

## **Minutes of the meeting of Cabinet held at Herefordshire Council Offices, Plough Lane, Hereford, HR4 0LE on Thursday 28 September 2023 at 2.30 pm**

<b>Cabinet Members Physically Present and voting:</b>	<b>Councillor Jonathan Lester, Leader of the Council (Chairperson)</b> <b>Councillors Graham Biggs, Harry Bramer, Carole Gandy, Ivan Powell, Philip Price and Pete Stoddart</b>
<b>Cabinet Members in remote attendance</b>	<b>Councillors Elissa Swinglehurst, Deputy Leader of the Council (Vice-Chairperson)</b>

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

Cabinet support members in attendance      None

Group leaders / representatives in attendance      Councillors Liz Harvey, Ellie Chowns, Terry James and Bob Matthews

Scrutiny chairpersons in attendance      Councillors Toni Fagan, Liz Harvey and Ellie Chowns

Officers in attendance:      Chief Executive, Director of Resources and Assurance, Corporate Director - Children & Young People, Corporate Director - Economy and Environment, Director of Governance and Law and Corporate Director Community Wellbeing, Head of Strategic Finance (deputy S151) and Head of Educational Development, Children and Young People

### **20. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Barry Durkin, Councillor Dan Hurcomb, Councillor Nick Mason, Councillor Stark and Councillor Crockett

### **21. DECLARATIONS OF INTEREST**

None.

### **22. MINUTES**

**Resolved: That the minutes of the meeting held on 20 July 2023 be approved as a correct record and signed by the Chairperson.**

### **23. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 9 - 16)**

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

### **24. QUESTIONS FROM COUNCILLORS (Pages 17 - 18)**

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

### **25. REPORTS FROM SCRUTINY COMMITTEES**

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

### **26. Q1 BUDGET AND PERFORMANCE REPORT**

Cabinet members considered a report setting out the performance of Quarter 1 2023/34 and the forecast position for 2023/24.

The cabinet member for finance and corporate services introduced the report and highlighted that this report is the first outline position for 23/24 and clearly demonstrates the challenges faced in delivering the revenue budget set by the previous administration in February 2023. This year's revenue budget £193.3m which includes planned savings of £20m arising from £14.1m director savings together with £5.9m central budget savings.

The cabinet member set out that the Quarter 1 report for the last four years has traditionally forecast a overspend. In:

- 2019/2020 Quarter 1 showed a zero overspend and final overspend of £600k;
- 2020/2021 Quarter 1 forecast was £15.9m with a final over spend of £0 which was underwritten by £10.2m of Covid funding;
- 2021/2022 Quarter 1 forecast was £9.4m with a final overspend of £12.6m.

Therefore this year's overspend will be less than the Quarter 1 forecast. The Quarter 1 forecast is £13.5m overspend and the Medium Term Financial Strategy, which was approved by previous administration, has a cumulative funding gap of £15.8m over a three year period (2024-2027). The cabinet member highlighted that these two figures clearly demonstrate the scale of the financial challenge we have been left by the previous administration.

The cabinet member outlined what they are going to do to address the £13.5m overspend which equates to 7% of the net budget with the most significant overspend being in Children and Young People Services at £10.6m. The cabinet member highlighted the following points:

- The overspend reflects significant national pressures including inflation, unprecedented demand for adult and children social care and national living wage increases;
- Recovery action has been identified to reduce the cost by £4m and timely delivery of this activity is a priority for the Cabinet. This includes restrictions on procurement, non-essential spends, target reductions for third party spends and reduction on the number of interim and agency staff as well as number of directorate specific measures. Table 3 shows the revised forecast in light of these actions;
- Improvement in Children's Services are supported by a robust three year financial plan. Activities planned within this service aim to reduce reliance on agency staff, improve the balance of social workers to 90% permanent employees and 10% agency staff. The lack of sufficient childrens social work places and increase in residential placement costs will be monitored over this period;
- Efforts to recruit in house foster carers to reduce the Council's need to use independent fostering agencies will renewed;
- Fully committed to reduce in year over spend and as part of 24/25 budget. A three prong approach will be adopted; Firstly, this report sets out the immediate management actions to deliver savings through controls and these actions will continue and develop into next year; Secondly, the Council will invest in the economy to generate growth; Thirdly the Council will innovate to increase revenue through maximum utilisation of Council owned assets.

The cabinet member advised that it is only through investing in growth and increasing future revenue, that the long term funding issues can be addressed. This strategy will be underpinned by this administrations belief in openness and transparency and supported, in the recommendations of the report, for active engagement by the scrutiny management board.

The cabinet member highlighted the Council has maintained healthy reserves but noted the Council's reserves have reduced over the last three years from £114.7m to £106.1m in March 2022 to the current figure of £91.4m. The cabinet member made it clear, that despite challenges and reports in the media, the Council's position is stable.

Cabinet members discussed the report and it was noted that:

- The projected overspend is predominantly within Children's Services and the Council are considering replacing agency staff with permanent staff over a 3 year period;
- The Council have increased the welcome bonus in September and the retention bonus for long serving staff. Alongside this the induction process, as well as the Learning and Development opportunities that have been strengthened;
- The majority of staff feel valued, staff recently told Ofsted they like working for Herefordshire and value support from their managers, this is helping recruitment;
- Planning to develop spirit of Herefordshire website and simplify the application process. In addition the Council are planning open days and to attend employment fairs;
- The Council wish to increase the number of apprentices and the Council is looking to grow their own workforce in Herefordshire;
- In respect of the Environment directorate it was stated there is not a massive overspend and work is being carried out to balance the figures;
- Clarified that engagement with the scrutiny management board will be welcomed;
- In respect of inflation this has been factored into the report and will continue to be monitored as the 24/25 budget is developed;
- Regarding the Community Wellbeing budget, it is showing a £3.3m overspend;
- Noted a reason for this is because demand fluctuates in Adult Social Care and Summer 2023 saw an increase in people asking for Council supported care;
- Due to shortage in social workers, it is unlikely the savings will be seen until April 2024;
- Clarified that of the £4m given to the previous administration in the fourth quarter of last year, £200k has been spent. This was spent on providing day care providers the 8% uplift, as previously this was only provided to the Council's providers;
- Savings previously put forward relied on obtaining data but this has been challenging to identify number of people in supported living and respite care;
- There is a clear action plan of achievable actions to assist Children's Services in delivering the budget. However Cabinet remain open to any further actions identified that may assist;
- Clarified the reserves in Table 1 is the total list of all reserves;
  - The general fund balance is £9.6m.
  - The ear marked reserves (currently there are none) are set aside from the general fund.
  - The future expenditure is to support specific corporate priorities.
  - The financial resilience reserve is £1.2m and is set aside for financial risk.
  - The business rate reserve is to smooth the transition of business rates.
  - The school balance is £9.3m and is held for individual maintained schools.
  - The waste reserve of £9.4m is to support increased future costs of waste disposal.
  - The unused grants reserve is currently £17.6m and represents the amount of grant funding received that has not been applied to relevant expenditure.
  - The £31.2m represents the smaller individual reserve balances.
- Explained the financial resilience reserve is where a directorate delivers an underspend, and these underspends will be transferred to manage future financial risks;

- The voluntary sector is engaged across the whole Council in particular Children's Services, notably early help. The Council has undertaken an opportunity with the Police Crime Commissioner office of a £1m grant;
- The reserves held by Herefordshire Council is above average and it was reiterated that Herefordshire Council's financial position is stable.

Group leaders gave their views of their groups. It was noted that it was a tough Quarter 1 report to present; cuts from Central Government have been a contributing factor to the issues faced in the budget and the challenges faced by Children's Services were taken seriously by the previous administration. There needs to be a focus on well-being and focus on retaining social workers however it is said this has been a recurring issue. Expressed a need for the Council to be run along business lines. Noted it was reassuring that there are prudent reserves however caution was expressed in using the reserves; the Council are in a sound financial position and the recommendation for scrutiny management board to review the Budget was welcomed.

In response to queries it was noted that:

- The Delivery Plan is in progress;
- The invitation to the scrutiny management board to review the budgets will be welcomed and the Director of Resources and Assurance is open to a conversation with the Chair regarding what information the scrutiny management board requires;
- The Q2 budget and performance report is coming down the line;
- Cabinet will consider the letter being sent to Michael Gove regarding funding for children and Adult Social Care, regulation of social workers and funding for training social workers;
- Clarification will be sought regarding the difference in figures in tables two and three and the figures agreed at full Council. In particular it was said the money allocated for All Ages Social Care (£4m) was to bring some commonality in the way the services are dealt with and that money was not to be used as a saving;
- Further information will be provided at the next Cabinet meeting regarding the Capital fund for the voluntary sector as this was part of the Capital Programme of the previous administration;
- The letter that was sent out on 28 September (morning) went to all organisations that expressed an interest in the Capital Fund for the voluntary sector.

**It was unanimously resolved that Cabinet:**

- a) Review performance and financial forecast for year 2023/24, as set out in the appendices A-E, and identifies any additional actions to be considered to achieve future improvements;**
- b) Note the forecast revenue outturn position at Quarter 1 2023/24 of a £13.5 million overspend, before management action, and the potential impact of this overspend on the council's reserves;**
- c) Note the management action already identified to reduce the forecast outturn position for 2023/24 to £9.5 million;**
- d) Note the impact of the 2023/24 forecast outturn on the 2024/25 budget requirement and the future financial sustainability of the council;**
- e) Agree to receive a monthly update to monitor the forecast revenue outturn position and actions being taken to address it;**
- f) Request that Scrutiny Management Board reviews the budget monitoring position and that relevant Cabinet Members provide explanation for key variances and actions identified to address key pressures; and**

- g) Agree the continuation and strengthening of management actions to reduce the forecast overspend as identified in this report.**

## **27. HOUSING BENEFIT RISK BASED VERIFICATION POLICY**

Cabinet members considered a report to approve the adoption of the Housing Benefit Risk Based Verification Policy in determining evidence requirements for the assessment of Housing Benefit and Council Tax Benefit Claims.

The cabinet member for finance and corporate services introduced the items and clarified Housing Benefit RBV is used when processing claims for housing benefits and council tax support. It allows the Council to focus resources on claims where there is a higher likelihood of fraud and error and to pay low risk claims more efficiently. It is a software application to produce a risk score based on historical intelligence and statistical information. The three categories are low, medium and high. Herefordshire Council have used this method of verification since 2012 and it has been permitted by the Department for Works and Pensions since 2012.

There were no comments from cabinet members.

Group leaders gave the views of their groups. It was noted that the Housing Benefit RBV policy was beneficial. It was commented that the benefits and fraud team were nominated for two years running in minimising fraud and acknowledged their hard work. An issue was raised regarding a resident's housing benefit claim being reassessed due to the landlord changing agents. In response to queries raised it was noted that:

- Details of the resident's case would be forwarded to the cabinet member to be reviewed.

**It was unanimously resolved that:**

- a) Cabinet approve the Housing Benefit Risk Based Verification Policy for 2024/25 and notes that the Policy has been effective for the period since initial implementation, as recommended by the Section 151 Officer**

## **28. MARCHES FORWARD PARTNERSHIP MEMORANDUM OF UNDERSTANDING**

Cabinet members considered a report seeking approval for the council to sign a Memorandum of Understanding (MOU) between Herefordshire Council, Shropshire Council and Monmouthshire and Powys County Councils for collaboration as a Marches Forward Partnership. It provides the basis for enhanced working with the Council's neighbours.

The Leader explained that it will be committing to a strategy to work together and to influence the UK and Welsh Governments to gain investment and critical infrastructure such as the A49. Noted that concerns were raised by members that it would be diverting officers away from priorities of the Council. It was clarified that through the Leader's Group the focus is to remain on improving services for Herefordshire Council residents and the connectivity includes major infrastructure requirements.

The review will be brought forward to 12 months to ensure the proposed activities remain on tract. Clarified that if the Council decides to enter the MOU it does not prevent the Council from forming any other key partnerships with other local authorities.

Confirmed that subject to the decision by Cabinet the Leader will be meeting with Leaders of the other Councils on 6 October 2023 to finalise the agreement. A launch event will be held in November 2023.

Confirmed the Political Group Consultation took place and Cabinet are keen to ensure that the feedback is clear regarding the Chief Executive being delegated to in the wording of the MOU.

There were no comments by Cabinet Members.

Group leaders gave the views of their groups. The MOU was considered positively and group leaders were broadly supportive with the view of this building on the good working relationship with other local authorities. It was raised that it would be beneficial for border land issues to be reviewed by an MP, the MOU shouldn't become a financial burden nor take too more discussion time rather than action.

In response to queries it was noted that:

- There is scope for joint working and it is acknowledged that greater scope is wanted in certain areas;
- The Political Group Consultation was published later and the recommendations made will be listened to;
- The closer working relationship with the neighbouring local authorities will be a beneficial way to help tackle those cross border issues;
- The MOU is not set in stone.

**It was unanimously resolved that Cabinet:**

- a) Support Herefordshire Council's Leader in working with neighbouring local authorities to present outline terms of reference for a Marches Forward Partnership;**
- b) Delegate to the Chief Executive in consultation with the Council's Leader to agree changes in finalising the Memorandum of Understanding to reflect feedback from each cabinet and to complete the Memorandum of Understanding; and**
- c) Delegate to the Chief Executive and Corporate Director for Economy and Environment to proceed with development of a work programme to meet the objectives within the Memorandum of Understanding, in consultation with relevant Portfolio Holders.**

## **29. HIGH NEEDS CAPITAL GRANT: HAMPTON DENE PRIMARY SCHOOL, EXTENSION OF LEARNING COMMUNICATION CENTRE**

Cabinet members considered the report to approve spending from the High Needs Provision Capital Grant to extend Hampton Dene Primary School's Language and Communication Centre.

The cabinet member explained that the Council have a secondary responsibility to provide sufficient high quality resources for pupils with Educational Health and Care Plans (ECHP's). There has been an increase over the last five years in children diagnosed with Autistic Spectrum Disorder referred to as ASD. The expansion will provide two new classrooms with appropriate support space and will accommodate 16 further learners.

The Council received the High Need and Capital Grant from the Department of Education. The £3.97 million is supplied to create additional places and improve existing provision for children and younger people with Special Educational Needs disorder (SEN). The extension of the Hampton Dene Provision is one of a number of projects to utilise that funding.

There were no comments from cabinet members.

Group leaders gave the views of their groups. Consensus that this is a positive project overall. Concerns were expressed about the project achieving passive house equivalent standard and due to the significant demand for Speech and Language Therapy (SALT) will students be able to access this resource remotely.

In response to queries it was noted that:

- Clarification will be provided regarding availability of funds for schools within the capital programme review;
- Sections 18, 19, 21 and the environmental impact sections of the report set out that the Council will be following environment biodiversity. It was confirmed that passive measures will be sought when designing this building. However there are no funds to retrofit the existing building. The overall footprint of the building will have a lower carbon footprint;
- The Project Management Office will lead. A suitably skilled multiplicity disciplined team will be employed to design and deliver this project;
- A 21<sup>st</sup> century technology approach will be used and will be part of a feature of the Council's future sufficiency strategy for students to access remotely.

**It was unanimously resolved that:**

- a) Subject to planning consent, up to £2.4m of capital spend from the high needs provision capital grant be allocated to extend Hampton Dene Primary School's Language and Communication Centre, and**
- b) The Service Director for Education, Development and Skills will be authorised to take all operational decisions necessary to deliver the works.**

The meeting ended at 16:25

**Chairperson**





## PUBLIC QUESTIONS TO CABINET – September 2023

### **Question 1**

**Carla Boyle, Deputy Town Clerk, Ross on Wye**

**To: Cabinet Member, Environment**

The Broadmeadows/Tanyard site in Ross-on-Wye is an extremely significant and complex site. As you will see on the map below, this area is a significant proportion of the whole built area of Ross. It is an undeveloped and mostly poor quality environment (other than the area around the ponds) across a considerable 'wedge' of the town and, as such, is a clear priority for development. Development of this site would also help to create a strong link to any developments east of the A40. Demonstrating the deliverability of a project of this scale and complexity is a key factor in determining whether it might proceed to successful completion. Ross-on-Wye Town Council requests that Herefordshire Council produce a single, overall masterplan for this site, based on the principle of financial equalization between all parts of the site.

### **Response**

We recognise that this area of land has been identified in your Neighbourhood Development plan as a strategically important site. This will also be considered through the current countywide Local Plan Review, including the REG 18 consultation. The site is also in multiple private ownerships. Therefore at this stage there are no plans to commission a masterplan, until the longer term Local Plan is finalised, and subsequent engagement with the land owners as to how the land can be brought forward.

**No supplementary question**

### **Question 2**

**Steve Kerry, Hereford**

**To: Cabinet Member, Finance and Corporate Services**

Does the cabinet member agree that when any changes are made to governance processes that affect the workload or operations of parish councils there should be full discussion with the parishes before the changes are implemented?

### **Response**

The council has an overarching responsibility to serve the public interest in adhering to the requirements of legislation and government policies. Operational changes to governance practices sit with the Monitoring officer. This is an operational/administrative matter. It is not a political/policy decision.

Recent operational changes were introduced in May 2023, following local elections. Discussions with Parish clerks have been established to move away from Herefordshire Council publishing all Dols on our web-site, to Parish Councils publishing them to their web-sites.

Herefordshire Council's Democratic Services have been working closely with Parish Clerks to introduce this change. A strong public interest underpins this. It:

- Gives practical support to national calls to bring alignment on practices and behaviour standards at all tiers of local government;
- Strengthens public engagement, openness, transparency and accountability; and

- Aligns more closely with what the law intended. Whereby 'A parish council must, if it has a website, secure that its register is published on its website'.

Work is continuing. Approximately half of all parish councils have implemented this change in practice. The council cannot, and is not, imposing this change. This has to be shared endeavour toward strengthening compliance and public access to information on parish council business. Ongoing advice and support is being offered with remaining parishes providing an excellent response to this change in practice.

### **Supplementary question**

The answer does not address the broad issue of policy which I raised and is clearly an attempt by officers to deflect this into a specific matter I did not mention. Nor did I refer to changes being imposed, I said implemented. Will the cabinet member now answer the question I actually asked, in his own words?"

### **Supplementary Response:**

Thanks for your supplementary question. Yes I agree that all councils should speak with each other when there are proposed changes to Governance, processes or anything to help and support each other. I understand that working relationships between Herefordshire Council and the various parishes is very good and long may this continue.

### **Question 3**

**John Harrington, Leominster**

**To: Cabinet Member, Transport and Infrastructure**

It has been reported that Cllr. Price met with members of the DfT and Network Rail a few weeks ago and in that meeting Cllr. Price said that "Herefordshire Council has no interest in a railway station at Pontrilas". Can he confirm that statement was made by him and if so, can he confirm, when he says 'Herefordshire Council', whether he means himself as Cab Member, his Cabinet or the Conservative minority administration? It is important, particularly with a by election in an adjoining ward coming up, to know this administration's position on a community project that was being supported and driven forward by the previous administration.

### **Response**

During my time as Cabinet Member I have received briefings from officers and have reviewed the report that was created supporting the additional station at Pontrilas as well as the response from DfT on that report.

As it stands the project offers poor value for money as, should it be built, it is likely that the scheme will not create additional capacity but will simply transfer journeys from other stations or the bus network. In addition it will also slow journeys as trains will be required to stop more frequently.

Experience for other parts of the country has shown that where a local authority wishes to promote the creation of a new station facility then it is the local authority that is expected to provide the financial security should the scheme fail to deliver the additional patronage expected. In light of the evidence presented thus far I would be unwilling to saddle the council with the additional financial risk that building a new station would present at this time. I will however ask the Marches Forward Partnership to add this piece of work to their work programme so that we

can further explore the options for the future and to consider what other schemes will be required to allow for a successful project to be delivered.

### **Supplementary question**

Although you did not directly answer my question, I thank you for your response and I am very heartened to hear that you will ask the Marches Forward Partnership to add this to their work programme, especially as both Monmouthshire and Powys CC are on record as fully supporting a new station at Pontrilas, as are the respective MPs, adding to the support of our own MP, Jesse Norman.

There is good news on the feasibility front too. The scheme promoters, having met with senior members of the DfT, Transport for Wales and Network seem assured that there is time on the network (6 mins) to allow a stop and also that the economic case will be considered alongside that of new journeys. We would be very grateful if the Cabinet member would agree to meet the promoters ASAP with Jesse Norman MP to discuss this new development.

Finally, projects or proposals that have budget lines may be considered policy. So like the Eastern Crossing, the New Station proposal at Pontrilas should be discussed in the appropriate manner regarding due process and decisions then made by the Cabinet and full Council rather than potentially being made defacto by inference or back channels. I am sure the CX and the Monitoring Officer will, and should, be able to offer advice on this - and my apologies if I am misinterpreting the chain of events.

Thank you very much.

### **Supplementary Response –**

I would thank you for your response and as a consequence have asked our team to arrange for a meeting with the necessary people as suggested.

Your comments regarding due process etc. are noted and I can assure you that this council takes very seriously the need to ensure that we adopt and follow proper process to change if necessary any of the council's pre-existing policies.

### **Question 4**

#### **Herefordshire Construction Industry Lobby Group, Herefordshire**

##### **To: Cabinet Member, Environment**

This is the 6<sup>th</sup> year of housing moratoriums over the past decade. During which The Lugg declined.

Moratoriums don't address causes of pollution, and mitigation options have been very hard to access.

A Lichfields report (2022) identified that Herefordshire was suffering heavy financial, employment, housing and community impacts as a result of the planning ban, including lost s106, council tax and New Homes Bonus, plus lost Affordable Housing and Education contributions. This is in addition to the local sector losses.

The economic and social effects of long moratoriums are crippling, but sadly have not produced ecological improvements or protection.

Would Cabinet consider revising its position to reflect scientific evidence and utilise the willingness of local developers to purchase/deliver more mitigation (council and private)? Is there a more ambitious approach where together we can deliver sustainable homes AND accelerated ecological mitigation?

### **Response**

Ms Albright thank you for your question and your work in continuing to highlight the needs of house builders in the County. The Council contributed to the development of the Lichfield's report which sets out the wider economic and social impact and is pleased to see its position reflected in the report you quote.

At present, we estimate that circa 800kg of Phosphate Credits will be needed to mitigate the entire 4400 homes targeted for the Lugg sub catchment within the County. That's comprised of 340kg for the existing waiting list and a further 460kg to meet likely future housing need.

Our site at Luston has secured 180kg of Phosphate Credits and our Schools Septic Tank Programme we believe will secure a further c250kg. Last week, the site we purchased at Tarrington achieved planning approval which will provide a further c90kg and I am minded to take a formal decision to build a Wetland there which will see the immediate release of a significant tranche of further credits this autumn.

Overall we have good prospects of c520 kg of credits and have a further strategic reserve of c40kg of credits available from our Titley Site (which would be more expensive to build).

At this stage, there is ample mitigation available for immediate, near and medium term use, a stark contrast to where we were six years ago. The main constraint now is resourcing the complex processes involved in determining all the homes held on the waiting list which is an intensive piece of work for the Council and developers on their side too.

As an administration we have recently undertaken a careful review of our approach to available mitigation opportunities. We have looked at whether there are any alternative sources of mitigation. We have reached the conclusion that Wetlands and Riparian buffers remain the most economic and effective approach to mitigation at scale. A conclusion consultants working for on 37000 blocked homes for five Council's in Norfolk have also reached.

I am therefore looking at one further Wetland site and riparian buffers to get us to the 800kg we will need over the next ten years. I hope to be able to say more on a further large Wetland site soon but cannot for commercial reasons at this stage.

We have submitted a funding bid of £2.1m to DLUHC and remain in discussion with them about the need for mitigation which if successful will keep the cost of credits down.

Finally, we recognise that private schemes have a part to play and have proposed a joint pre application advisory portal with Natural England and the Environment Agency which I hope they will become more positive about participating in.

Herefordshire has blazed the way nationally in solving the challenges involved in delivering Wetlands and trading credits and when it comes to housing we are now very much open for business again. I would suggest that the situation regarding available credits for immediate and medium term use is very healthy and we now need to place more attention to working with developers to clear the backlog.

Our Wetlands reserve a proportion of the phosphate captured for river betterment and bring other nature benefits too which I know is important to all at HCLG.

### **Supplementary question**

This is all excellent news. Thank you.

We are very grateful for the specific detail you have provided and the 'trailblazing' approach that will no doubt offer some hope for beleaguered businesses in the county after many dark years.

We are also grateful that you are seeking ways to reduce the cost of the credits, speed up accessibility, support private mitigation schemes. HCLG are also very supportive of the additional ecological betterment that is being created by the mitigation as this is very important to us as purchasers of the credits.

Given the incredibly difficult trading circumstances of the past years would it be possible to rapidly expediate the credit purchases by making the backlog a priority focus and streamline the process? HCLG would be happy to help.

Would it also be possible for a public statement to be issued to explain that there are now ample credits available, and to celebrate the collaborative endeavours of Herefordshire Council and Herefordshire homebuilders? It would be beneficial that any statement explains that developers are funding the mitigation strategy entirely, but that this initiative will sadly not restore the catchment.

Thank you again.

### **Supplementary Response –**

The council has already brought in additional planning resources to expedite the processing of the backlog of applications which can now be taken forward with the credits, prioritising those that have been impacted by the delays. So far we have made decisions on 6 applications, 17 are in the process of agreeing section 106 agreements and we have written to the remaining 128 applicants to give them the option to purchase credits when they become available. We will continue to promote the availability of the credits as the construction lobby group has helpfully suggested. Whilst the private sector income from the credits will pay for the future management of the wetland sites, there has also been significant public sector investment in establishing the wetlands in the first instance. I thank them for their question.

### **Question 5**

**Ms Reid, Hereford.**

**To: Cabinet Member, Children and Young People**

From the Q1 Budget and Performance Report and its appendices:

The forecast overspend of the Children and Young People Directorate is £10,669,000 - £7,772,000 on Looked After Children. Also, all of the directorate's "Approved Savings" of £4,500,000 are at risk.

The Children's Commissioner's report (March 2023) stated:

"Most of the additional funding has met the cost of increased number of placements for looked after children and the cost of many more agency workers ..."

From the above-mentioned meeting's report:

"Continued focus on reunification to support the step down of care ..."

However, according to the latest version of Herefordshire Children's Services Improvement Plan (7/6/2023), the Draft Reunification Guidance is not due to be completed until December 2023 (6.6).

To reduce the overspending on Looked After Children, should reunification be rolled out at a much quicker pace with greater focus?

### **Response**

Thank you for your question.

The current projected overspend in children's services is significant but it should not be concluded that this is all associated with the costs of Looked After children. The Cabinet report provides more detail on the breakdown of the projected overspend (para 24).

We have a 'Reunification Practice Guidance' which is part of a refreshed overarching Permanence Policy. The Reunification Practice Guidance was developed in accordance with the NSPCC (2015) 'Evidence-Informed Framework for Return Home Practice' which is a well-established framework used in many other local authorities. The most recent update of the Improvement Plan was presented to the Improvement Board in September and reflects the completion of this activity (6.6).

Children in care have an Independent Reviewing Officer who chairs Children Looked After Reviews where the care plan, including the plan for permanency, is considered. There is an established Permanence Panel which ensures that there is an appropriate permanence plan in place and this includes children who are 'potentially suited' to a plan of reunification. There is a Permanency Champion in post who has a dedicated team of Social Workers specifically focussing on the discharging of care orders and supporting children to go home to the care of their parents and/or family members where this is in their best interest and in line with their care plan.

As a culmination of work that began earlier in the year, eight Care Orders were discharged in August and a number of others are expected to be taken to court before the end of December. We do not however embark on this activity with families as a cost-cutting exercise. It is very much about doing what is in the best interests of the particular child(ren) where circumstances may have changed.

Our focus on this in recent months has included extending our capacity to support Family Group Conferences, and creating additional posts and resources to support reunification activity, alongside close liaison with CAFCASS and the local Courts to minimise delay.

### **Supplementary question**

Directorate is £10,669,000. Looked-After Children (LAC) has increased by £7,772,000, from £26,617,000 to £34,390,000) ie 72.8% of the overspend. The council's total forecast overspend is £13,500,000, ie 79.0% is from directorate.

The Looked-After Children rate is about twice that of the county's Statistical Neighbours' average (source: LAIT). 396 children were in care (at 18/9/2023). The average cost of each child in care for one year was:

- Fostering: over £16,000
- Fostering agencies: over £46,000
- Children's homes: over £260,000

Source: Freedom of Information, FOI2022/01890, January 2023

The above with anecdotal evidence indicate the necessity for greater pace and focus on reunification. Recruitment of permanent social workers and foster parents are also essential.

The Cabinet may choose to refer the “under-performance” to the CYP Scrutiny Committee (Paragraph 1). **Will the Cabinet consider this option?**

#### **Supplementary Response –**

Thank you for the question and your supplementary question. With specific regard to your reference to underperformance, it's important to recognise there is scrutiny in terms of governance, from not only the young person's scrutiny committee but also Ofsted as the inspectorate, and the detail of the discussion from the children improvement board and the content of the children improvement plan. Those are important foundations of the governance progress against the required improvements. With specific reference to under performance of Children's services leaders and staff, they are working hard to deliver the improvements from what have been acknowledged as a very low base. They are determined to secure best value for money moving forwards, as they build on the improvement activity which has already been seen since the inspection last year. So those are wholly documented in previous Ofsted reports. Those service leaders and staff have my full support.

It's for members of the children and young people's scrutiny committee and other scrutiny committees to determine their own forward work plans.





## COUNCILLOR QUESTIONS TO CABINET – 28 September

### Question 1

**Councillor Hitchiner, Stoney Street**

**To: Cabinet Members, Economy and Growth and Transport and Infrastructure**

The paper to Cabinet on the Marches Partnership refers (para 21) to the new administration's priority to address congestion on the A49 "through developing a western bypass to Herefordshire". Can the Cabinet member confirm that for the time being at least the new administration is continuing the work instigated by the previous administration to look at the viability of building a new bridge to the East of Hereford, and when the results of this work will be provided to Councillors and the public. This project, and the associated active travel measures will deliver the same benefits to relieve congestion on the A49 as a western bypass at much lower cost and much more quickly.

### **Response**

The Council is continuing to work with Aecom to deliver the Strategic Outline Business Case for the Eastern River Crossing. This work is expected to be completed in the next few weeks. The projected cost of the project has now grown significantly since the original scheme was mooted by the previous administration. It is therefore no longer the cheap scheme that was envisaged. To ensure that the residents of Herefordshire are presented with a scheme that delivers the best value and rate of return this administration is seeking to explore the development potential that the creation of a western bypass will present.

At the same time we are looking to reinvigorate the construction of the Southern Link Road, a project that will provide some relief to the business traffic that is accessing the Rotherwas Enterprise Zone and will also create an essential link should the western bypass be adopted as a part of the Council's plans.

### **Supplementary question –**

Thank you for your response. I know you refer to an increase in costs and suggest that will apply equally to a Western Bypass. The WSP report from October 2020 shows an indicative price of £55million for the Eastern River Crossing and £190million for the Western Bypass. I suggest whatever the increase in price for the Eastern River Crossing will also apply to the Western Bypass as well as the Southern Link Road. You refer to the Southern Link Road to be built to provide relief to business traffic going to Rotherwas from the A465. The previous administration were unable to produce this, what has changed to make this more viable now. What the city and county need is another bridge, not a relief road to the south which will do very little to relieve congestion on the Belmont Road. Where Councillor Price do you expect to find funding for the Southern Link Road and the Western Bypass. Isn't it time you accepted that the Eastern bridge would be much more viable and more of a priority.

### **Supplementary Response**

There was quite a bit in that question and a number of items you want addressing. We have support for the Eastern River Crossing and we're awaiting the AECOM report which I understand is due next week or the week after. We will take view of what it actually says in regards to the strategic outline business case and what it will cost us. I appreciate costs have risen all round. As far as we were concerned in the previous administration, we had got the Western Bypass to a point where we were discussing financing with the Department of Transport Treasury and we were assured the money was coming forward and the final business case of planning was due in a short period of time. The Southern Link Road which you refer is a policy we are adopting because it is necessary, whatever future infrastructure is built around Hereford East or West, should have the Southern Link Road. I have to say, having not been a councillor in the last

administration, I was able to stand back and see what was happening and I was quietly gobsmacked that the Southern Link Road was cancelled by the previous administration in which you were involved. It's quite clear that we had to do something. The Local Plan is bringing forward even more houses to be built, we just have to have a reach across that river. Whether it's to the East to the West or both, it'll get clearer as we move forward. Either way the Southern Link Road is a necessary part of either bridge or both bridges. I'll leave it there and see how we progress as the evidence comes forward.