Councillor Ange Tyler

Councillor William Wilding

Councillor Paul Andrews

Councillor Jenny Bartlett

Councillor Christy Bolderson

Councillor Tracy Bowes

Councillor Pauline Crockett

Councillor Gemma Davies

Councillor Toni Fagan

Councillor Carole Gandy

Councillor John Harrington

Councillor Jennie Hewitt

Councillor David Hitchiner

Councillor Helen l'Anson

Councillor Peter Jinman

Councillor Graham Jones

Councillor Jim Kenyon

Councillor Trish Marsh

Councillor Mark Millmore

Councillor Felicity Norman

Councillor Tim Price

Councillor Paul Rone

Councillor Louis Stark

Councillor David Summers

Councillor Paul Symonds

Councillor Diana Toynbee

Councillor Yolande Watson

## Agenda

### Pages

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

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| <b>1.</b>  | <b>APOLOGIES FOR ABSENCE</b>  |         |
|  | To receive apologies for absence.   |         |
| <b>2.</b>  | <b>DECLARATIONS OF INTEREST</b>   |         |
|  | To receive declarations of interest in respect of Schedule 1, Schedule 2 or Other Interests from members in respect of items on the Agenda. |         |
| <b>3.</b>  | <b>MINUTES</b>  | 9 - 32  |
|  | To approve and sign the minutes of the ordinary meeting held on 29 July 2022 and the extraordinary meeting held on 30 September 2022.       |         |
| <b>4.</b>  | <b>CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS</b>   | 33 - 36 |
|  | To receive the Chairman and Chief Executive's announcements.  |         |
| <b>How to submit questions</b>   |   |         |
| <i>The deadline for submission of questions for this meeting is:</i>   |   |         |
| <i>9:30 a.m. on Tuesday 18 October 2022.</i>   |   |         |
| <i>Questions must be submitted to <a href="mailto:councillorservices@herefordshire.gov.uk">councillorservices@herefordshire.gov.uk</a>. 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 <a href="https://www.herefordshire.gov.uk/getinvolved">https://www.herefordshire.gov.uk/getinvolved</a></i> |   |         |
| <b>5.</b>  | <b>QUESTIONS FROM MEMBERS OF THE PUBLIC</b>   |         |
|  | To receive questions from members of the public.  |         |
| <b>6.</b>  | <b>QUESTIONS FROM MEMBERS OF THE COUNCIL</b>  |         |
|  | To receive any written questions from members of the Council.   |         |
| <b>7.</b>  | <b>APPOINTMENTS TO COUNCIL COMMITTEES AND OUTSIDE BODIES</b>  | 37 - 42 |
|  | To make appointments to the committees of the Council and outside bodies in line with the rules of political proportionality.               |         |
| <b>8.</b>  | <b>LEADER'S REPORT</b>  | 43 - 70 |
|  | To receive a report from the leader on the activities of the executive (cabinet) since the meeting of Council on 29 July 2022.              |         |
| <b>9.</b>  | <b>NOTICES OF MOTION UNDER STANDING ORDERS</b>  | 71 - 84 |
|  | 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**

In view of the continued prevalence of covid-19, we have introduced changes to our usual procedures for accessing public meetings. These will help to keep our councillors, staff and members of the public safe.

Please take time to read the latest guidance on the council website by following the link at [www.herefordshire.gov.uk/meetings](http://www.herefordshire.gov.uk/meetings) and support us in promoting a safe environment for everyone. If you have any queries please contact the Governance Support Team on 01432 261699 or at [governancesupportteam@herefordshire.gov.uk](mailto:governancesupportteam@herefordshire.gov.uk)

We will review and update this guidance in line with Government advice. Thank you very much for your help in keeping Herefordshire Council meetings a safe space.

## **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 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.

## **Recording of meetings**

Please note that filming, photography and recording of this meeting is permitted provided that it does not disrupt the business of the meeting.

Members of the public are advised that if you do not wish to be filmed or photographed you should let the governance services team know before the meeting starts so that anyone who intends filming or photographing the meeting can be made aware.

The reporting of meetings is subject to the law and it is the responsibility of those doing the reporting to ensure that they comply.

The council may make an official recording of this public meeting or stream it live to the council's website. Such recordings form part of the public record of the meeting and are made available for members of the public via the council's web-site.

## **Public transport links**

The Herefordshire Council office at Plough Lane is located off Whitecross Road in Hereford, approximately 1 kilometre from the City Bus Station. The location of the office and details of city bus services can be viewed at:

<http://www.herefordshire.gov.uk/downloads/file/1597/hereford-city-bus-map-local-services>,



## **Minutes of the meeting of Council held at Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE on Friday 29 July 2022 at 10.00 am**

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

**Councillors:** Graham Andrews, Paul Andrews, Chris Bartrum, Christy Bolderson, Dave Boulter, Tracy Bowes, Pauline Crockett, Clare Davies, Gemma Davies, Barry Durkin, Toni Fagan, Elizabeth Foxton, Carole Gandy, John Hardwick, John Harrington, Liz Harvey, Jennie Hewitt, Kath Hey, David Hitchiner, Phillip Howells, Helen I'Anson, Terry James, Peter Jinman, Tony Johnson, Graham Jones, Mike Jones, Jim Kenyon, Jonathan Lester, Trish Marsh, Bob Matthews, Jeremy Milln, Felicity Norman, Roger Phillips, Tim Price, Nigel Shaw, Louis Stark, John Stone, David Summers, Elissa Swinglehurst, Kevin Tillet, Diana Toynbee, Yolande Watson and William Wilding

**Officers:** Chief Executive, Chief Finance Officer, Director of Governance and Legal Services, Senior Solicitor - Governance and Major Projects and Democratic Services Manager

### **13. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Polly Andrews, Jenny Bartlett, Ellie Chowns, Mark Millmore, Ann-Marie Probert, Paul Rone, Paul Symonds and Ange Tyler.

### **14. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **15. MINUTES**

**RESOLVED:** That the minutes of the annual meeting held on 20 May 2022 be confirmed as a correct record and signed by the Chairman.

### **16. CHAIRMAN AND CHIEF EXECUTIVE'S ANNOUNCEMENTS**

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

### **17. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 7 - 12)**

A copy of the public questions and written answers, together with supplementary questions asked at the meeting and their answers, is attached to the minutes at appendix 1.

### **18. QUESTIONS FROM MEMBERS OF THE COUNCIL**

There were no questions from members of the Council.

### **19. LEADER'S REPORT TO COUNCIL**

Council received and noted the Leader's Report which provided an update on the work of the cabinet since the previous ordinary meeting of Council in January 2022. The Leader presented his report to Council.

Council questioned the Leader and the following actions were raised:

- to provide an update on Balfour Beatty's assessment of the safety requirements of the bridge at Buckton;
- to provide a timeline for the allocation of full staffing resource to the public rights of way (PROW) and traffic regulation order (TRO) teams;
- to invite the local MPs to meet with councillors after a forthcoming meeting of the full Council to discuss phosphate concerns;
- to provide a written response providing detail of the number of wetlands sites that were proposed and the cost involved in the purchase of land;
- to provide a written response on staff stability within children's social worker teams and the number of social workers a child may expect to have over a 12 month period. The response to include benchmarking data for a comparison with other local authorities of the current recruitment and retention of social workers nationally;
- to provide a written response on the incidence of fabricated or induced illness (FII) in Herefordshire;
- to provide a written response concerning the structure of the children's services legal team and the use of legal executives in place of solicitors;
- to provide a written response concerning plans to reduce the number of interim appointments and recruit to permanent positions; and
- to provide a written response on planning for the location of Ukrainian refugees which takes account of the provision of local services.

## **20. BROOKFIELD SPECIAL SCHOOL CAPITAL IMPROVEMENT PROGRAMME – RE-PROFILE OF SPEND**

Council considered a report by the cabinet member for children and families to agree an in-year adjustment to the capital programme, for capital improvements to The Brookfield Social Emotional Mental Health special school. The cabinet member children and families introduced the report and proposed the recommendation.

Council debated the report and the recommendation.

The cabinet member finance, corporate services and planning seconded the recommendation in the report.

The recommendation was put to the vote and was carried.

**RESOLVED – that:**

- a) Full Council agrees 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.**

## **21. STRONGER TOWNS PROJECT FULL BUSINESS CASE SUBMISSION**

Council considered a report by the cabinet member commissioning, procurement and assets to approve an adjustment to the capital programme to fund the Hereford Museum and Art Gallery project and the Maylords Orchards Library and Learning Resource

Centre project. The cabinet member commissioning, procurement and assets introduced the report and proposed the recommendation.

Council debated the report and the recommendation.

The cabinet member health and adult wellbeing seconded the recommendation in the report.

The recommendation was put to the vote and was carried.

**RESOLVED – that:**

- a) **Council approves 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.**

## 22. NOTICES OF MOTION UNDER STANDING ORDERS

### **Motion – Cabinet Commission on Phosphates**

Councillor Toni Fagan proposed the motion.

Councillor Jennie Hewitt seconded the motion.

Council debated the motion.

An alteration to the motion was raised. The following clarifications were raised:

- Greater precision in paragraph 1 regarding the river systems within the scope of the motion;
- Greater context and qualification of the cumulative impact of development, in paragraph 1, to include specific mention of housing, agricultural and industrial development;
- To remove the wording *of agency partners* from the introduction to paragraph 2; to remove any confusion as to the bodies responsible for asking the Environment Agency and Natural England to undertake the actions listed in the paragraph;
- To include in paragraph 3 a further element for consideration in the update of the Local Plan; by including a bullet point *decommission of intensive poultry units that have reached the end of useful life*; and
- To include in paragraph 4 mention of the need to co-ordinate with Powys County Council.

The alterations were acceptable to the Proposer and Seconder of the motion and were therefore incorporated into the proposed motion.

In summary there was support across the Council for the identified areas of urgent action for inclusion in the remit of the proposed Cabinet Commission on Phosphates, as altered by the points of clarification above.

Councillor Fagan closed the debate.

The motion, as altered by the points of clarification above, was put to the vote and was carried.

**RESOLVED – That:**

**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 within Herefordshire) that will inform and enable consideration of the cumulative impact of housing, agricultural and industrial development.**
  
- 2. Request 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; and**
  - **decommission intensive poultry units that have reached the end of useful life.**
  
- 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*', in co-ordination with Powys County Council, 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.**

The meeting ended at 1.12 pm

Chairperson

**Appendix 1 - Questions from members of the public**

Question Number	Questioner	Question	Question to
PQ 1	Ms Liddle, Ledbury	<p>In Herefordshire Council’s guidance for schools on peer on peer sexual abuse, there is NO information at all as to HOW the Human Rights Act applies. Specifically, there is no mention of Article 3 or any explanation of the substantive and procedural obligations on schools under Article 3. The public has set out its concerns that this lack of guidance is resulting in victims, mainly girls, being denied their Article 3 and Article 8 rights and suffering avoidable harm.</p> <p>The CEO recently confirmed that Herefordshire Council does not intend to fill this gap in its guidance, which the public has claimed leaves girls at risk of unlawful discrimination.</p> <p>Before making this decision not to issue further guidance to schools, did Herefordshire Council undertake an Equality Impact Assessment?</p>	Cabinet member children and families
<p><b>Response:</b>                      All guidance to schools with regard to peer on peer abuse will take into account the relevant articles under the Human Rights Act and Equality legislation. Guidance is continually reviewed and follows advice and guidance on this subject from the DfE. Equality Impact Assessments are carried out when new policy or practice is developed or amended. The guidance given is not such a document. The guidance is based on the Law and guidance issued by the DfE. However, we do take account of all legislation when drafting guidance for schools.</p>			
<p><b>Supplementary question:</b>                      Was an Equality Impact Assessment undertaken when guidance on peer on peer sexual abuse was developed and can we see it?</p>			
<p><b>Response to supplementary question (cabinet member children and families):</b>                      A written response would be provided.</p> <p><i>Written response – provided 11 August 2022:</i></p> <p><b><i>A quality Impact Assessment was not carried out on the guidance given. This is not required as it is not a policy document. It is guidance given from the DfE and based on the Law. You may wish to ask the DfE if they carried out an Equality Impact Assessment when they produced their guidance.</i></b></p>			
PQ 2	Dr McLean, Leominster	<p>There is widespread concern among the public that the Director of Children’s Services and his team do not understand the substantive and procedural obligations imposed by Article 3 of the Human Rights Act on state Schools, and that as a result the advice being offered from the Council’s MASH team is deficient and failing to protect victims of sexual assault, who are mainly female.</p>	Cabinet member children and families

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		Can the Cabinet Member please ask the Director of Children's Services to put the public's mind at rest and set out in writing, in response to this question, what he understands the procedural obligations to be on schools dealing with a credible allegation of peer on peer sexual violence, in a case where the victim has reported the case to the police but does not want to pursue the case through the criminal justice system?	
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**Response:**

Thank you for your question. I can confirm that the Director of Children's Services and the MASH team do understand the importance of following and considering the law when advising on such a sensitive and serious subject. The guidance given to schools does take account of all relevant legislation and articles under the Human Rights Act. It is for schools to consider and use this guidance at a practical level when faced with such cases. Every case will depend on its own set of facts. If a matter is not pursued through the criminal process then the guidance is available to assist schools in such cases. Schools as has been said previously can seek further support or advice should they so wish. If it is felt that a school was in breach of the Human Rights Act then any legal action or challenge would need to be made against the school as the decision taker. Furthermore we do offer advice and training to schools emphasising what we would expect them to do in cases where the Police have been informed but the victim does not wish to pursue any action.

**Supplementary question:**

A claim is made in answer to my question as follows:

" If a matter is not pursued through the criminal process then the guidance is available to assist schools in such cases"

The answer does not specify what guidance and I know that there is ZERO written guidance for schools from the Council or indeed from the Department of Education about the decision making process when a criminal case is closed, which in law MUST include a proper investigation in accordance with the procedural obligations under Article 3. The public has repeatedly asked the Director of Children's Services to demonstrate that he and his team understand and can explain to schools the substantive and procedural obligations under Article 3, which are not case specific. The Director and his team appear unable to do this, despite being asked by Members of the Public on more than one occasion. We are being asked to believe that the Children's Service is capable of offering training to schools on these matters, and we are asked to accept that when schools come to the Council for advice, that the advice takes full account of Article 3.

There is a massive credibility gap developing here. If the Director and his team are capable of advising and training schools on these matters, why will they not set out the procedural obligations under Article 3 when schools are investigating a credible allegation of sexual violence?

**Response to supplementary question (cabinet member children and families):**

Article 3 is particularly relevant to peer on peer sexual abuse in schools and there is a lack of detailed guidance around the article at national level, from the department for education (DfE), as all cases are very different. We can be more explicit in our written guidance and training for schools. A written response would be provided.

*Written response – provided 11 August 2022:*

***Your comments with regard to a proper investigation I believe relate to the procedural obligations in a criminal investigation, not those of an educational establishment. The police would carry out an investigation, if the case is then closed without any prosecution, it is the role of the school to make sure that the victim is safe from the alleged perpetrator. It is not the role of the school to continue or carry out their own investigation. The child on child guidance and multi agency guidance is available to settings. Both of which include how schools will deal with cases internally. When a criminal case is closed considerations and safety plans (which will already be in place) will be reviewed with the victim and their family. To reiterate that all cases are dealt with on a case by case basis due to the complexities of each individual***

**situation. The articles in particular article 3 that your question refers will underpin such actions and is referred to in the updated guidance for schools.**

**Please see link below for information for Herefordshire Safeguarding Boards peer on peer abuse multi-agency guidance**

- [Herefordshire Peer on Peer Abuse guidance for multi-agency professionalsFinal v1 21012022.docx \(live.com\)](#)

PQ 3	Ms Attfield, Bromyard	Since August last year, Herefordshire Council has commissioned three pieces of advice from a QC in order to better understand the legal framework operating when schools are dealing with cases of peer on peer sexual violence. The advice has cost over £6,000 and would have been an excellent investment had the advice received by the Council been passed on to Herefordshire schools. However, since receiving the advice the Council has not updated the guidance for schools to include information received from the QC about the application of Article 8 of the Human Rights Act, and detailed information about the legal basis for excluding those against whom credible allegations have been made. What is the Council's rationale for not sharing this helpful and clear advice from the QC with schools?	Cabinet member children and families
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**Response:**

Thank you for your question and your helpful challenge. The guidance given to schools with regard to peer on peer abuse is reviewed and will always be amended should the law or government guidance change. We are satisfied that schools have all the most up to date guidance available on this sensitive subject and that covers the relevant Articles under the Human Rights Act and any Equalities legislation. Having said this we accept that there is always room to improve and we shall be considering the article mentioned in your question and others again to make sure that schools do understand their significance when applying the guidance to a particular set of facts. It is important to highlight that the Council provides training to schools on safeguarding which covers peer on peer abuse. Schools can seek advice at any time from this Council or indeed any other body should they need this in relation to any case that they may be faced with. We will take account of the advice from the QC.

**Supplementary question:**

You've said in your reply that you're satisfied that schools have all the most up to date guidance available. However, the Council received clear QC opinion on the relevant HRA Articles, and this is not reflected in the guidance so by definition it cannot be up to date. A school would not be able to understand the significance when applying the guidance, without the inclusion of these important issues. It is difficult to comprehend the Council's resistance to commissioning an update of its guidance to schools, given that it has already obtained the QC's opinion. When will the Council be considering the Articles mentioned in my (and others) questions to make sure that schools do understand their significance when applying the guidance to a particular set of facts, as this response lacks a clear time frame and risks not being completed?

**Response to supplementary question (cabinet member children and families):**

The up to date guidance is true as these are schools' responsibilities and the guidance is the national DfE guidance to schools which is being changed all the time. Schools all have the most up to date guidance. Work was being undertaken to ensure the guidance was more explicit regarding the relevant HRA articles. A written response would be provided.

*Written response – provided 11 August 2022:*

**The guidance provided by Herefordshire Council is up to date as it references current statutory guidance and law, which includes HRA. The guidance is designed specifically to support schools in managing peer on peer abuse Article 3,8,14,Protocol 1- Article 2 have been added to the September 2022 Child on Child abuse guidance in order to ensure schools understand their significance when dealing with such cases.**

PQ 4	Anonymous, Name and address supplied	<p>In the Leader’s recent newsletter, the Cabinet Member for Children wrote this in the section on peer-on-peer abuse:</p> <p>“We also offer a <b>fully independent and confidential mediation service</b> for any families or victims of abuse.”</p> <p>In September 2020, families who had been campaigning about safeguarding failures in connection with peer on peer sexual abuse were promised a “reconciliation” service. This has never materialised.</p> <p>It appears that the promised “reconciliation” service has now been replaced by a “mediation” service, without consultation with the families affected despite the recommendation from CYP Scrutiny on 1 June 2021, resolution 9b, which stated, “That consultation take place with families ahead of the signature of the contract for the mediation service”. If the mediation service now exists, why have the affected families not been informed or given access to the service?</p>	Cabinet member children and families
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**Response:**  
 Thank you for your question. The service referenced here is the same service – it is not true to say it has never materialised. The reconciliation service exists and is available. The contact details are available permanently on the council website under the heading ‘Protect Someone’ following a period of on line consultation. However the service that has been commissioned, fully independent from the council, calls itself a mediation service but offers a range of support and advice. The name was changed to avoid confusion but the offer has not changed in any substantive way. It is fully confidential and sits outside the council as agreed previously. It has been widely publicised. The exact details on the council website are :

*If your family has been affected by peer on peer abuse, there is local support available. Children First Family Mediation is an independent family mediation service who offer confidential, sensitive support to Herefordshire families and individuals who have been affected by peer on peer abuse. To access the service please contact Sheena Adam by email [confidential@childrenfirstfamilymediation.org.uk](mailto:confidential@childrenfirstfamilymediation.org.uk) or call 01617 638793 and quote “Herefordshire”.*

**Supplementary question:**  
 The answer provides a link to a mediation service set up to fulfil a promise of a process of reconciliation for families affect by the council’s failures on peer on peer sexual abuse. The email address did not work, a phone call to the number provided was answered by an individual who explained the service was to help families with their finances and help was not available for peer on peer abuse. There is no mediation service for peer on peer abuse. A family who had contacted the care concerns email address over a year ago had not had an acknowledgement and there are a number of families in this position. The council has harmed children and families by failing to deal honestly and openly with concerns. When process of



reconciliation first proposed families explained that fundamental to the process was the truth but the answer provided by the cabinet member shows a dis-connect between what members are being told and what exists in reality. All members should ask for evidence-based responses on all matters relating to children's services.

**Response to supplementary question (cabinet member children and families):**

Responding to concerns is very important and is a priority. I will be looking into this immediately.

PQ 5	Ms Shore, Bartestree	<p>In the first approved written answer to a public question to Cabinet, the Cabinet Member for Children claimed that the Council's position on peer on peer abuse is not discriminatory. In that answer, the justification given quoted Section 26 of the Human Rights Act. There is no S26 of the Human Rights Act. It simply does not exist.</p> <p>The concern has been raised repeatedly by the public that the Council's current policy and practice on peer on peer sexual violence is likely to lead to sex discrimination. The Council has rejected this position by quoting legislation which does not exist. Can the public now have a proper, detailed legal analysis of why the Council thinks that the failure to ensure that Article 3 rights are respected in EVERY case of peer on peer sexual violence will not lead to discrimination?</p>	Cabinet member children and families
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**Response:**

Thank you for your question. The sentence you refer to in the supplementary response to the question at Cabinet in May as I understand you have now been advised was incorrect and should have been removed. My apologies for that. The guidance as I have already said does take into account all relevant articles under the Human Rights Act and all other relevant legislation. I can only repeat guidance given to schools on this subject is kept under constant review and would follow all guidance and advice provided by the DfE.

**Supplementary question:**

It is astonishing that a response to a question about peer on peer abuse refers to a piece of the human rights act (HRA) which does not exist. The answer contained the wording: *s26 of the HRA 1998 sets out that schools and colleges should be aware of their obligations under the HRA*. The statement is meaningless as the article does not exist and exposes the fact that the officers do not understand the HRA sufficiently to be able to advise or train schools on the HRA. Currently there is no guidance for schools on the regard they must have for article 3, 8 and 18 of the HRA. Will the council commit to ensuring that the procedural obligations determining the rights of a victim of sexual violence under article 3 and 8 of the HRA are clearly explained in writing to schools so there is no risk of discrimination to girls?

**Response to supplementary question (cabinet member children and families):**

I agree there is the risk of discrimination against girls and that is clearly set out in the HRA. In terms of understanding the law, it is important that the safeguarding officers do understand. In terms of interpreting the law, there are certain elements we can set out in advance in guidance but there are other elements open to interpretation which would become very long winded in guidance and are better undertaken in a training forum. A written response would be provided.

*Written response – provided 11 August 2022:*

***All guidance produced by both Herefordshire Council and DfE make reference to and consider the HRA. Article 3,8,14,Protocol 1- Article 2 have been added to the September 2022 Child on Child abuse guidance in order to ensure schools understand their significance when***

***dealing with such cases. Further provisions within the Equality Act allow education settings to take positive action, where it can be shown that it is proportionate, to deal with particular disadvantages affecting one group. A school or college, could, for example, consider taking positive actions to support girls if there was evidence they were being disproportionately subjected to sexual violence or sexual harassment.***

## **Minutes of the meeting of Council held at Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE on Friday 30 September 2022 at 3.00 pm**

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

**Councillors:** Graham Andrews, Paul Andrews, Polly Andrews, Jenny Bartlett, 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, Jennie Hewitt, Kath Hey, David Hitchiner, Helen I'Anson, Terry James, Peter Jinman, Tony Johnson, Mike Jones, Jim Kenyon, Jonathan Lester, Trish Marsh, Bob Matthews, Jeremy Milln, Felicity Norman, Ann-Marie Probert, Louis Stark, David Summers, Elissa Swinglehurst, Paul Symonds, Kevin Tillet, Diana Toynbee and William Wilding

**Officers:** Chief Executive, Corporate Director – Children’s and Young People, Chief Finance Officer, Director of Governance and Legal Services, Democratic Services Manager, Senior Solicitor, Governance and Major Projects, Director of Governance and Legal Services, Corporate Services and Chief Executive

### **23. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Bartrum, Harvey, Howells, Graham Jones, Millmore, Phillips, Rone, Shaw, Stone, Tyler and Watson.

### **24. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **25. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 7 - 12)**

A copy of the public questions and written answers, together with supplementary questions asked at the meeting and their answers, is attached to the Minutes at Appendix 1.

### **26. QUESTIONS FROM MEMBERS OF THE COUNCIL (Pages 13 - 14)**

A copy of the Member questions and written answers, together with supplementary questions asked at the meeting and their answers, is attached to the Minutes at Appendix 2.

### **27. INSPECTION OF HEREFORDSHIRE CHILDREN'S SERVICES**

Council received and noted a report from the cabinet member children and families to present the recently published report detailing the findings of the inspection by Ofsted inspectors of Herefordshire Council children's services in July 2022 and to outline both the action taken immediately and since the inspection to address some of the concerns raised, and the implications of the statutory direction issued by the Secretary of State.

The cabinet member children and families proposed and introduced the report. In introducing the report the cabinet member raised the principal points below:

- The outcome of the Ofsted inspection report was to conclude that the overall effectiveness of children's services was inadequate. That judgement was accepted and it was acknowledged that the judgement was a criticism not only of children's services but also the whole council.
- The judgement was a significant concern to all associated with the council and an apology was provided to all those children and families who had not received the support they required when they needed it. The families posing questions at the meetings should be directed towards the record of questions and answers after the meeting and there was an open invitation to all families to make contact with cabinet member directly.
- The department for education had appointed Eleanor Brazil as the commissioner for children's services in Herefordshire.
- Over the course of the past year the chief executive and director of children's services had been very open in their assessment of the challenges that they face in achieving improvement in children's services. It was understood that the council was not sufficiently advanced on its improvement journey but the strength of the Ofsted judgement was a shock with conclusions that poor practice, drift and delay, the impact of staff turnover and a lack of management grip existed in children's services.
- A significant concern was the risk posed due to a lack of coordination between local agencies. Since the judgement, immediate action had been taken. The multi-agency safeguarding hub (MASH) and other frontline children's services had been strengthened by increasing capacity and resource. Senior leaders of all agencies had met and reviewed all cases where children were at risk.
- Staff from children's services have been open and co-operative with Ofsted and the inspectors had acknowledged their dedication.
- The inspectors had also welcomed the permanent leadership team that was in place which was having a significant impact.
- Partnerships and multi-agency arrangements were mentioned in three of the nine key areas for improvement. All issues identified in the judgement do not lie solely in children's services at the council.
- The areas identified for improvement were broad and quite general. This indicates that the fundamental systems and processes that should have existed in children's services were not in place.
- Progress had been achieved recently with the recruitment of more social workers, the strengthening of the MASH, increased supervision and reduced case-loads for social workers.
- The opportunity for effective improvements to be made must now be seized by the council.

The leader of the council seconded the report, he spoke at the end of the debate.

Eleanor Brazil, the Commissioner for children's services in Herefordshire addressed the meeting and raised the principal points below:

- The contributions of the families at the meeting had been a reminder of the profound impact the decisions and actions of the council had in lives of families and children.
- The council was at the start of the process to make improvements to children's services however it could not put right the failings of the past. The role of the commissioner was to try to ensure high quality services for children and families.
- There was a legacy of poor practice and there had been failings in the past and the focus must be on providing a better response to children and families.
- Government intervention was very serious and it was recognised that the council was understanding of the circumstances in the steps it was taking.

- The role of the commissioner was to help drive improvement and working with leadership to identify what actions were required. There was a need to have greater clarity around standards, expectations and ambitions for children and young people in Herefordshire.
- The commissioner had served as director of children's services in different local authorities who had been found by Ofsted to require improvement and had played the commissioner role in a number of local authorities. While similar issues with children's services at Herefordshire would be encountered, there was no preconceived idea of solutions that required implementation.
- The commissioner would talk with a range of staff throughout the council and with key partners.
- Details of any useful reading the commissioner should undertake should be sent direct to the commissioner's council email address.
- The actions identified for improvement to children's services needed to be taken forward with pace. The commissioner would be looking at the trajectory of improvement, the direction of travel and the difference that was being made.
- The commissioner would be reporting back to the Secretary of State with recommendations. The likely timescale to move beyond an inadequate service was 18 months to 2 years but improvements and progress must be made during the process.
- Examples of good practice would exist at the council which needed to be strengthened and built-upon. In addition, expertise existed at the council which would be utilised to drive forward improvement.
- The council needs help and support to achieve improvement which the role of the commissioner was intended to provide. Support would also come from other local authorities.
- At the end of the commissioner's review period a report would be drafted; examples of commissioner's reports were available in the public domain. The report would focus on: practice; leadership; political support; strategic leadership; how partners worked together; and the impact on children and families and on staff.

Council debated the report, during the debate the principal points below were raised:

- The report made difficult reading and members were deeply troubled and angered by the findings of Ofsted. The regret and sympathy of the Council was extended to all children and families who had been failed by children's services and who had been affected by the findings in the judgement.
- As members of the council, councillors had a responsibility to children in Herefordshire as corporate parents. Members were responsible for ensuring that children were safe, looked after and cared for. The report showed that children's services were failing and that members had failed to act as effective corporate parents. As corporate parents all members were responsible for the failings identified by Ofsted.
- Following previous judgements, which found that improvements were required in children's services, significant funding had been invested and additional staff had been recruited. However, action taken since the 2018 judgement had not been effective and a radical change to the approach of improvement was now required. Too much time had been spent looking back. Members now needed to challenge more and to question what improvements were being made.
- Scrutiny was dedicated to becoming more effective to help the council drive improvements to children's services. As part of this ambition a new co-optee had been taken on to the children and young people's scrutiny committee, there were regular briefings from officers at the council and closer work was being undertaken with Telford and Wrekin as partners in practice. In addition, work with the new statutory scrutiny officer was realising improvement.

- There had been consistent failure in children's services over the course of the last 10 to 12 years. There had been very little improvement in practice for Children in Need. There was a lack of understanding of what was required to make improvement. Problems had been consistently found with poor decision making and poor understanding of risk. Improvement was required from partner agencies and in the supervision undertaken by senior officers.
- Vulnerable children had been failed and taxpayers would carry the financial burden for the urgent action that was required.
- The conduct of the extraordinary Council meeting was questioned and the limited opportunity for members of the public to speak. This was part of the culture of the council that required change to increase accountability and scrutiny. The families present at the meeting should have been allowed to speak at greater length.
- Stability and sufficiency of the workforce in children's services was essential. The commissioner had highlighted the importance of making improvements at pace. The objectives of the improvement plan that had existed until the end of March 2022 had not been realised. Significant improvement was required that involved all members, officers and agencies.
- Children and families had been let down by the council. Children were not being protected from harm. Previous improvement plans had not been effective and had been a bureaucratic response rather than providing a focus on the workforce to ensure sufficient resources were focused effectively.
- A statement in paragraph 11 of the report appeared to diminish the potential for harm of children and was challenged. The Ofsted report had concluded that children and young people in Herefordshire were not protected from harm.
- It was felt that it was essential for the commissioner to meet with representatives of the families.
- The judgement and the report were significant and set out comprehensively the failings and improvements required. This provided a focus and structure for future reports and updates.
- A response was requested from the monitoring officer with details of the reasons for the rejection of certain public questions sent to the current meeting.
- It was suggested that focus groups involving families receiving children's services could be established to share experience of what had failed and also suggest where improvements could be made.
- Collective responsibility for the failings of children's services was important to acknowledge however responsibility and accountability through leadership was essential to effect change.
- Members of the council needed greater access to information including where failings existed and where improvements were required to ensure they could act more effectively as corporate parents.
- The manner in which the meeting was being conducted was regrettable and it should have included inputs from the families. A public meeting was being arranged by the families and it was hoped that all members would attend.
- Members shared responsibility for the findings in the judgement as corporate parents but some members occupied positions which attracted a special responsibility allowance and had a greater level of responsibility for children's services. Such members should consider their performance and decide whether they were the right person to take forward improvements.
- Under the new constitution, agreed in May 2022, the cabinet were able to hold forums on different subjects. The improvements required to children's services were a relevant topic to take forward within such a forum.
- Following earlier judgements, additional resource and efforts had been dedicated towards achieving improvements in children's services. Ofsted considered there had been too little progress and the pace of improvement had been too slow. Improvement required additional money, time and effort to achieve

improvements. The council could take hope from other areas that had achieved a good rating following an inadequate judgement.

- It was important that a balance was achieved between challenge and support in the rollout of the improvement plan. It was critical that staff and social workers in children's services felt supported.
- Poor leadership and management had reduced the morale of social workers to a very low level. Scrutiny needed to be more effective in maintaining an overview of the improvements.
- A number of members and the skills and experience they possessed could be utilised by scrutiny and it was suggested that the membership of the children's scrutiny committee could be enlarged.
- The council should take inspiration from the example of Telford and Wrekin Council. The objectives of children's services from Telford and Wrekin Council would serve as a good baseline against which to assess improvements required in Herefordshire.

In seconding the report leader made the principal points below:

- The Leader was deeply saddened by the report and apologised to each family who had suffered as a result of the failings of children's services.
- Councillors had explained that they had been aware of failings over a prolonged period of time but any challenge they raised was not acted upon properly. This culture would have to change.
- There needed to be proper engagement with people, to listen to families and children and to not assume that the council knows best. A whole Council commitment was required to ensure children and families were supported. A bottom-up approach was advocated to hear the voices of the families and children.
- It was important that it was an all-Council commitment to achieve improvement and to provide support to children and families.
- The Leader welcomed the commissioner and explained he looked forward to working with her.

The cabinet member children and families made the following principal points in reply to the debate:

- All points raised by members would be fed into the action plan which was being developed.
- Members would have additional opportunities to raise issues and comments and be involved in the development of the plan. This would occur through the scrutiny committee, member briefings and informal meetings.
- Councillors had skills, experience and passion to contribute to the improvements that were necessary.
- Councillors had explained that they had been raising issues and concerns for many years but this has not been acted upon and more decisive action had been required.
- The lack of clarity had been a key theme of the meeting and it was a priority that the cabinet member was acting upon to ensure there was: an understanding of how processes worked; what are the pathways through the processes; and where are looked after children in the county located. It was essential that members had a greater understanding of services on the ground; it was difficult for members to be effective in challenging the service and supporting local residents without this understanding. Improvements were being made in this regard.
- A greater understanding of the experience of social workers was also important and how it feels to work for the council.

- It was also useful to understand how it feels to work with the council from the perspective of the families.
- The Ofsted judgement was expressed in terms of experience and impact without jargon.
- There was a balance required in the allocation of officer resource to ensure staff could undertake crucial work whilst members also received updates.
- Learning was being undertaken with colleagues in other local authorities around the country who had undertaken a similar journey, to progress from an inadequate Ofsted judgement. It was encouraging that other members had undertaken similar actions to inform their understanding.
- Of central importance was the work the council does to ensure children and families have the support they require.
- The administration had taken the points on board and would not be complacent. There was ambition for the services to get to a good Ofsted rating. A whole-council approach was required and the attitude to work together was welcomed. It was important to now move forward.

The meeting ended at 4.45 pm

**Chairperson**



**Agenda item no. 3 - Questions from members of the public**

Question Number	Questioner	Question	Question to
PQ 1	Name and address supplied	<p>My question is about the Herefordshire Children’s Services.</p> <p>What is Herefordshire Council/Children’s Services going to do about the children that have increased court ordered contact with their abusive parent after advice from the social and family worker? As you are aware family court follows the social and family workers advice against the safe parents advice of supervised contact.</p>	Cabinet member children and families
<p><b>Response:</b>                      Thank you for your question. Legislation and statutory guidance are clear that decisions made by Judges within the family courts have to be made by considering what is in the best interest of the child, including with regard to matters of family time (contact). In order to come to such decision, the courts receive evidence from all parties including parent(s) and the Local Authority. Additionally, within family courts, children are independently represented by a Guardian who also provides evidence to assist the Judge in making decisions. The role of the Guardian is to review the Local Authority’s care plan (including contact arrangements) and to make sure that Local Authority arrangements and decisions for and about children protect them, promote their welfare and are in the child(ren)’s best interest.</p>			
<p><b>Supplementary Question:</b>                      I do feel that my question is not answered. So I would like to submit a second question please. Can you please confirm that:</p> <p>A - Herefordshire council is <b>not</b> going to look into past cases to make sure that the right advice has been given by Children’s services to family court                      Or                      B - Herefordshire council is going to look into past cases to make sure that the right advice has been given by Children’s Services to family court.</p> <p>Please bear in mind that not every case in family court children have a guardian to review the advice given to family court.</p>			
<p><b>Response to supplementary question (cabinet member children and families):</b>                      Thank you for your question.</p> <p>It would be very difficult for the Council to consider each and every past case to determine whether the right advice was given in any particular case. Where there are particular issues that the Council is aware of they will, if appropriate, consider what options are available taking into account any legal advice.</p> <p>By way of context, Children’s Guardian are allocated on all public law cases, they are not allocated on all private law cases. The local authority are not a party to private disputes and do not receive all court documentation including final orders.</p>			

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Court ordered contact is determined by the Family Court based on evidence directed to be filed and upon which the court will determine the disputed issues, evidence submitted on behalf of the local authority is one piece of evidence the court will consider when determining a matter and is not of itself determinative.

Where children are known to the local authority, it complies with its statutory duties.

PQ 2	Ms Currie, Hereford	<p>Where staff (past and present) are identified as having made mistakes or kept information out of official reports to support objectives sought by the local authority, will the Council be referring matters to the police, regulators and/or taking dismissal steps for gross misconduct? Will line managers be held accountable for either allowing this practice or failing to challenge staff on reports submitted? Withholding information e.g. failing to document kinship carer offers that are not SGOs and share internally and externally prevents natural justice from being achieved and is a form of fraud/misfeasance of public office. This behaviour undermines public confidence in the service and brings the organisation as a whole not just the department into disrepute.</p> <p>Children that have been adopted where failures are identified can make civil claims against the council how will you be making the children aware?</p>	Cabinet member children and families
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**Response:**

Thank you for your question. All allegations against staff are taken seriously. Where there is evidence of misconduct or gross misconduct we will follow our HR procedures, making a referral to the relevant professional body and or external agencies as necessary.

Where failures are identified and adopted children are involved, they will be contacted and supported through either Adoption Central England or through our own Adoption Support team, depending on the circumstances.

**Supplementary Question:**

Staff that I am prohibited from naming as part of this meeting have left before complaints were made and resolved to allow HR action to be taken. Some were locums. All presumably are working for other organisations and pose the same foreseeable risk to those and future organisations and children and families, yet I am no clearer as to what the local authority is doing about those individuals.

Respectfully I'm afraid allegations are not taken seriously and are only heard too late. The judge in my son's case said he completely understood my feelings towards the local authority relating to the example in my initial question and yet complaint findings fail to accept any responsibility or accountability. As a parent you feel unheard. This is exactly the reason the department is in the state it is in today.

Care plans have to conclude with recommendations for permanency within a statutory 26 weeks. This means there is no time for parents to make any changes recommended by social workers unless that time is offered by a family member. What good is that when it is not documented, then when mistakes are identified the social workers do not return contacts including their line managers, instead actions to continue to prepare a child for adoption causing the kinship placement to breakdown due to a loss of faith and confidence in the service.

Please advise specifically what support is being offered to ALL impacted by these decisions including the children and families left broken and let down by these failures. And specifically whether the local authority plans on seeking to revoke adoptions on behalf of birth families.

**Response to supplementary question (cabinet member children and families):**

Thank you for your question. I understand how emotional these issues are and I agree that recording of documentation is absolutely essential.

The Council has limited powers over those that are not formally employed by or have a contract with the Council. Where the Council determines that there is clear evidence of wrongdoing they will provide that evidence to relevant authorities for them to consider whether there is any action they need to take.

I want all families let down by the service to contact us and to have the opportunity to be heard and I will be providing a written response to your question which will be published.

I completely understand how emotional these issues are and how important they are. It is very complex and sensitive particularly when we get into HR matters and I want to give a clear answer so I will provide a written response.

***Written response sent on 13 October 2022:***

*Where there are serious and substantiated concerns about former employees then the council will always consider alerting the professional registration body, or the current employer (where the employer was known) and decisions would be made on the specific circumstances of each individual case.*

*Members of the public are able to raise concerns about an individual social workers professional conduct directly with the professional registration body, Social Work England. Link: [Home - Social Work England](#)*

*We are sorry that you have felt unheard. Court timescales are led by the Court and a national framework (the Public Law Outline). In exceptional circumstances, the courts will permit proceedings to take longer than 26 weeks and will listen to representations from the family, from the child's guardian, and from the local authority. Solicitors acting for the family can advise.*

*Support for families affected by the outcome of family court proceedings might come from a range of sources, including family and peer support groups, the voluntary and charity sector, the local authority and other agencies. We recognise the need as expressed in the question to advise on the range of support available and have begun developing a page for our website that will provide a signpost for families.*

*There are no plans to revoke adoption orders at this time but we will always look at the individual circumstances of a specific case before reaching a conclusion. Families are also able access advice on this matter from a range of sources.*

PQ 3	Ms Gallagher, Hereford	In my case there were many delays, so many that practically all of the time during proceedings was used up waiting for assessments to be completed. This then meant there was no time to address any concerns and make changes needed. Why are parents not given the time they need to keep their children? Why are families punished for the social workers disorganisation and inability to adhere to timescales?	Cabinet member children and families
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**Response:**

Thank you for your question. Whilst I cannot comment on individual cases, I am sorry that you experienced delays which can be caused by a number of things. Once families and the local authority are in court and proceedings are issued, there is limited opportunity to make changes as this is the period in which the Courts ask for evidence and assessment. Many assessments required by the Court are carried out by external and independent assessors and it is often their availability that can challenge the Courts' preferred timescale of completing proceedings within a 26-week period. The period where much of the preventative and support activity can take place with families is in the pre-proceedings stage where we work with families to try to bring about change so that going to court is avoided wherever possible.

**Supplementary Question:**

Referring to my case, my children were on child in need plans when they were removed with two hours notice. When I was pregnant I was told to await the outcome of the pre-birth assessments to see what support I needed to keep my baby. I received that report two days after I was due to give birth. Social workers had 33 weeks to complete that assessment. Independent social workers are only instructed to do assessments when the local authority's report is either compromised or disputed. Social workers left their roles or threatened to resign if they were asked to assess me. The delays in my case were caused by Herefordshire Council.

There is a clear lack of support during pre-proceedings, as there was none. So where was the support to keep my family together, instead of just destroying it like you did?

In my original question I asked about the delays caused by Herefordshire Council and why parents had no time to address concerns or change to meet the concerns and to keep their children at home. As I said in my supplementary my children were on Child in Need plans and then they were removed with two hours notice. With my baby when I was pregnant the social workers knew from 8 weeks and I didn't receive the assessment until after I was due to give birth. They told me throughout my entire pregnancy that I needed that assessment to see what support can be given to keep my baby. Because that assessment was so late, my baby was removed at birth. So where was the support to keep my family together?

**Response to supplementary question (cabinet member children and families):**

It is very upsetting to hear about this story and I completely apologise. This is why we need to change, this is why we are here today and I trust that our staff are in touch with all families who need support but I cannot comment on individual cases.

PQ 4	Mr Griffiths, Hereford	I understand there is no longer a Domestic Abuse Hub running in Herefordshire, nor an individual with specialist knowledge and training around domestic abuse working within the MASH. The Ofsted report reflects under-developed partnerships and insufficient co-location or partnership resources within the MASH. The report also states the early help offer is limited and in particular, services to address domestic abuse. This is indicative that recent decisions made by the local authority in this regard, have been counterproductive, leaving a concerning gap in terms of knowledge and understanding of domestic abuse within Children's Services. According to recent statistics, the prevalence of domestic abuse in Herefordshire is significant, with many children suffering significant harm as a direct result. What is going to be implemented to address the issues around lack of resources/response to cases where domestic abuse is a factor?	Cabinet member children and families
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**Response:**

Thank you for your question. The decision was made to incorporate the Domestic Abuse Hub into the MASH, any staff and resources have been absorbed by the MASH and have not been lost or removed. We continue to commission West Mercia Womens Aid to provide specialist support to

those experiencing domestic abuse throughout the county, this includes the provision of specialist advice and support to the MASH hub. Going forward this resource will be utilised across both Early Help and MASH teams. Following the Ofsted inspection, MASH resources have been further strengthened.

We have secured a bigger area for the MASH and this allows us to bring forward our plans to co-locate all key partners within the MASH. Training in respect of domestic abuse is available to all staff. In addition to this, multi-agency training is also offered by the [Herefordshire Safeguarding Children Partnership](#) to all partners, the most recent training took place on Wednesday 28 September 2022. We continue to work with our partners to provide support to those at risk of domestic abuse, details of which are listed on our [Talk Community Directory](#). We recognise the gravity and impact of domestic abuse and continue together with our partners to further develop services to support families and victims of domestic abuse.

**Supplementary Question:**

Thank you for your response to my question. What procedure or specialist is put into place now in specific domestic abuse cases?

**Response to supplementary question (cabinet member children and families):**

Thank you for the question, I agree that this is really important. It is really important that we have domestic abuse experts in our multi-agency and safeguarding hub and that we work very closely with our colleagues particularly the police on this and I'll keep pushing on this.

PQ 5	Ms Reid, Hereford	<p>There are sixteen "Measures that Matter" in the <i>Children's Social Care and Early Help Improvement Plan 2022-24</i> (Version 2.0 May 2022, presented at the Children and Young People Scrutiny Committee meeting on 26 July 2022). Numbers 1 and 2 relate to the caseload of social workers.</p> <p>For the below Measures that Matters, please give data for the following dates:</p> <ul style="list-style-type: none"> <li>• Quarter 4 of 2021-22</li> <li>• July 2022</li> <li>• Up-to-date number (and/or %) and state the relevant date</li> </ul> <p>Number 6: "Number of unallocated cases"            Number 10: "Proportion [%] of Plans considered to be Good or Outstanding" (<u>exclude</u> other grades eg "Requires Improvement")            Number 15: "We respond appropriately to complaints and service feedback from children [% <u>and</u> number] (measure number of complaints that are responded to within timescales)"            Number 16: "The number of complaints we receive is reducing"</p>	Cabinet member children and families
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**Response:**

Thank you for your question. Measures that Matter are reported on a quarterly basis; information is shown for Quarter 4 21/22 and for Quarter 1 22/23.

Measure that Matters	Quarter 4 2021/22	Quarter 1 2022/23
6 – The number of unallocated cases in the service	30	27*
15 - We respond appropriately to complaints and service feedback from children (% number)	65%	83%

of complaints that are responded to on time within the reporting month)		
16 - The number of complaints we receive is reducing (decreasing and low is good)	7	12

\* For clarity, these are not the same cases. These are snapshot figures at a particular point in time. Any unallocated case at any point in time is rigorously risk assessed and is monitored by appropriate managers. There are several reasons why a case might be unallocated for a short period of time, including transfer between services and awaiting allocation, or change of worker.

Information requested in respect of number 10 deviates from the Measures that Matters and is listed separately below

Question	Quarter 4 2021/22	Quarter 1 2022/23
% of audited plans considered to be good	2%	7%

**Supplementary Question:**

Only 2% and 7% of audited children’s plans for the quarters were “Good”.

- **How will this be improved and by what date?**

The number of unallocated cases – that is vulnerable children without a social worker - was 30 for Quarter 4 2021-22 and 27 for Quarter 1 of 2022-23.

- **What is the highest number of unallocated cases during each of these quarters?**

Frankly, 19 complaints over 6 months appears to be incredibly low.

- **What is the definition of “complaint” eg complaint to the Ombudsman?**
- **Given the “Inadequate” service, how will the complaints procedures for children and families be improved and by when?**
- **Regarding complaints by children, is a better criterion the number resolved at Stage 1 rather than responded to?**
- **As requested, provide up-to-date information plus highest number of unallocated cases since 1/7/2022.**

**Response to supplementary question (cabinet member children and families):**

Thank you for your question, there are a lot of very good questions in there. I will provide a written response with all the necessary data. It is very important that we get out complaint processes right.

**Agenda item no. 4 - Questions from members of the Council**

Question Number	Questioner	Question	Question to
MQ 1	Cllr Carole Gandy, Mortimer	<p>Ofsted reports that most plans and planning are weak and do not ensure that children are sufficiently protected and that their lives improve. Most plans are too generic and do not relate to the identified risks for the individual child. Some centre around adult and tasks to be completed without defining the outcomes to be achieved for children or timescales to work towards.</p> <p>Were directorate managers too remote to be aware of this culture of behaviour and therefore complicit in the failure to adequately support children and families within our care, or was this a deficiency in the training of some of our staff?</p>	Cabinet member children and families
<p><b>Response:</b></p> <p>The reasons for the poor quality of practice in the service, including that of plans and planning are deep-rooted and varied. The Ofsted report clearly indicates a decline in the quality of social work practice over a number of years, specifically over the past four years and over a longer a period when one also considers the reports in 2012 and 2014. Directorate managers were not too remote to be aware of this, and it is through the efforts and presence of current directorate managers that more is known about the quality of practice, and performance in the service than was hitherto the case.</p> <p>Reasons include those reported by Ofsted inspectors such as staff turnover, weak guidance and a lack of management grip over a period of time. The report also points to a lack of scrutiny and focus by the council. Other contributory reasons include a poorly introduced model of practice, an electronic recording system that has not aided practice improvement and a lack of clarity about practice standards.</p> <p>Inspectors recognised small areas of progress from a significantly low base including the development of more accessible and more accurate data, developing the functionality of electronic case management recording systems and reducing caseloads. Inspectors also recognised that through the activity of the new senior leadership team there are plans in place, but that it is too soon to assess their impact.</p> <p>A decline that came about over a number of years is not turned around overnight. Significantly revised practice standards were published in the spring and we are confident that we shall see the quality of plans, and planning, improve.</p>			
<p><b>Supplementary question:</b></p> <p>I thank the portfolio holder for her response. I note in particular the statement in the last paragraph “A decline that came about over a number of years is not turned around overnight.” However I listened into the cabinet meeting yesterday where a professional stated that it takes between 18 months and two years to show any real improvement and I agree with that. Yet the Council has had 18 months since the high court judgement, following by an extraordinary full council meeting in April 2021, followed by the annual meeting in May 2021 to put in place measure which should by now have shown some improvement. Instead, the service has deteriorated further to a point never seen before in Herefordshire. Can the portfolio holder explain why the past 18 months, which should have put us on the road to improvement, as stated by the profession, has in fact produced this devastating</p>			

report. What confidence can the residents of Herefordshire have that the next 18 months will be any different to the previous 18 months and secondly what efforts will be made going forward to ensure that all members are kept regularly informed of progress or non-progress within Children's services.

**Response to supplementary question (Cabinet member children and families):**

Thank you Cllr Gandy. I know you care very deeply about this issue, I am always prepared to have a conversation with you about it. Her question is completely reasonable and I agree that it has taken too long to make changes. Some of the basic structures have not been in place to allow our staff to do their best work; that takes a long time to put in place. Not all the right people were in the right positions which took too long. A difference now, which was lacking in the past, is that there is more clarity for all of us about where we are and where we need to go. More resources and more ambition. I share Cllr Gandy's impatience and we will be judged on our results.



**Chairman's Announcements – Council Meeting – 21<sup>st</sup> October 2022**  
**Events attended by the Chairman since the last**  
**Council meeting on 29<sup>th</sup> July**

- 2 August – NMITE tour
- 9 August – Cadet Annual Camp Visitors Day
- 28 August – Jane Roberts BEM Presentation
- 31 August – Reverend Jae Chandler Licensing Ceremony
- 4 September – Betty Webb BEM Presentation
- 7 September – Leadon Bank Shaw Healthcare Presentation
- 8 September – Opening of the Ross & Monmouth Marine Cadet Barracks
- 11 September – Proclamation of the New King
- 12 September – Citizenship Ceremony
- 4 October – Mayors Meeting & Waterworks Museum Queens Award for Voluntary Service Presentation
- 7 October – High Sheriff of Herefordshire's Shrieval Service
- 10 October – Citizenship Ceremony & Ledbury Town Council October Fair
- 12 October – Mayor of Ledbury Charity Coffee Morning
- 14 October – SAFFA & Samaritans Concert
- 16 October – Patrons Curry Lunch



## **Chief Executive Announcement**

### **Full Council 21 October 2022**

Following the death of Her Majesty Queen Elizabeth II in September, I would like to thank all council staff involved in the respectful co-ordination and delivery of Operation London Bridge along with our partners, the Cathedral and town and parish councils. The provision of condolence books and, in particular, the Proclamation ceremony on Sunday 11 September, was a moment Herefordshire can be proud of, and I know that this gratitude was shared from the Chairman of the Council and His Majesty's Lord-Lieutenant of Herefordshire.

In September we saw publication of Ofsted's report following July's inspection. Ofsted has judged our Children's Services as being inadequate in all areas. As a result, the Department for Education has issued us with a statutory notice and Eleanor Brazil has been appointed as the Children's Commissioner for the council's Children's Services.

The report is a hard and upsetting read, and I welcome Eleanor's support as one of England's most eminent and well-qualified Children's Commissioners. Eleanor will be reviewing the council's capacity and capability to deliver the required improvements in Children's Services. If she believes we can improve with time and support, then we'll continue our improvement journey. Otherwise Eleanor may conclude that we need to look at another option to deliver Children's Services, whether that's in partnership with another local authority or through another operating model such as a Children's Trust. Eleanor will report to the Minister and set out her recommendations on 20 December.

I was pleased the inspectors took time in the report to recognise the commitment and dedication of all staff across Children's Services, and I want to share my appreciation too. Improving outcomes for children and young people is the number one priority for our council, and this isn't just about Children's Services - this is about how the whole council and our partners take collective responsibility to deliver and improve Children's Services.

Our digital transformation programme is also looking to improve the way we deliver our services to residents. We're investing in a partnership with PwC and we'll use their learning and experience from other organisations and bring that to Herefordshire. The first stage of this collaborative process will be to invite ideas from staff about how we could make better use of digital technology in our services and systems. The team from PwC will review all our organisational

systems and the ways residents contact us, such as through our website and customer service centres. I will ensure Members remain fully briefed throughout the transformation programme. We need to make this huge step forward as we're probably some years behind other local authorities. Improving access to our services and making our systems effective and efficient will mean an improved customer experience for our residents – that's going to be really good news for us and will have a high impact.

In Herefordshire, we continue to welcome and support families forced to flee from the war in Ukraine. Currently we have over 400 Ukrainian guests living with residents across the county that have arrived under the Homes for Ukraine Scheme. In September, we allocated central government funding to open the community integration grant scheme. Through Talk Community, voluntary and community organisations, constituted clubs and registered charities can apply for grants of up to £100,000 to support our guests with the services and activities that many of us take for granted in our day to day lives, such as family support, community and access to training or employment.

As we head into the final months of the year, our focus is very much around budget planning. Our initial thinking is there's a budget gap of around £21million in our budget for 22/23/24. We are all experiencing rising prices and, like all councils across the country, we anticipate significant financial challenges due to inflation and rising costs. So we've got some work to do to balance our budget. We're not expecting a blank cheque from government but we do know there's an opportunity for us to continue to pressurise government for additional funding to support our revenue budgets and the programme of improvements that we have. There will also need to be some hard decisions over the next few months and we will look for opportunities for where we might make savings corporately across the council and in individual directorates.

Finally, as we approach winter, I would like to remind everybody to get their winter vaccinations. As I write this report, Covid cases are rising locally. The council still leads the local Covid-19 response through the Outbreak Control Hub, but now with a reduced team as we learn to live with Covid in the community. I would like to thank all staff who have worked tirelessly as part of the Covid response. Remember that you can protect yourself and those vulnerable around you by getting your flu and Covid booster jabs this winter.

Thank you for your support.

Paul Walker, Chief Executive

# Title of report: Appointments to council committees and outside bodies

**Meeting: Council**

**Meeting date: Friday 21 October 2022**

**Report by: Director of Governance and Law**

## **Classification**

Open

## **Decision type**

This is not an executive decision

## **Wards affected**

(All Wards);

## **Purpose**

To exercise those powers reserved to Council:

(a) To confirm its committees and the number of seats on each, including terms of reference and functions of those committees; and

(b) To review the representation and determine the allocation of seats on committees and relevant outside bodies to political groups.

## **Recommendation(s)**

That:

- a) the allocation of seats on each committee to political groups as set out at paragraph 8 be approved; and
- b) the number of seats on the scrutiny management board and the allocation of those seats to political groups as set out at paragraph 9 be approved.

## **Alternative options**

1. Council could decide to suspend the rules of proportionality for all committees and establish its own criteria for appointing members to its committees. This would require a vote to do so in

respect of each committee to which these rules apply and without any member of the council voting against each proposal. However such a blanket approach is inconsistent with the spirit of political proportionality within the Local Government and Housing Act 1989 and would additionally require Council to approve which councillor would take each individual seat on the relevant committees and outside bodies.

## Key considerations

2. Council is required to review its political composition and how this is applied to appointments to committees and sub-committees of the council. Council is required to undertake this review when there is a change to the political composition of the Council.
3. The membership of the respective political groups at the council is shown in the table below. The political composition of the Council has changed since the previous calculation of proportionality on 20 May 2022: the Independents for Herefordshire Group have gained a seat and the Liberal Democrat Group have lost a seat:

<b>Group</b>	<b>Number</b>
Conservative group	14
Independents for Herefordshire	19
Liberal Democrats	6
The Green Party	7
True Independents	6
Not aligned	1
<i>Total</i>	<i>53</i>

4. Council is under a duty to ensure membership of those committees and outside bodies covered by the relevant rules reflects the political composition of the council, as far as practicable, by allocating seats on the committees to political groups in proportion to their numerical strength on the council, whilst also maintaining a similar proportional balance of overall seat numbers. Once Council has approved the allocation of seats to political groups, it is a matter for the relevant political group leaders to confirm which of their members will take up any seats allocated to their group. Cabinet (as the executive), the licensing sub committee (a statutory committee) and the health and wellbeing board (with a membership set out by statute) are exempt from the requirements of political proportionality.
5. Any member who is not aligned to a group is not entitled to an allocation of seats within these rules. It is only where the proportionality calculations have been made and if any seats remain unallocated that Council may determine to appoint a member that is not a member of one of the political groups on the Council.
6. These rules of political proportionality should also be applied when allocating seats on outside bodies to which the council makes three or more appointments. The recent change in the political composition of the Council has no impact on the allocation of seats on those outside bodies to which politically proportionate appointments are made, as agreed at the annual meeting of Council on 20 May 2022. The allocation of seats to political groups on the Fire Authority and the Standing Advisor Council for Religious Education remain unchanged.
7. It is open to Council to suspend the rules of political proportionality in relation to allocation of seats on any particular body. To do so requires approval by Council with no member voting

against the proposal; this is known as a *nem con* vote. Abstentions do not invalidate such a vote.

8. The table below details the allocation of seats on the existing committees based on the political composition of the council as set out in the table in paragraph 3 above. The Group Leaders have been consulted on the change to the allocation of seats; following this consultation the recommended allocation of seat is contained in the table below:

	<b>Conservatives</b>	<b>Independents for Herefordshire</b>	<b>Liberal Democrats</b>	<b>The Green Party</b>	<b>True Independents</b>	<b>Not aligned</b>	<b>Total committee seats</b>
Audit and governance	2	3	0	1	1	0	7
Children and young people scrutiny	2	2	1	1	1	0	7
Connected communities scrutiny	2	3	0	1	0	1	7
Employment panel	1	2	1	1	1	0	6
Environment and sustainability scrutiny	2	3	1	1	0	0	7
Health, care and wellbeing scrutiny	2	2	1	1	1	0	7
Planning and regulatory	4	5	2	2	2	0	15
<i>Total</i>	15	20	6	8	6	1	56

9. The scrutiny management board (SMB) was established to oversee the co-ordination and work programming of the four other scrutiny committees. The composition of the scrutiny management board is outlined under paragraph 2.6.4 of the new constitution; its membership consists of the other four scrutiny committee chairpersons and other elected members as required to ensure the committee is politically balanced. Following the change in the political composition of the Council Group Leaders have been consulted on a change to the size of the SMB and the allocation of seats; following this consultation the recommended size of the SMB and allocation of seats is contained in the table below:

	<b>Conservatives</b>	<b>Independents for Herefordshire</b>	<b>Liberal Democrats</b>	<b>The Green Party</b>	<b>True Independents</b>	<b>Not aligned</b>	<b>Total committee seats</b>
Scrutiny Management Board	4	5	2	2	2	0	15

## **Community impact**

10. In accordance with the council's adopted code of corporate governance, the council is accountable for how it uses the resources under its stewardship, including accountability for outputs and outcomes achieved. In addition the council has an overarching responsibility to serve the public interest in adhering to the requirements of legislation and government policies.

## **Environmental Impact**

11. Whilst this is a decision on back office functions and will have minimal environmental impacts, consideration has been made to how it is in line with the council's Environmental Policy.

## **Equality duty**

12. 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.
13. 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 is a decision on the administrative functions of the Council, we do not believe that it will have an impact on our equality duty however the council will seek to ensure that all appointments are made fairly (i.e. no discrimination on the basis of protected characteristics) and that committee meetings are physically accessible to.

## **Resource implications**

14. Budgets are in place to cover allowances for any appointments made. In the event that Council decides on the establishment of additional committees a budget will need to be identified to meet the cost of any special responsibility allowance associated with the new committee. If Council agrees additional committees, appointments to the position of chairperson and vice chairperson will be agreed, if appropriate, during consideration of this report. All members appointed to positions of special responsibility and to committees are provided with training to enable them to fulfil their duties.

## **Legal implications**

15. The council is required to ensure that the allocation of seats to committees is compliant with relevant rules contained in the Local Government and Housing Act 1989 and regulations made



under that act.

16. In summary these regulations require that in determining the allocation of seats the council must apply the following four principles as far as reasonably practicable:
- a. that not all the seats on the body are allocated to the same political group;
  - b. that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
  - c. subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
  - d. subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.
17. The proposals in this report comply with these requirements. Once the proportionate allocation of seats has been made in accordance with the above principles, if any seats remain unallocated Council may determine to appoint a not aligned grouped member to fill the seat.
18. Alternative arrangements not complying with these requirements as set out in paragraph 1 may be made so long as no member of the council votes against it.

## Risk management

19.

Risk / opportunity	Mitigation
Failure to appoint to committees and outside bodies could render them inquorate or unlawful	The recommendations in this report mitigate these risks
Failure to obey the rules of political proportionality could similarly render a committee or body unlawful	The recommendations in this report mitigate these risks

## Consultees

20. No consultees.

## 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	Matthew Evans	Date 10/10/2022
Finance	Karen Morris	Date 10/10/2022
Legal	Alice McAlpine	Date 10/10/2022
Communications	Luenne Featherstone	Date 06/10/2022
Equality Duty	Carol Trachonitis	Date 06/10/2022
Procurement	Not a procurement	
Risk	Kevin Lloyd	Date 10/10/2022

Approved by Claire Porter Date 13/10/2022



# Title of report: Leaders report to Council

**Meeting:Meeting: Council**

**Meeting date: Friday 21 October, 2022**

**Report by: The Leader of the Council**

## Classification

Open

## Decision type

This is not an executive decisionThis 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 29 July, 2022.

## 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. In my report I include a summary of the matters decided by the cabinet and the cabinet members, any decisions taken under the urgency provisions and those subject to call in.
3. 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.
4. Of the decisions taken since my last report to Council, two key decisions were taken under the general exception provisions (giving more than five but less than 28 calendar days' notice) and none were taken under the urgency provisions (less than five days' notice).

5. Included in my report is a summary of what I consider the most significant decisions supporting the achievement of the County Plan, as well as some additional subjects that I hope will be of interest. Each is themed around our County Plan commitment 'Respecting our past, shaping our future'.

#### **Household Support Fund (HSF):**

6. The Household Support Fund continues to provide money, part of an allocation of £1.3m to Herefordshire Council from the Department of Work and Pensions, to support low-income households. The fund is assisting families and individuals experiencing food and fuel poverty and assists with other essential household bills. The money, had needed to be spent by the end of September 2022. The money has been used for the following purposes;
  - a) **Food Vouchers** for children entitled to Free School Meals have been provided for children during the May half term and during the summer holidays. The vouchers are based on £15 per week for each week of the holidays and schools have been organising this direct with families who are entitled to claim this. Over 4600 children have been supported (c. £485,000)
  - b) **Low-income pensioners:** Direct awards of £170 have been made to Herefordshire residents in receipt of Pension Credit Guarantee and not living in a residential or nursing care home. The council wrote to all those eligible and a total of – over 3,200 pensioners amounting to over £545,000 funding.
  - c) **Support from Voluntary and Community Organisations:** Money has been allocated to a number of local organisations to support local people who are struggling to pay essential bills as a result of the cost of living increases. About £250,000 was awarded to these organisations with over 400 households supported.
  - d) **The Talk Community Money on Your Mind website** has played a pivotal role in providing information on organisations like Citizens' Advice as well as others who may be able to help. Direction to emergency welfare support has also been offered for those in most urgent need of assistance.

#### **Housing Land Supply and Housing Delivery:**

7. We are now into our second year in a row where Herefordshire has a 5-year Housing Land Supply (6.19 years in total). With regards to the housing delivery test, we submitted the requisite data to Government last week ahead of the deadline of 30th September. We are unlikely to know the results of the test until next February, but given the high level of housing completions in the County in 2021-22 we believe we will pass the test (if the Government use the same calculation as last year). In addition, a recent appeal lodged against Herefordshire Council, has challenged the supply position. We await the outcome of that appeal, which may require an addendum to the August paper depending on the Inspectors decision.

#### **Housing delivery of note:**

8. Following the site specification and design (Reserved Matters) being agreed in December 2019, the Tillington Road, site has now completed and delivered an additional 44 affordable homes with a mixture of tenures. Working closely with Connexus for a number of years through the planning process they have delivered homes that have addressed our greatest housing priorities, Accessible Homes which have enabled families with a disabled family member to be housed, In addition to this, we have also secured 6 one bedroom houses for our clients who suffer with their mental health. These clients will have support from an independent company who will ensure they have all the tools and support they need to maintain their tenancies.

## **Nutrient Certainty - Luston Integrated Wetland:**

9. Herefordshire Council has chosen to voluntarily exercise its well-being powers to build integrated wetlands in the Lugg Catchment to provide development headroom and “river betterment”. Phosphate credits will be used to offset developments with a view that any new development can demonstrate nutrient neutrality to satisfy the Habitat Regulations.
10. Since the May Cabinet meeting extensive work has been undertaken by the Council’s designer, the Wye and Usk Foundation, the Council’s peer reviewer Ricardo Consulting and the appointment of a specialist external legal advisor. Following those discussions the Council’s project team is now able to recommend that all necessary due diligence steps have been undertaken to provide the necessary assurance that Nutrient Certainty has been achieved and that Phosphate Credit Trading may commence.
11. The project team provided a certificate of offset to the Local Planning Authority and trading in Phosphate Credits commenced in August 2022 and will increase as further Wetlands arrive on stream. Credits are allocated on the agreed first come first served policy. A successor policy with weighted allocation criteria aligned to the County Plan is under development and will be consulted later this year.

## **Cabinet Commission- Restoring the River Wye Catchment**

12. In July 2022, the latest source apportionment data for the Upper Wye was published indicating the main causes of phosphate pollution following sampling work in the river. This shows the main sources of phosphate pollution come from the following sources:
  - 72% agricultural diffuse pollution including run-off
  - 23% sewage treatment works
  - 5% other (e.g. highways run off)
13. In September, Cabinet agreed for a Cabinet Commission to be established. The Commission will undertake a more strategic and systems led review of river quality and in particular will consider how the council can use all the powers and influence available to it to progress the restoration of the Wye and Lugg. The Cabinet Commission will strengthen capacity and develop close liaison with Powys and Monmouthshire councils in a shared endeavour to tackle this most serious of pollution risks in the Wye and Lugg river catchment areas.
14. An early task of the Commission will be to consider what more can be achieved by the Local Planning Authority (LPA) and to identify a package to demonstrate full Nutrient Neutrality for all new planning applications by April 2025. The council will look to introduce new measures in phases based on the source apportionment data to direct priorities for action. 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.
15. The Commission will also consider what more can be done to address river quality issues caused by current developments. Over the summer work has been undertaken to finalise the Commission’s terms of reference, work programme and timetable with regular progress reports to be provided to Cabinet. These were approved by Cabinet in September.

## **The future use of the Town Hall and No. 10 St. Owen’s Street.**

16. Cabinet have made a commitment in the Delivery Plan 2022-23 to manage the council’s assets to maximise their use. As part of this commitment the future of the Town Hall and the adjacent attached building to the left of it, No 10 St Owens Street, have been considered. The Town Hall is currently an

operational site used by Registrars, Car Park Enforcement, Custodians and Coroners. It also includes storage, an IT data room, the City Council, Town Information Centre and Business Improvement District as external tenants. No 10 St Owens Street houses Electoral Services and the Public Rights of Way team have recently relocated there.

17. Following a review of a proposal to dispose of the Town Hall by the then General Scrutiny Committee it recommended that a decision should not be taken in isolation, but should be brought together with all of the council's listed buildings within the asset review. As a result, a listed Site Review was commissioned on the Shirehall, Town Hall and Churchill House sites. The report that followed noted that the Town Hall campus has poor space utilisation and its listed status means that it is inflexible and must be taken on its merits. The future uses by the council of the building are expected to be limited to current office and some ceremonial uses. The council has no identified use for the vacant space and a full review and design appraisal will be required if the building is retained.
18. In September the Cabinet agreed, subject to agreement of heads of terms by 31 December 2022, to transfer the freehold of the Town Hall and No. 10 St Owens Street to Hereford City Council or its nominee with the transfer to be completed by 31 October 2023. In the event that these deadlines are not met there is a commitment to complete an option appraisal which will include disposal on the open market.

### **Fastershire progress:**

19. 94.2% of properties in Herefordshire can access a superfast broadband connection (30Mbps and above), with over 51.56% able to access a gigabit-capable connection. Fastershire's current contracts with Gigaclear and Airband and grant schemes will increase this further. Gigaclear's work continues in north Herefordshire, with 78% of subsidised premises "Ready for Service" where residents can order full fibre gigabit-capable broadband.
20. During August, builds are ongoing across Almeley, Eardisley, Staunton-on-Wye, Ivington, Pembridge and Wigmore. Ongoing work in Ledbury has resulted in premises in the town going live, with more to follow soon. Airband's rural networks are still progressing with works in Clehonger and surrounding areas and other clusters following on.

### **UK Shared Prosperity Investment Plan**

21. In July, the cabinet agreed to apply for the UK Shared Prosperity Fund (UKSPF). In accordance with the Levelling Up White Paper, government launched the UKSPF to help address geographical disparities in economic performance and circumstances. The funds objectives are to;
  - a) Boost productivity, pay, jobs and living standards by growing the private sector, especially in those places where they are lagging
  - b) Spread opportunities and improve public services, especially in those places where they are weakest
  - c) Restore a sense of community, local pride and belonging, especially in those places where they have been lost
  - d) Empower local leaders and communities
22. Each 'Lead Local Authority' has been allocated a three year funding commitment, subject to the development, submission and approval of a suitable Investment Plan. Herefordshire Council has been allocated £7,545,330 between 2022/23 and 2024/25, of which £903,194 is for 'Multiply' adult numeracy support. The remaining £6,642,136 is the focus of this decision and accompanying Investment Plan. The majority of the funding is revenue funding (£5.5m), with the remainder (£1.1m) funding for capital projects.

23. The funds will be allocated across the three themes identified in the national guidance, community and place, supporting business and supporting skills. We are now awaiting government approval of the Investment Plan, and are starting to develop the areas of activity we will be seeking to fund later in the year.

#### **Levelling Up Fund:**

24. On the 2nd August we submitted 3 Levelling Up Fund bids to government via their national portal which had been subject to some technical issues. At the end of June the cabinet approved the submission of £43.6m of bids to the second round of government's Levelling Up Fund (Decision - Levelling Up Fund Bid Submission to Government - Herefordshire Council). Herefordshire has been identified as a priority 1 area in the latest bidding round, and can make up to three bids.
25. We have made a £19.2m bid to support the development of much needed employment land in the south of the county, developing Ross Enterprise Park. A £19.9m bid for Hereford City Transport improvements, including the proposed transport hub at the train station and active travel measure enhancements across the city. A £4.3m bid to support public realm improvements in Leominster and Ledbury, as well as working with Leominster Town Council to support the development of the Priory building to provide a range of local services including visitor accommodation and business space.

#### **Stronger Towns Fund:**

26. Government have approved all of the Hereford Towns Funding full business case submissions, totalling £22.4m of government funding. This includes the council let £18million redevelopment of Hereford Museum and Art Gallery, creating a new world class visitor and cultural attraction in the current grade 2 listed building. The £3.5m redevelopment of Maylord Orchards to create a new modern library and learning resource centre, as well as enhancing the current atrium space and Trinity square to establish an improved environment for people to meet, spend time and attend events..
27. As part of the cabinet decision in June and then approval to the capital programme by full council in July, the council has committed £8m of capital receipt reserves to the Museum project and £0.5m to the Maylord project. This will ensure that these flagship developments can be taken forward.

#### **Enterprise Zone - Completion of ground work on North Magazine.**

28. We are now in the final stages of completing the land remediation and infrastructure works on the North Magazine area of the Skylon Park, the Hereford Enterprise Zone. The successful conclusion of the infrastructure project will provide much needed employment land in the city. Building on success of the wider business park, there has been unprecedented interest in the land with Hereford Enterprise Zone Ltd board having to make some difficult decisions as to which businesses to sell plots to.
29. The New Model Institute in Technology and Engineering (NMiTE) have also recently completed their impressive £7m Skylon Campus, including the Centre for Advanced Timber Technology and Centre for Advanced Manufacturing.

#### **Budget Setting – timetable and scrutiny review**

30. The Cabinet has begun considering the significant financial challenges in the continued delivery of services and improvements whilst maintaining a financially sustainable and resilient position for the next municipal year, as well as the years after. Continued uncertainty over Central Government funding and national changes in policy, particularly adult social care reforms, alongside inflation, emerging cost and

demand pressures, will have a significant impact on the council's net revenue and capital budgets over the medium term.

31. The draft Medium Term Financial Settlement (MTFS) presents a challenging position; with early forecasts identifying a gap between resources and pressures of £21.6m in 2023/24, rising in subsequent years to around £57m by 2026/27 if no mitigating actions are implemented. This draft position is based on a number of variables and assumptions which are subject to change and these are detailed later in this report.
32. The council maintains a prudent level of reserves to manage future financial risks. At 31 March 2022, the council has useable reserves of £106.1m, comprising Earmarked Reserves of £96.5m and a General Fund balance of £9.6m. These reserves were deemed to be adequate to support the 2022/23 budget.

### **Update on Children's Services**

33. This aspect has been a significant draw on the attention of all members of the Cabinet since my last report.
34. As Councillors know Herefordshire Council children's services were inspected by Ofsted inspectors during the period 18 to 29 July 2022. The inspection report was published by Ofsted on 21 September 2022, and considered at a special Council meeting on Friday 30<sup>th</sup> September
35. The Cabinet welcomed the appointment of Eleanor Brazil as Commissioner for Children's Services in Herefordshire with her remit to assess the council's capacity and capability to improve itself, in a reasonable timeframe.
36. Cabinet receive regular reports on progress in this Directorate which is such an important area of improvement for children in our care and for all councillors. These include progress to date including further reductions to workloads for practitioners, and recent small reductions in the number of children in our care; as well as the barriers and obstacles to improvement at a faster pace in the future. Cabinet are challenging and supporting the wider partnership to come together to respond to the Ofsted findings. The Improvement Board will be meeting more frequently as will the Herefordshire Safeguarding Children Partnership. Additional support is in place for the Corporate Parenting Board and the Children and Young People Partnership is to be relaunched.

### **Talk Community – thank you events**

37. The Talk Community and Halo Leisure Community Thank You Events were designed to thank the community for supporting each other through the Covid pandemic and to encourage people across Herefordshire to get active.
38. The 'Thank You Events' provided free access to a range of leisure and sport activities (swimming, badminton, exercise classes, gymnastics) as well as fun activities like face painting, balloon modelling and bouncy castles.
39. Health and well-Being providers and local community groups were in attendance, as well as the Police and the Fire Service. Three recent events in Hereford, Leominster and Ross have been very popular and seen over 1,000 people attend.
40. There were a number of events which took place on the following dates:
  - 31 July 2022 - The Bromyard Centre
  - 7 August 2022 - Lady Hawkins Community Leisure Centre, Kington
  - 20 August 2022 - Ledbury Sports Centre, with one further event to take place on
  - 6 November 2022 - Hereford Leisure Centre



41. There are now 66 Talk Community Hubs with Madley, Garway and Llangarron having recently launched.

### **Warm Spaces:**

42. We are creating a directory of warm spaces across Herefordshire to enable Herefordshire residents who are feeling the cold to go and keep warm, enjoy a little company and a hot drink. Alongside Herefordshire libraries and HARC, 18 Talk Community hubs have registered to be warm spaces so far.

### **Here for Herefordshire activities and food programme:**

43. For the summer 2022 programme we had 30 different providers offering 8500 spaces. These included rugby, climbing, ceramics, music, football, circus skills and many more. Over 1155 children attended, 109 of which were SEND. Preparation is under way for the Christmas programme, including the launch of a new booking system, a partnership with a local app to source donated kit and a taster day at Whitecross school for potential new providers.

### **Use of the Council's Earmarked Reserves**

44. As a matter of good practice a review is undertaken each year to establish the continued need for reserves held for earmarked purposes to ensure resources can be used to best effect whilst maintaining a prudent level of reserves to meet future anticipated commitments.
45. Actual earmarked reserve balances at 31 March 2022 were £106.1m against £114.7m at 31 March 2021. There has been a £9.1m decrease in Earmarked Reserves and an increase of £0.5m for the General Fund in line with the reported £0.5m underspend in the revenue budget outturn report which went to Cabinet on 26 May 2022. It should be noted that there are further amounts to be drawn down from earmarked reserves during 2022/23 including £11.49m to be drawn down from the Financial Resilience Reserve to fund the Children's Transformation work (Cabinet decision on 31 March 2022).
46. Cabinet decided that it was appropriate to spend some of the available reserves on some specific measures which will have long term benefits to the community. These items are as follows:
- I. **The implementation of a program to introduce area wide 20mph speed limit zones (£1.2m)** in towns and villages, including all schools, designed to reduce injuries, fatalities and improves air quality. It will also address increasing demand for speed reductions in residential areas as well as smaller parishes where interest from councils and residents is strong.
  - II. **The travel plan support for schools (£0.31m)** will provide a review of countywide school travel plan support, to include the provision of direct assistance to schools who are looking to update their existing school travel plans. It will also support the delivery of the Local Transport Plan and contribute towards the delivery of a number of County Plan objectives.
  - III. **The Building Retrofit & Supply Chain Development (£0.58m)** will help to start to address a critical skills gap in retrofit market to mitigate achievement of carbon neutral standards. It will advantage local suppliers by strengthening the supply chain and contribute to higher levels of carbon neutral standards.
  - IV. **The further development of the Eastern River crossing (£1m)** will enable the council to achieve the feasibility/options phases of the project that contributes to the delivery of a key component of the Hereford Transport Strategy.
  - V. **The reduction in the backlog of Traffic Regulation Orders (TRO) (£0.66m)** and signing and lining will address a maintenance backlog of signs and lines. It will ensure that signs and

lines are compliant with TRO's and any anomalies are eliminated and reduce the number of outstanding applications for TRO's all of which contribute to the safety of residents.

### **Update on Herefordshire Households open up their homes to Ukrainian refugees**

47. The Government launched the Homes for Ukraine Sponsorship Scheme on the 18th March 2022. The Council mobilised operations team in partnership with the Association of Ukraine Great Britain (AUGB) 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.
48. To date the team have co-ordinated 27 fully loaded lorries, with Humanities Aid, equalling 324 tons of donated items. This includes, an ambulance, 4x4 car, essential medical equipment and supplies, food, clothing, baby items and bedding. Herefordshire Council is leading by supplying the largest amount of aid being sent into the Ukraine in the UK. All the aid is reaching areas within the Ukraine where the war is currently raging. There are a small proportion of guests now moving into their own accommodation, to date 15 families have been supplied with donated furniture, household items and white goods, which have all been donated by residents and companies of Herefordshire.
49. 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. In addition the Council receives a further grant to fund the monthly Sponsor Thank You Payment of £350. This is activated once all the mandated checks have been completed and is available for 12 months as long as the guests stay with their sponsors.
50. Herefordians are to be commended for the way in which they have welcomed Ukrainians into our community
51. As at 3rd October 2022:
  - I. There are 222 unique sponsors from Herefordshire on the Governments Foundry System.
  - II. There are 678 unique guests seeking to come to Herefordshire.
  - III. 499 guests have arrived to-date, coming to 185 sponsors located across the county

### **Cost of Living crisis**

52. Cabinet are concerned about the effect of the significant increase in fuel and energy costs on our communities and which are likely to have a disproportionate impact on our County due to its rural nature. Herefordshire Council is committed to continuing to do what it can to protect people against higher costs, targeting help at those facing the most complex challenges. Working with partners, there is already a wide range of information, advice and support available, including Talk Community hubs and its money management and debt advice provision, Money on Your Mind website, Council Tax reduction scheme and Council Tax discretionary hardship policy. One off funding initiatives, including the Household Support Fund (see paragraph 6) and the discretionary fund of the Energy Rebate Scheme, are also proactively used in the county to support those in most need.
53. The council is also launching a directory of warm spaces in public and community buildings to help people who cannot afford their energy bills. These include libraries and some of Talk Community's 67 hubs across the county. We are currently working with community groups to explore ways in which warm spaces could be enhanced following their launch. Ideas include providing health checks, homework support as well as hot meals for those who need them this winter.

54. Recognising all the concerns, the Health and Wellbeing Board in September agreed to establish a multi-agency Cost of Living Commission to gather information on the challenges people are facing and to identify other ways in which the council and its partners can support individual residents and communities. Engagement work with communities and with partners is taking place through October and November, with a view to coming forward with a set of recommendations early in the New Year 2023.

### **Community impact**

55. 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**

56. 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**

57. 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.
58. 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**

59. 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**

60. 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.
61. 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**

62. 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:** List of executive decisions taken since 22 July to 13 October

**Appendix B:** Herefordshire Council: Respecting our past, shaping our future. Delivery Plan for 2022/23

### **Background papers**

None Identified

**Appendix A: Decisions taken since 22 July to 13 October**

<b>Title: Key and Non-key Cabinet member decisions</b>	<b>Date</b>	<b>Effective from</b>
<a href="#">Domestic Abuse Safe Accommodation and Support Commissioning for 2022-23</a>	12/08/2022	19/08/2022
<a href="#">Implementation of Moving Traffic Enforcement</a>	22/07/2022	29/07/2022
<a href="#">Award of CCTV/Security Monitoring Staffing Contract</a>	22/08/2022	27/08/2022
<a href="#">Transformation Programme</a>	19/07/2022	27/07/2022
<a href="#">Revised Debt Recovery Policy</a>	16/09/2022	24/09/2022
<a href="#">2022/23 Public Realm Maintenance (Mitigation of Risk on the Network)</a>	17/08/2022	24/08/2022
<a href="#">MyAccount Capital Project</a>	19/07/2022	30/08/2022
<a href="#">Revenue Lengthman's Grant</a>	06/10/2022	13/10/2022
<a href="#">Reallocation of approved budget</a>	05/09/2022	10/09/2022
<a href="#">To agree the Technology Enabled Communities Programme scope, funding and recommendations</a>	30/09/2022	07/10/2022
<a href="#">To adopt the process and policy for issuing penalties under the Tenants Fees Act 2019</a>	28/09/2022	05/10/2022
<a href="#">Tier 3 Short Breaks Contract Extension by Variation</a>	26/07/2022	02/08/2022
<a href="#">Talk Community Website</a>	26/09/2022	01/10/2022
<b>Title: Cabinet Decisions</b>	<b>Date</b>	<b>Effective from</b>
<a href="#">Quarter 1 Budget &amp; Performance Report</a>	29/09/2022	06/10/2022
<a href="#">Annual review of earmarked reserves</a>	29/09/2022	06/10/2022
<a href="#">Cabinet Commission - Restoring the Wye</a>	29/09/2022	06/10/2022
<a href="#">Inspection of Herefordshire Children's Services</a>	29/09/2022	06/10/2022
<a href="#">Future of Town Hall and No. 10 St. Owen's Street, Hereford</a>	29/09/2022	06/10/2022
<a href="#">Nutrient Certainty – Luston Integrated Wetland</a>	28/07/22	04/08/22
<a href="#">UK Shared Prosperity Plan</a>	28/07/22	04/08/22
<a href="#">2023/24 Budget Setting Timetable</a>		



# 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...



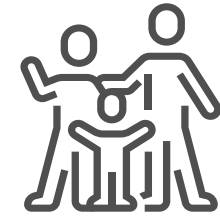
In 2021 over **2,700** children attended the Holiday Activity Fund projects



**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



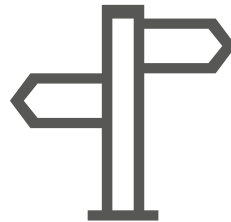
**61,729** calls to the contact centre, average answering time 48 second.

**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



**27** public rights of way footpath schemes completed

**21,000** pot holes repaired



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

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

# 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 <b>health and wellbeing of children</b> (supporting objective CO1)</p>	<ul style="list-style-type: none"> <li>• Provided free gym and swimming lessons for children.</li> <li>• 14 enhanced play areas supported by Covid recovery grant.</li> <li>• Introduced new Universal Public Health nursing visits for 4-6 month olds.</li> <li>• Introduced an on-line oral health training package reaching 177 professionals and parents.</li> <li>• 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.</li> </ul>	<ol style="list-style-type: none"> <li>1. Use the Improvement Plan to work more closely with partners, and agree a common understanding of a Child Friendly County.</li> <li>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.</li> <li>3. Run training programmes for 200 staff on oral health.</li> <li>4. Deliver a training programme of road safety including pedestrian training for school pupils.</li> </ol>
<p>Deliver <b>schools investment</b> programme (supporting objective CO1)</p>	<ul style="list-style-type: none"> <li>• Completed Marlbrook School extension.</li> <li>• Created new drop-off area at Mordiford School.</li> <li>• Opened a new special needs sixth form in Hereford at Beacon College.</li> <li>• Completed 16 feasibility studies to inform key investment priorities for schools.</li> <li>• Built a new science block at John Kyrle High School adding extra school places in Ross-on-Wye.</li> <li>• Obtained planning permission for development at The Brookfield School.</li> </ul>	<ol style="list-style-type: none"> <li>1. Tender construction of new school building at Peterchurch Primary School.</li> <li>2. Tender refurbishment and expansion of The Brookfield School.</li> <li>3. Plan and agree first phase of school expansions to deliver additional school places across the county.</li> <li>4. Seek approval for the rebuild of Westfield School and move to the design stage.</li> <li>5. Conduct feasibility work to inform plans to increase capacity at Hereford Pupil Referral Service and Blackmarston School.</li> </ol>

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

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

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



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

Programme	So far we have...	This year we will...
Develop the <b>2050 Economic Big Plan</b> (supporting objective EC1)	<ul style="list-style-type: none"> <li>Held Economic Summit in Hereford, along with a series of mini Economic Summits in all market towns.</li> </ul>	<ol style="list-style-type: none"> <li>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.</li> </ol>
<b>Town Investment Plan</b> for Hereford (supporting objectives EC1 & EC2)	<ul style="list-style-type: none"> <li>Submitted initial business cases for Town Investment funding.</li> </ul>	<ol style="list-style-type: none"> <li>Implement the £22.4m Town Investment funded through the Stronger Towns Fund working closely with partners.</li> <li>Produce and submit detailed proposals for investment in the Hereford Museum and Art Gallery, Maylord Orchard Library and the Learning Resource Centre.</li> <li>Deliver the detailed business case for Greening the City.</li> </ol>
Develop & implement <b>Market Town Economic Development Investment</b> (supporting objectives EC2 & EC5)	<ul style="list-style-type: none"> <li>Produced plans for each market town based on public consultation.</li> <li>Awarded grant to market town projects worth £550,000.</li> <li>Made investment in Leominster Heritage Action Zone.</li> </ul>	<ol style="list-style-type: none"> <li>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.</li> <li>Pursue potential sites for new commercial employment land uses in market towns.</li> <li>Progress the Leominster Heritage Action Zone Project; including completion of public realm improvements.</li> </ol>
Support <b>economic opportunity</b> through business support (supporting objectives EC2 & EC6)	<ul style="list-style-type: none"> <li>Invested £6m in Covid 19 recovery programmes supporting economic and wellbeing support.</li> <li>Introduced the Shop Local Card, so far benefitting over 1,500 shops.</li> </ul>	<ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>Deliver a business case for the Recovery and Investment Fund to support businesses to expand in Herefordshire.</li> </ol>

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

Programme	So far we have...	This year we will...
Support <b>Tourism and Cultural Sector</b> in the county (supporting objective EC5)	<ul style="list-style-type: none"> <li>• Commissioned first TV advert for Herefordshire reaching more than 8.3 million people.</li> <li>• Promoted over 450 businesses through new Visit Herefordshire website.</li> <li>• Conducted a ballot on forming a Herefordshire Business Improvement District.</li> </ul>	<ol style="list-style-type: none"> <li>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.</li> </ol>

## 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.

### **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

*Respecting our past, shaping our future*





## **Title of report: Motions on notice**

**Meeting: Council**

**Meeting date: Friday 21 October 2022**

**Report by: Director of Governance and Law**

### **Classification**

Open

### **Decision type**

This is not an executive decision.

### **Wards affected**

Countywide

### **Purpose**

To consider motions received on notice.

### **Recommendation**

**THAT: the motions listed at paragraph 6 are 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.

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

- 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.
- 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 Two motions have been received and will be debated at the meeting. The motions for discussion are set out below:

### **Motion 1 – Cost of living crisis and energy efficiency**

(Proposed by Councillor Ellie Chowns, Seconded by Councillor Pauline Crockett)

**This council believes that:**

- **Everyone has the right to a warm home that is affordable to heat;**
- **Improving energy efficiency is central to tackling the energy crisis and cost of living crisis;**
- **Fossil fuels should be left in the ground, and investment in energy supply should instead be targeted at renewables**
- **All new homes and workplaces should be built to the highest possible energy efficiency standards.**

**This council notes that:**

- **Herefordshire Council unanimously declared a climate emergency on 8 March 2019.**
- **Buildings account for 23% of UK greenhouse gas emissions**
- **Herefordshire Council has made significant commitments to supporting energy efficiency for homes and businesses in the county, but needs far more support from central government**
- **Current UK government investment in energy efficiency is nowhere near the level required to address fuel poverty or meet our legally binding UK climate targets.**

**The council therefore calls on the executive to write to the Prime Minister and to the Herefordshire MPs to call for:**

- **Immediate further direct financial support to help people to manage the cost of living crisis, with most support provided to low income households;**
- **A fully funded nationwide action plan to insulate all homes and businesses as quickly as possible to improve energy efficiency and reduce bills;**
- **A commitment to keep fossil fuels in the ground, and to invest instead in developing the renewable energy technologies and businesses that are essential for our future energy security;**
- **Immediate introduction of significantly improved energy efficiency standards for new buildings.**



**Motion 2 – Proportional Representation**

(Proposed by Councillor Felicity Norman, Seconded by Councillor Phillip Howells)

**First Past the Post (FPTP) originated when land-owning aristocrats dominated parliament and voting was restricted to property-owning men.**

**In Europe, only the UK and authoritarian Belarus still use archaic single-round FPTP for general elections. Meanwhile, internationally, Proportional Representation (PR) is used to elect parliaments in more than 80 countries. Those countries tend to be more equal, freer and greener.**

**PR ensures all votes count, have equal value, and those seats won match votes cast. Under PR, MPs and Parliaments better reflect the age, gender and protected characteristics of local communities and the nation.**

**MPs better reflecting their communities leads to improved decision-making, wider participation and increased levels of ownership of decisions taken.**

**PR would also end minority rule. In 2019, 43.6% of the vote produced a government with 56.2% of the seats and 100% of the power. PR also prevents ‘wrong winner’ elections such as occurred in 1951 and February 1974.**

**PR is already used to elect the parliaments and assemblies of Scotland, Wales and Northern Ireland. So why not Westminster?**

**Council therefore resolves to write to H.M. Government calling for a change in our outdated electoral laws to enable Proportional Representation to be used for general elections.**

**Updates – outstanding resolutions**

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 9<sup>th</sup> November 2020, see: <a href="http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=7296">http://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=7296</a></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</p>

		<p>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><b>RESOLVED:</b></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	Highlighted as a priority action within the Nature Strategy. Business case drafted to seek funding from Climate reserve for preparing tree strategy.
<p><b>RESOLVED:</b></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	Highlighted as a priority action within Nature Strategy. Hedgehogs prioritised within planning ecology response. Hedgehog habitat project recently undertaken as part of joint project to increase biodiversity with highways, delivering hedgehog habitats to primary schools across the county with information packs to educate students.
<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>Further to a review of the resources required the Council has allocated funding to undertake an appraisal at Belmont.</p> <p>In addition, a one off funding proposal has been developed</p> <p>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>Additionally 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>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	A business case for staff resourcing the team to undertake this work was submitted by the Environmental Health Service Manager.  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>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	For the latest update please refer to the current status contained in the Cabinet Commission on Phosphates motion below.
<p>RESOLVED: That –</p> <p>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.</p> <p>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.</p>		

Date of meeting	Motion	Current Status
28 January 2022	Fireworks and animal welfare	<p>1 The safety advisory group (SAG) are aware</p> <p>2 PR to be actioned</p> <p>3 Letter to government being drafted</p> <p>4 Letter to local suppliers being drafted</p> <p>5 Property Services considering matter</p>
<p>RESOLVED: That –</p> <p>This Council therefore resolves to ask the executive to:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>4. Encourage local suppliers of fireworks to stock ‘silent’ fireworks for public display.</li> <li>5. Investigate the feasibility of implementing a formal consent regime for the use of fireworks on sites in council ownership.</li> </ol>		

Date of meeting	Motion	Current Status
4 March 2022	Ukraine	<p>The Government launched the Homes for Ukraine Sponsorship Scheme on the 18<sup>th</sup> 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 operations team continues to lead on all 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.</p>

		<p>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 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. The <a href="#">Community Integration Grant Scheme</a> is live for voluntary and not for profit community groups who are supporting Ukrainian arrivals and their sponsors.</p> <p>As at 7 October;</p> <ul style="list-style-type: none"> <li>• 222 unique sponsors registered</li> <li>• 678 unique guests registered</li> <li>• 499 guests have arrived (hosted by 185 sponsors)</li> </ul>
<p><b>RESOLVED:</b></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 preparation for this scheme is underway, but has not yet been finalised, it needs to be reviewed by senior team and any financial implications assessed.
<p><b>RESOLVED:</b></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 has been picked up by the Corporate Director Community Wellbeing. A rural impact assessment tool has been drafted and is being consulted on. Relevant letters as agreed by Council are being prepared to send to the Government.
<p><b>RESOLVED:</b></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> <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;</p> <p>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</p> <p>d) The executive at Herefordshire Council agrees to write to the Government and MPs in response to this motion that:</p> <ul style="list-style-type: none"> <li>• Government should put in place the appropriate structures to facilitate a more robust rural proofing regime; and</li> <li>• 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.</li> </ul>		

Date of meeting	Motion	Current Status
29 July 2022	Cabinet Commission on Phosphates	<p>This update pertains to both Council motions on the WPZ (see above) and Cabinet Commission on Phosphates.</p> <p>The Executive appreciates and welcomes the unanimous support of Members in our joint endeavour to see the Wye restored. Since the motion was adopted, further officer discussions, led by the Chief Executive, have been undertaken with senior regional leads within Natural England, Natural Resources Wales and the Environment Agency. The agencies are saying for the reasons set out in the letter from former Minister Pow they are not able to take further work forward on an immediate water protection zone at this time.</p> <p>Subsequently, Cabinet has agreed terms of reference for the Cabinet Commission. The Cabinet Commission comprises Executive Members from Powys, Monmouthshire and Herefordshire Council's. Natural England, the Environment Agency and Natural Resources Wales, have agreed to provide principle advisors to the Cabinet Commission. At the same time, the agencies and the Council's wish to remain supportive of the role of the Nutrient Management Board and avoid duplication. Strong liaison links have been established to achieve this. The first meeting of the Commission will take place on the 19<sup>th</sup> October 2022 and the Cabinet Commission will meet monthly through to April 2023. The Commissioners will publish a summary of each meeting including their progress against the terms of reference. The Commission will also be a protected space for confidential discussions and negotiations to take place in support of developing a new plan for the Wye. Other reports and papers may also be published from time to time. These will be made available on the Council's Website and circulated to NMB and the five Wye catchment MPs in England and Wales who are also keen to see a plan to restore the Wye.</p> <p>In preparation for the first meeting, of the Cabinet Commission an analysis of the Poole Harbour WPZ scheme has been undertaken. The Poole Harbour Scheme was designed by the local farming community, over a three year period, with a ten year implementation plan. The Poole Harbour WPZ plan was then adopted by the agencies and then backed by a binding legal agreement. The local farming community has indicated a willingness to work with the Cabinet Commission to explore whether a similar scheme for the Wye Catchment can be created and a working group established with the</p>



NFU, Farm Herefordshire and the CLA. The objective would be to create a restoration plan with checkpoints against progress and, in the same way as has been agreed for Poole, this would leave open the potential for a full WPZ if insufficient progress against agreed milestones is being achieved.

Scoping work has commenced against the NMB, Policy, Planning and Supply Chain review, each of these work streams will consider the specific items described in the motion to Council. Discussions are also taking place with the Forest of Dean Council as to how they can assist the work of the Cabinet Commission.

The Cabinet Commission will respond very fully to both motions to Council in March 2023. An update report, will have first been considered by the Environmental and Sustainability Scrutiny Committee at its meeting in January 2023 and will also be discussed with our partner agencies and the Chair of the NMB. The Cabinet Commission recognises that it cannot compel decisions by other agencies but anticipates that enhanced collaboration will lead to a set of recommendations which will enable solid progress to be made in restoring water quality on the river Wye.

**RESOLVED:** 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 within Herefordshire) that will inform and enable consideration of the cumulative impact of housing, agricultural and industrial development.

2. Request 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; and
    - decommission intensive poultry units that have reached the end of useful life.
  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*', in co-ordination with Powys County Council, 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.

## 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**

