

Minutes of the meeting of Cabinet held at The Conference Room, Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE on Wednesday 29 June 2022 at 5.00 pm

Cabinet Members Physically Present and voting: Councillors Ellie Chowns, Gemma Davies, John Harrington and Diana Toynbee

Cabinet Members in remote attendance Councillor David Hitchiner, Leader of the Council (Chairperson)
Councillor L Harvey, Deputy Leader of the Council (Vice-Chairperson)
Cabinet members attending the meeting remotely, e.g. through video conferencing facilities, may not vote on any decisions taken.

Cabinet support members in attendance Councillor Jenny Bartlett

Group leaders / representatives in attendance Councillors Jonathan Lester, Bob Matthews, Jeremy Milln

Scrutiny chairpersons in attendance Councillors Jonathan Lester and Phillip Howells

Officers in attendance: Chief Executive, Director of Resources and Assurance, Director of Public Health, Corporate Director – Economy and Environment, Corporate Director Community and Wellbeing, Senior Solicitor, Director of Economy, Service Director Communities

123. APOLOGIES FOR ABSENCE

Apologies were received from Cllr Crockett, Cllr Fagan, Cllr Hey, Cllr James, Cllr Jinman and Cllr Tyler.

124. DECLARATIONS OF INTEREST

None.

125. MINUTES

A correction to the minutes of the previous meeting was noted, to reflect that the meeting had been Chaired remotely by the Deputy Leader (as a non-voting member).

Resolved: That the minutes of the meeting held on 26 May 2022, as amended, be approved as a correct record and signed by the Chairperson.

126. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 5 - 6)

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

127. QUESTIONS FROM COUNCILLORS

There were no questions from councillors.

128. LEVELLING UP FUND BID SUBMISSION TO GOVERNMENT

Cabinet Members gave consideration to the report as set out in the agenda supplement pack, which asked for approval to submit to government three bids to the Levelling Up Fund by the deadline of the 6th July 2022.

The Cabinet Members for Environment & Economy and Infrastructure & Transport provided a summary of the report and highlighted that:

- The limited window for submission of funding bids had meant that there had only been approximately 10 weeks to develop full business cases, and consequently this had placed constraints around which type of projects could be bid for. There were numerous other longer term strategic projects which funding is required for, but these were not eligible for inclusion in this round of bidding;
- A wide range of consultees had been provided with the opportunity to engage with development of the bids, including the two Herefordshire MP's, Herefordshire Economic Big Plan Stakeholder Group and Council Members. Significant partnership work has also been ongoing between the Council and the various Town Councils across Herefordshire, feeding into the production of the Market Town Investment Plans. All stakeholders were thanked for their collaboration and contributions.
- The deadline for submission of applications is 6 July, and it was expected that the outcome of the bidding process will be announced in the autumn. A condition of the grant is that projects will have to commence and have some element of spend in financial year 2022/23, with completion by end of March 2025. The included projects had been assessed against their ability to deliver to this timeframe.

Cabinet Members discussed the report and placed on record their appreciation to all Officers involved with development of the bids in such a tight timeframe. Frustration was expressed regarding the inflexibility of the government imposed timetable, which failed to take account of the extensive planning and preparation involved in ensuring that bids achieve best value for money and can draw down the maximum amount of available funding.

Group leaders and representatives presented comments and queries from their respective groups, which highlighted enthusiastic support for the bid submissions. The following observations were noted:

- Whilst the eligibility criteria for bids in this funding round were understood and appreciated, it was disappointing that this by definition excluded other strategically important projects, and it was hoped that these can be moved forward subsequently;
- The availability of evidence to demonstrate the effectiveness of 20mph zones was raised. Cabinet Members stated in response that reports can be provided which support this initiative, and Hereford Civic Society are hosting a presentation on 21 July 2022 in relation to the '20's Plenty for Us' campaign;
- Inflation is currently increasing and concern was expressed regarding whether the project costings were likely to remain within estimates. It was confirmed that sign-off by the S151 Officer demonstrates assurance that the costings are robust, and will nonetheless continue to be carefully monitored.

It was unanimously resolved that:

a) The submission of bids to the government Levelling Up Fund by 6 July 2022 be approved for:

- i. A package of public realm improvements in Leominster and Ledbury town centres and enhancements to the Leominster Old Priory building;**

ii. Development of the site infrastructure and development plots for the Ross Enterprise Park; and

iii. A package of transport and active travel measures in and around Hereford city;

b) Authority to make technical amendments to the final bid submissions be delegated to the Corporate Director for Economy and Environment and;

c) Authority be delegated to the Section 151 officer to formally submit the bids by the 6 July 2022 deadline.

129. STRONGER TOWNS PROJECTS FULL BUSINESS CASE SUBMISSION

Cabinet Members gave consideration to the report as set out in the agenda supplement pack, which asked for agreement to sign off and submit the Stronger Towns Fund Full Business Cases for the Hereford Museum and Art Gallery Redevelopment Project and Maylord Orchard Library and Learning Resource Centre Project; and to recommend to Council adjustments to the capital programme allocations for these projects.

The Cabinet Member for Commissioning, Procurement and Assets introduced the report and placed on record Cabinet's appreciation to the officers involved in delivering the submissions. It was noted that:

- Cultural development is considered a crucial post-Covid building block to promote economic growth and support physical and social recovery;
- Herefordshire has traditionally underperformed in relation to its tourist potential and the Hereford Town Improvement Plan had identified in particular that the museum and art gallery were in urgent need of contemporary refreshment and upgrading;
- The proposals for Maylord Orchards Library and Learning Resource Centre will create an 'attractor' to bring people into the city centre and improve the opportunities and wellbeing outcomes of the population through enhanced cultural facilities. These offerings carry ever-increasing importance in view of the decline in retail as the primary reason for people to visit city centres.

Cabinet Members discussed the report and sought reassurance that the existing museum and art gallery frontage would be preserved. It was confirmed that the front of the building is listed and therefore cannot be altered without specific approval. It was also queried why the existing museum viewing space is currently limited to just 10 people, which was explained to be as a result of fire regulation restrictions. It was noted that those with limited mobility cannot currently access exhibition viewing space at all, so the plans would reduce inequalities in this regard.

Group leaders and representatives presented comments and queries from their respective groups. There was general support for the submissions and it was noted that:

- Recognising and monitoring the revenue implications of the projects would be critical in order to achieve the projected economic benefits and ensure that the necessary staffing capacity is in place to deliver the intended service model;
- Expenditure will be carefully tracked and escalation procedures are in place to control overspends, which will be especially important at a time of rising inflation;
- Accessibility for all visitors is a crucial consideration. Surveys have shown that the library escalator has reached the end of its intended useful life, and equality groups have reported that it can cause problems for those with disabilities. It is therefore intended that this will be replaced with a fully accessible lift, along with a possible option for a downstairs disabled access toilet facility.

It was resolved that:

- a) The Full Business Case application for submission seeking Stronger Towns grant funding of £5m for Hereford Museum and Art Gallery project and £3m for Maylord Orchards Library and Learning Resource Centre project be approved;**
- b) An adjustment to the capital programme to fund the project from the capital receipts reserve of up to £8m for the Hereford Museum and Art Gallery project and up to £0.5m to the Maylord Orchards Library and Learning Resource Centre project be recommended to Council;**
- c) The project development funding of up to £160k offered by the Hereford Stronger Towns Board for the Hereford Museum and Art Gallery project and the Maylord Orchards Library and Learning Resource Centre project be accepted and expenditure approved;**
- d) The project development funding of up to £77k offered by the National Heritage Lottery Fund for the Hereford Museum and Art Gallery project be accepted and expenditure approved;**
- e) The Medium Term Financial Strategy budget setting process for 2023/24 and beyond include consideration of the operational revenue requirements for Hereford Museum and Art Gallery project and the Maylord Orchards Library and Learning Resource Centre project; and**
- f) Authority be delegated to the Corporate Director Economy and Environment, in consultation with the Cabinet Member Commissioning, Procurement and Assets and the Section 151 Officer to take all operational decisions in connection with both projects, including the commitment of funds for required technical works, and to commence the procurement of contractors on a design and build basis for the Hereford Museum and Art Gallery and the Maylord Orchards Library and Learning Resources Centre projects.**

The meeting ended at 6.57pm

Chairperson

PUBLIC QUESTIONS TO CABINET – 29 JUNE 2022**Question 1****From: Mr Kerry, Hereford****To: Cabinet Member, Commissioning, Procurement & Assets**

Discussions concerning the deteriorating condition and possible future use of the Hereford Town Hall have been ongoing for many years. Several proposals have stalled because Herefordshire Council have not been able to offer clear and detailed agreements, with commitments to dates and essential works. There has been a lack of clear sense of direction. Ahead of any planned meetings between officers and members, does the cabinet member have a funded programme for carrying out the long overdue urgent repair and resilience works, and can they confirm that any discussions with potential partners will be supported by a comprehensive plan which would enable a genuine asset transfer?

Response

Thank you for your question Mr Kerry. I can confirm that the Council has a plan of action to allow an informed decision to be made on the future use and ownership of the Town Hall campus by Herefordshire Council.

I cannot agree with your comment that there has been a clear lack of direction. I have made it clear since I started as Cabinet member that the desire to work with the city council on an asset transfer has been a priority. Furthermore, I have advised you and previous Mayors of the ongoing work on Herefordshire Council's asset management strategy where the Town Hall has been identified as a potential disposal be it via an asset transfer or sale. I cannot speak for events prior to this.

The city council has been informed previously that Herefordshire Council currently has no 'funded programme' for the Town Hall campus and has not committed to one at this time. It is however, carrying out urgent works to damp ingress at the front of the building. Herefordshire Council does have appropriate Revenue and Capital budgets to fund repairs and maintenance of all of Herefordshire Council's Assets.

Further to General Scrutiny Committee on 10th August 2021 where the Mayor was invited to address the committee, a recommendation was taken forward to review listed sites within the city so that a wider and more inclusive decision could be made. This work has been ongoing and feeds into a Cabinet paper on 28th July 2022 where cabinet will be asked to make a decision about retention / disposal/ investment on a range of sites. The outcome will then require detailed work and consultation with those affected, including the City Council. Until such a decision is reached, no further details can be provided.

It should be noted that if Cabinet decide to dispose of any of the sites, it would be highly irregular to provide a dowry upon disposal, especially considering the likely transfer value.

Supplementary Question

I understand the Cabinet Member's wish to distance herself from the past, but to focus on the here and now, we've had serious structural timber failings due to spreading dry rot for several years. Urgent repairs were first promised two years ago, and given the confirmation that the Council has appropriate revenue and capital budgets to fund the repair and maintenance of all its assets, and the fact that these works were promised well in advance of any councillor in the building, what month of the year can we expect to see those essential and overdue works going ahead?

Response

Thank you Mr Kerry for the further question. With regards the urgent works to the water ingress and dry rot that the Council committed to, we can confirm that tenders have been returned and funding is being confirmed as prices are higher than anticipated as you might expect at this point in time and current conditions. Works will commence as soon as possible.

Question 2

From: Mr McKay, Leominster

To: Cabinet Member, Infrastructure & Transport

With an integrated Highways, Public Rights of Way and Open Spaces Map being made viewable, with the Public Rights of Way service now back in-house, and having made successful representation to Government that the 2026 cut-off date should be deferred, will you work with Parishes to identify and resolve any anomalies, tidying up the records, with consideration given to incorporating this in the 2021 – 41 Local Plan Place Shaping, within that time period, with further representation to Government should any issues hinder achieving this in an efficient manner?

Response

Thank you for your question Mr McKay. The council recognises and welcomes the announcement by DEFRA to repeal the 2026 cut-off date for recording historic rights of way, as set out in the Countryside and Rights of Way Act 2000 and I hope our lobbying and support from Jesse Norman MP was a contributory factor in achieving that pragmatic outcome.

The council will work with all user groups in resolving any anomalies, the council process in applying for a Schedule 14 Definitive Map Modification Order Application is on line, link below:

<https://www.herefordshire.gov.uk/public-rights-way/definitive-map-statement-dms/3>

Resource to process the current applications is finite which prevents a commitment to identify routes but will support where possible. Resources and commitments may change in future years which may enable a review and change as circumstances and resources allow.

Supplementary Question

It is some time since the list of anomalies identified by yourselves was viewable online, it being taken offline being considered to be a working document, and I ask if you still have that information which together with an evidence base setting out how the records were originally compiled helping to put matters into context, will be made available as part of this process?

Response

The aim is still to make the anomalies list available online as soon as possible though, due to the commitment this is reliant on when the resources become available. We have made a bid for funding internally and hope to have news on that shortly.

The anomalies list and available supporting information can be viewed at our offices, please contact and arrange with the PRow team, email: prow@herefordshire.gov.uk