

**Minutes of the meeting of Cabinet held at The Council Chamber -  
The Shire Hall, St. Peter's Square, Hereford, HR1 2HX on  
Thursday 28 June 2018 at 10.00 am**

**Present:** Councillor JG Lester, Leader of the Council (Chairperson)  
Councillor NE Shaw, Deputy Leader of the Council (Vice-Chairperson)

Councillors H Bramer, BA Durkin, DG Harlow, PD Price, P Rone and  
EJ Swinglehurst

Cabinet support members in attendance Councillors JF Johnson

Group leaders in attendance Councillors TM James, PP Marsh, RI Matthews and AJW Powers

Scrutiny chairpersons in attendance Councillors PA Andrews and WLS Bowen

Other councillors in attendance: Councillors JM Bartlett, ACR Chappell, PE Crockett, J Hardwick, D Summers and EPJ Harvey

Officers in attendance: Alistair Neill, Geoff Hughes, Chris Baird, Claire Ward, Andrew Lovegrove, Stephen Vickers, Annie Brookes, Steve Hodges, Karen Morris, Natalia Silver and Karen Wright

**7. APOLOGIES FOR ABSENCE**

There were no apologies from members of the cabinet.

**8. DECLARATIONS OF INTEREST**

None.

**9. MINUTES**

**Resolved:** That the minutes of the meeting held on 7 June 2018 be approved as a correct record and signed by the Chairman.

**10. QUESTIONS FROM MEMBERS OF THE PUBLIC (Pages 11 - 20)**

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

**11. QUESTIONS FROM COUNCILLORS (Pages 21 - 22)**

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

**12. FUTURE DELIVERY OF MUSEUM, LIBRARY AND ARCHIVE SERVICES**

The cabinet member for contracts and assets introduced the report and highlighted:

- The proposals recognised that the services were important to users.

- The proposals do not represent a reduction in service.
- There has been no reduction in the opening hours of libraries since 2014.
- There is a commitment to maintain the current service levels and develop where possible.
- There is support from the communities for the services.
- Unlike many other councils, Herefordshire had invested in the library service and not made any closures.

The assistant director communities went through each recommendation:

Recommendation a - members may wish to consider investing in the development of a mezzanine floor utilise the space within Hereford Library and Museum for public benefit. Appendix 2 goes into detail of the options.

Recommendation b - the Black and White House has been generating an income as outlined in the profile of service, though with greater awareness addition attendance could raise ticket sale that can support the museum service to be sustainable.

Recommendation c – this was to ensure that as much of the archives were open to the public as possible as some permissions are not given even though the archive is held by the council. If families / estates were unwilling to agree to their records being available, then alternative arrangements would be put in place which could include returning to the family, charging for storage, etc.

Recommendation d – at the moment it is theoretical that there are organisations who would be willing to provide the services. A procurement exercise would confirm if there was an opportunity to work with a delivery partner based on current standard of service as benchmark

Recommendations e and f - these were opportunities to raise income at HARC.

Recommendation g – this was an opportunity to review the schools library service to ascertain the take up of the service and find out what schools require.

Recommendation h – this was the executive's response to the recommendations from the general scrutiny committee. It was noted that the paragraph reference should be to 62 and not 60.

The cabinet member for finance and corporate services commented that there was sympathy to those who oppose any change to the services but there were challenges for all public and third sector organisations. It was unlikely that central government would be providing additional funding for these services. The recommendations would mean that the council would comply with statutory requirements. The council is continuing to invest in the libraries with the £230k set out in recommendation (a) but proposed an amendment that the responsible director undertake soft marketing testing to determine demand before going ahead with the investment in order that space is not created that does not benefit to the community.

During the discussion of the item, the following points were raised:

- Herefordshire has a population of 186k and delivers services over 2,180 sq m. This compared with the London Borough of Brent which has twice the population and delivers services over 43 sq m. in 2011 Brent closed 6 libraries and Herefordshire has closed none. This is due to the council and dedicated community involvement which was something to be proud of.
- The Council has shown that the services are valued but the council has to set a balanced budget and this includes looking at alternative methods of delivery.

- The examples of the Courtyard and Halo were used as those organisations are successful and it is their specialist knowledge which makes them successful.
- The Black and White House Museum had a certificate of excellence trip advisor rating which was due to the work of the assistant director communities and the hard work of the team.
  - The current service is protected and if there was a provider who could deliver the services, they may be able to see income generation opportunities
  - The proposals were not about cutting the services but getting the number of visitors to increase.
  - The soft marketing testing had identified four not for profitable organisations who may express an interest. All four were charities and two were locally based and two from outside the county.
  - Review for the schools library service would be welcomed as it was very much in a state of change.
  - The schools library service was a valued service and reaches many young people. The different types and sizes of the schools would need to be considered in any change of service
  - The needs of the university would also need to be considered and it was noted that study space may be required. The students would also have friends and family visiting which in turn could generate more visitors to the services.
  - The work of the volunteers and parish councils was important in the operation of the community libraries, within museums and archives

The chair of general scrutiny commented that he was pleased to see that the general scrutiny committee's recommendations had been accepted.

The group leader for the Green party commented that they were not in favour of outsourcing and also requested that given the market testing that there was also ongoing scrutiny of the procurement process.

The group leader for It's OUR County commented that it was sensible to explore the options, provided that the process and assessment was properly neutral and not pre-determined or ideology driven. It was noted that whilst there were some overlaps in the 3 services, they all had different requirements and any future model needed to recognise that. The party would have further comments once the review had taken place.

The group leader for Herefordshire Independents commented the services should remain in council control and it was the only way to comply with the council's statutory responsibilities. The group leader commented that it went without saying that the services were valued by the community. The Herefordshire Independents would support the alternative option set out in paragraph 4 of the report.

The group leader for the Liberal Democrats commented that there was a need to look at the alternatives and there may be a way forward which could provide an enhanced service.

The cabinet member finance and corporate services proposed amendment to recommendation (a) so that it started with "subject to soft market testing showing demand for the use of this space, ..."

## **RESOLVED**

**That:**

- (a) Subject to soft market testing showing demand for the use of this space, up to £230k is invested in the development of the mezzanine floor at the Hereford Library and Museum creating a flexible community use space and multi-agency office, with external funding sought to highlight the historic features;**
- (b) A marketing plan for the Black and White House museum is instigated to increase visitor numbers at a cost of £20k and complete a review of opening hours of the Black and White House by December 2019 with any changes agreed by the cabinet member for contracts and assets;**
- (c) A policy is instigated that archives held at HARC be open to the public or alternative arrangements in place e.g. return, charging, lower cost storage, with delegated authority to the assistant director communities to implement;**
- (d) A procurement process is commenced for the future commissioning of museums, libraries and archives based on current standard of services with a further decision to be made by the cabinet member for contracts and assets on options for implementation;**
- (e) A car parking charging scheme is instigated at HARC in consultation with users;**
- (f) The principle of increased charging for digital archives is approved with delegated authority to the assistant director communities to agree fees;**
- (g) A review is conducted as to the delivery of the school library service including consultation with schools; and**
- (h) The response at paragraph 62 to the recommendations of general scrutiny committee is agreed.**

The meeting adjourned at 11:10 am and recommenced at 11:25 am

### **13. CORPORATE PEER CHALLENGE**

The leader of the council introduced the report and commented that the council invited the Local Government Association (LGA) to conduct a peer challenge. The key message was that there were many positive activities which the council should be proud of.

The chief executive stated that since the end of the comprehensive performance assessment, the LGA peer challenge was the most robust form of review and challenge for councils. It is not a requirement but it was believed that it was essential that there was a check and challenge on the council. The challenge had been productive and helpful. It was noted that there would be a follow up visit in approximately 1 year.

The group leader for the Herefordshire Independents comments the financial situation is now more closely monitored. It was further commented that the recommendations were ones which the council should have been doing already and very basic.

The group leader for the Green party commented that it was welcomed that parish councils are included in One Herefordshire. There was disappointment that there had

been no facility to feed formally into the report and would like to formally review the recommendations in six months.

The group leader for the Liberal Democrats commented that the report was so general that the public would not know what the council was doing well or not well.

The group leader for It's OUR County commented that the relationship with communities needed to improve as there was considerable suspicion and distrust about the council. There was an opportunity for the ward councillors who were also parish councillors to use the parish council as the first point of call.

## **RESOLVED**

**That:**

- (a) the approach (at appendix 1) to responding to the recommendations from the corporate peer challenge be approved.**

## **14. END OF 2017/18 CORPORATE BUDGET AND PERFORMANCE REPORT**

The cabinet member finance and corporate services introduced the report and highlighted:

- the report showed the latest position at March 2018.
- The majority of projects are being delivered on schedule.
- The revenue outturn showed an overspend of £10k.
- The annual report from the director of public health, together with Understanding Herefordshire were appendices to the report.

Each directorate was discussed in turn and the following highlighted:

### Adults and wellbeing directorate

- The outturn position was an £80k overspend. This is in the context of a £55m budget for a demand led service.
- The focus would be on prevention rather than support.
- There had been a month on month increase in the number of hits to the WISH website.
- There had been partnership work in connection with the development of a new learning disability strategy.
- The healthy living training was going well.
- In the context of savings, there had been an overspend of £80k against a budget of £55m.

### Children's wellbeing directorate

- The outturn position was an overspend of £1.994m.
- The education outcomes were improving
- The council were one of 14 councils successful in a bid to build a new SEN school.
- The national target for converting SEN plans to education, health and care plans had been met
- The number of looked after children (LAC) were increasing and there was an overspend in LAC placements

- The timeliness of court proceedings was good
- Children's social workers caseloads were too high which is why money was being invested in this area

#### Economy, communities and corporate

- The outturn position was an underspend of £175k.
- There had been a 5 fold increase in potholes due to the 3 severe weather events in the last financial year.
- At the national Connected Britain awards in London, Fastershire was given the Superfast award, recognising the progress made in Herefordshire towards fibre provision which is set to continue.
- Herefordshire was performing well in the Leader project. It was noted that if the funding was not spent then it would need to be returned.
- Herefordshire had 2,000 miles of mainly rural network and the majority of people travel by car. The council had been awarded £5m from the challenge fund to improve the road network and the next phase of work would commence in August. Over the next 2 years the remainder of the challenge fund would be used on strategic routes.
- Fewer people had been killed on the county roads in 2017 than in 2016.
- The route of Hereford Transport Package would be chosen shortly.

The director of public health presented the annual report and highlighted the following:

- That focusing on prevention would help to balance the budget and improve the health and wellbeing of the population of Herefordshire.
- The development of a healthy weight plan in conjunction with the health and wellbeing board
- A healthy living network was being developed which would include a range of services and would provide effective ways for people to support healthy outcomes.
- Following a query, the director of public health confirmed that public health budget was ringfenced but that there may be opportunities to strengthen public health outcomes across directorates.
- The group leader for Herefordshire Independents welcomed the performance and budget outturn for adults and wellbeing directorate and the decrease in children subject to a child protection plan. However the children's wellbeing directorate financial situation needed more work. With regard to the economy, communities and corporate directorate, the impact of the severe weather was noted. The debts write off was welcomed as modest and in line with previous years. However, there was concern about the debts and the dispose of the small holdings estate.
- The group leader for the Herefordshire Green party commented that the underspend in the economy, communities and corporate directorate could potentially be used in connection with the voluntary grant team restructure.
- The group leader for the Liberal Democrats commented that the biggest concern was the children's wellbeing safeguarding division. There had been a request for thorough scrutiny in this area 10 years ago and then it subsequently was graded as Ofsted inadequate. There was still a need for a thorough scrutiny of this area.
- The group leader for it's OUR county commented that it was unfortunately that the Understanding Herefordshire and annual director of public health reports were not separate items. The cabinet member finance and corporate services confirmed that a written response to the points it's OUR county had raised via

email would be sent and that a conversation with the chairperson of general scrutiny committee and the S151 officer had already taken place with regard to spotlight reviews on a couple of the areas highlighted.

## **RESOLVED**

**That:**

- (a) performance and financial outturn, including debt write off for 2017/18 as set out in appendices A, B, D and H are reviewed and the cabinet identifies any additional actions to be considered to achieve improvement;**
- (b) the priorities identified in the local account (appendix E), the annual report of the director for public health (appendix F) and the joint strategic needs assessment (appendix G) and be used to inform decision-making and the development of the medium term financial strategy and 2019/20 budget; and**
- (c) the treasury management outturn report at appendix C be recommended to Council for approval.**

## **15. ANNUAL REVIEW OF EARMARKED RESERVES**

The cabinet member finance and corporate services introduced the report and highlighted that the review was as a result of the LGA peer challenge which had suggested a strategic review of finances. The medium term finance strategy and corporate plan reviews were both scheduled for 2019/20.

It was noted that there was one recommendation with a number of reserve movements. Some of the reserve movements would require a business case, in particular the capital reserves.

The group leader for It's OUR County commented that some of the reserves were refunding service changes which did not occur in year. It was further commented that it was difficult to have faith in the children's wellbeing directorate savings. The party did not agree with the reduction of £1.1m in the minimum revenue provision and had concerns over the reduction in the sparsity reserve. It was noted that the new reserve to support community health and wellbeing requirements was welcomed.

Following a request for confirmation that the level of reserves were prudent and followed CIPFA guidelines, the S151 officer confirmed that he was comfortable with the levels of general and earmarked reserves and that they were CIPFA compliant.

## **RESOLVED**

**That:**

- (a) the following movements re earmarked reserves be approved:**
  - the sparsity reserve be reduced by £6.4m**
  - the minimum revenue provision reserve be reduced by £1.1m**
  - the severe weather reserve be increased by £1.4m**
  - a new reserve of £1.6m established to support structural change in children's wellbeing**
  - a new reserve of £0.5m established to support providing care costs in Adults and Wellbeing**

- a new reserve of £2.8m established to support remedial road works
- a new reserve of £0.5m established to meet any future liabilities re living wage claims
- a new reserve of £0.5m established to support the community health and wellbeing requirements
- legal services demand, £0.2m

## 16. CAPITAL PROGRAMME UPDATE

The capital programme update report was introduced.

The group leader for the Green Party commented that there was a missing “m” after the figure £8,484 in the first paragraph under purpose and summary.

The group leader for Herefordshire independents commented that the proposal for the Cyber Security Centre was welcomed.

It was noted that the Hillside project would be looking at innovative ways of utilising the building. Consideration was being given to extend the facility from 22 to 28 beds and potentially to just beyond 30. Depending on the financial case, the spend would be up to £1.5m.

It was further noted the projects would be subject to further reports to gain approval to commit the spend.

### RESOLVED

That the following be recommended to Council

- (a) the addition of £6.711m grant funding and s106 contributions to existing project budgets within the existing capital programme as detailed in the table below be approved

Scheme Name	2018/19 New Budget/ Grant (000)
<b>Economy, Communities and Corporate</b>	
Local Transport Plan (LTP)	3,198
Fastershire Broadband	1,674
ECC's S106	756
<b>Total ECC Capital Projects</b>	<b>5,629</b>
<b>Childrens wellbeing</b>	
Schools Capital Maintenance Grant	33
CYPD's S106	589
Special Provision Capital Fund	167
Healthy Pupils	99
Basic Needs Funding	48
<b>Total CWB Capital Projects</b>	<b>936</b>
<b>Adults and wellbeing</b>	
Disabled facilities grant	147
<b>Total AWB Capital Projects</b>	<b>147</b>
<b>Total</b>	<b>6,711</b>

- (b) the special provision capital fund be increased by £167k in each of 2019/20 and 2020/21 capital budgets for the new grant allocation;
- (c) additional provision of £1.116m be made to support development of the Hereford Enterprise Zone Shell Store making the total provision for this project £7.316m;
- (d) provision of £1.5m be made to support conversion of the Hillside Rehabilitation Centre to provide a nursing home facility;
- (e) provision of £3.5m be made to support delivery of a Cyber Security Centre at Rotherwas;
- (f) approve the changes set out at paragraphs 35 and 36 to funding streams for Ross Enterprise Park and Childrens Wellbeing projects and adjustments across directorate projects with an overall reduction of £476,000;
- (g) the revised 2018/19 capital budget of £145.315m detailed in appendix 1 be adopted, which consists of £40.816m 2017/18 brought forward balances and previous approved budgets of £92.148m, along with the below items recommended for approval; and
- (h) the chief finance officer be authorised, following consultation with the Cabinet Member Finance and Corporate Services to make in year amendments to the capital programme to reflect additional external funding secured in year.

## **17. LOCAL AUTHORITY SCHOOLS MAINTENANCE PROGRAMME**

The cabinet member for young people and children's wellbeing introduced the report and highlighted that the council were investing in the future of county's children and the facilities needed to reflect that.

### **RESOLVED**

**That:**

- (a) The school maintenance schemes as set out in appendices 1 and 2 be approved spending £1m on basic need to provide sufficient high quality places, £1,457k to address maintenance issues and £651k allocated to schemes funded through the Local Authority Co-ordinated Voluntary Aided Programme; and
- (b) Authority is delegated to the interim education and capital manager to take all operational decisions necessary to implement the above recommendations within the approved budgets.

## **18. BUDGET PLANNING / CONSULTATION**

The cabinet member finance and corporate introduced the report and highlighted that the council has to set a balanced budget. As part of this process, a timetable needed to be published and the council were responsible for consulting with all residents of Herefordshire. The consultation would be via an online survey and awareness would be communicated through a wide range of media streams. Members were also reminded that there would be a member's briefing on 4 July at 5.00 pm.

The group leader for the Green Party commented that the previous year's online consultation was poor and did not work very well on mobile phones. It was hoped that there would be more business input and that the views of the parish councils would be taken into consideration.

It was noted that the engagement of the parish councils took place in a number of ways and that there would be a range of survey questions.

## **RESOLVED**

**That:**

- (a) the timetable for making proposals to Council for the adoption of the MTFS 2019-23 and the 2019/20 budget be approved as follows:**
  - **consultation – 5 July to 21 September 2018**
  - **Cabinet – 31 January 2019**
  - **Council (approve budget and MTFS) – 15 February 2019**
  - **Council (set council tax and precept – 8 March 2019**
- (b) it be recommended to Council that the budget meeting date be moved from 1 February 2019 to 15 February 2019;**
- (c) the approach for consulting on budget proposals for 2019/20 as set out at paragraph 11 be approved; and**
- (d) the scrutiny committee chairpersons be requested to make suitable provision in their respective committee work programmes to enable scrutiny members to inform and support the process for making cabinet proposals to Council.**

The meeting ended at 12:47

**Chairman**

## PUBLIC QUESTIONS TO CABINET – 28 June 2018

**Question 1****Ms J North, Hereford****To: cabinet member, contract and assets**

What evidence does the Council collect about the benefits which the Museum Service contributes to health, well-being and education and where that information can be found?

**Response**

There is a wide range of nationally published information that includes the health, wellbeing and educational benefits of the museum service which informs local service development, including 'Museums Matter published by the National Museums Directors' Council, case studies published by the Heritage Lottery Fund, and information published by the National Alliance for Museums, Health and Wellbeing.

The council's [museum plan 2017 2020](#) sets out how the service can contribute to achievement of the council's corporate plan priorities to: enable residents to live safe healthy and independent lives; keep children and young people safe and give them a great start in life; support the growth of our local economy; and secure better services, quality of life and value for money.

Appendix 1 to the report on today's agenda provides links to a number of reports and reviews which include reference to the wider benefits of the museum service.

**Supplementary question**

If the museum service is outsourced will future benefits be measured under any new governance?

**Answer**

The future benefits associated with the museum service would need to comply with the museum plan 2017/18. At this stage it would be presumptuous to assume that the museum service will be outsourced.

**Question 2****Ms J Ward, Tarrington****To: cabinet member, contract and assets**

There is a law in Britain to protect public libraries: The Museums and Libraries Act 1964 imposes on local authorities a statutory duty to provide comprehensive and efficient public library services. Any public servant or politician who breaks the law is liable to criminal proceedings. Will Herefordshire Council abide by the law?

**Response**

Yes. The report to Cabinet elsewhere on our agenda today clearly sets out the legal framework within which the council does, and will continue to operate.

**Question 3**

**Ms L Wallace, Bishops Cleeve**

**To: cabinet member, contract and assets**

What is the cost of the tendering process and how many years would it take to offset this against anticipated savings through outsourcing/subcontracting?

**Response**

There are no specific costs to the tendering process beyond existing staff time. The business case including financial benefits/costs for a commissioned service will be identified and evaluated through the procurement process and will inform a further decision on the preferred option.

**Question 4**

**Ms E Whattler, Ledbury**

**To: cabinet member, contract and assets**

What is the evidence to show that there would be cost savings by outsourcing / subcontracting the Library Service?

**Response**

The outcome of the soft market testing and the report of the Heritage Lottery Funded review "The Future Resilience of Herefordshire Council's Museum Service" links to which are published as an appendix to the report on the Cabinet agenda today demonstrate that a commissioned service may provide an income generation opportunity and shared costs as a way of reducing the revenue budget. This will be further tested through the procurement process to inform a final decision.

**Question 5**

**Ms J Buttery, Ledbury**

**To: cabinet member, contract and assets**

What is the evidence to show that there would be cost savings by outsourcing/subcontracting the Library Service?

**Response**

I refer to the response provided to Ms Whattler above.

### **Question 6**

**Ms S Sharples**

**To: cabinet member, contract and assets**

How will the tendering process ensure that possible providers of these services have the relevant expertise?

### **Response**

The evaluation criteria for any procurement process will include an assessment of the skills, expertise and track record of potential providers.

### **Question 7**

**Mr B Sharples**

**To: cabinet member, contract and assets**

I believe the Council is doing good work in its analysis of how the MLA services can be adapted to serve future Herefordshire Residents. The document is vague on this point so would you explain in some detail the procedures you will put in place to ensure that anyone running any part of these services is properly monitored by the Council and who will be the responsible person tasked with carrying out this work?

### **Response**

As with any commissioned service specific standards would be put in place to evaluate performance of the selected provider and ensure that commissioned services deliver the outcomes expected by the council. If the recommendations before Cabinet today are agreed it is intended that these standards will align to current levels of service, [CIPFA](#) benchmarking for the library service, accreditation for the museum services and due accreditation for the archive service.

The council will assign a contracts manager to manage the commissioned service and performance will be monitored and reported in accordance with the council's [Performance, Risk and Opportunity Management Framework](#). As with all council services whether delivered in house or through a commissioned arrangement, performance may be reviewed by the relevant scrutiny committee.

### **Question 8**

**Mrs E Morawiecka, Breinton**

**To: cabinet member, infrastructure**

Herefordshire Council have referred to the Southern Link Road as the second phase of the Hereford Bypass. As this is just a local council project and not part of the strategic road network, what assurances have been received from Highways England that this road will be adopted, along with the proposed Hereford Relief Road, to be the new route of the A49.

## **Response**

A decision as to whether the Hereford bypass is included as part of the national Strategic Route Network is a matter for the Secretary of State for Transport to determine not Highways England. Regardless of any future decision the Secretary of State may make on this matter the by-pass is of strategic importance as recognised in the council's local transport plan and the prioritisation of the route in the Midlands Connect transport strategy.

## **Supplementary question**

Without support from the Secretary of State for Transport to detrunk the existing A49 route through Hereford, signage will continue to direct the 15% to 20% of through traffic into the city. What assurances have been received from the Department for Transport that the southern link road on the proposed western relief road will become that the new £230m A49 trunk road, without it being re-trucked.

## **Answer**

In the process of working up the Southern Link Road , Hereford by pass, it is being done in conjunction with all the national authorities, (Department of Transport, Highways England, Midland Engine, etc). As the full business case and full funding comes forward, assurances will be given that the A49 will be re-routed and all through traffic will be directed to the new road. Further details will be forthcoming in due course.

## **Question 9**

**Ms N Shields, Ledbury**

**To: cabinet member, contract and assets**

As libraries are a key service in our communities and support the Council's four main objectives, where is the evidence that undertaking an expensive tendering process will result in any cost savings or help ensure the sustainability of this service?

## **Response**

I refer to the response provided to Ms Whattler above.

## **Supplementary question**

In respect of the libraries, given that there is no evidence to state that outsourcing would be beneficial and given that there no evidence about how much the cost saving would be, what we would like to see is a proper consultation about the options as there is more than one way to do this.

## **Answer**

The soft marketing testing was to see if there is interest in the market. The decision is to see if there is any formal interest. The three facets will be handled in different ways.

## **Question 10**

**Mr A Walker, Hereford**

**To: cabinet member, contract and assets**

Will the council give assurance that any decision to award a contract for management of the Archive service will be taken by full council and not be delegated to the cabinet member for contracts and assets?

**Response**

Any decision to award a contract for the management of these services will be taken by either Cabinet or myself. This is because, by law, in a council operating a cabinet system such as Herefordshire, any function not reserved to Council to determine, is a function of the Cabinet.

However, council members are consulted on key decisions and can, through effective scrutiny, make recommendations to Cabinet to inform our decision making.

**Question 11**

**Mr J Milln, Hereford**

**To: cabinet member, infrastructure**

Progress on the Hereford Area Plan has stalled, allegedly due to the awaited decision on the proposed Western by-pass, with no meeting of its Reference Group since 4<sup>th</sup> April. Yet most of the HAP's work is unrelated. In particular there is an urgent need to progress the recommendations of Historic England's Urban Panel for a Design Guide SPD and for a visionary and overarching City Masterplan to underpin the HAP. Who is carrying out this work, to what brief and timetable?

**Response**

Progress on the Hereford Area Plan has not stalled. A brief for a City Centre Design Guide has been prepared and consultants are being procured to draft a Supplementary Planning Document. The document is expected to be completed in 8-9 months.

Additionally, consultation on the Hereford Area Plan Housing and Employment Site Options is expected to begin in August to enable the consultation to be informed by a preferred route. The Reference Group will have an opportunity to review the draft consultation document before the consultation begins.

**Supplementary question**

How is Herefordshire Council proposing the recommendations from Historical England which called for a visionary city masterplan to provide overarching connectivity with the Hereford Area Plan?

**Answer**

The HAP is moving forward. A consultant will be employed to come forward with design principles, which will include the university. This will take approx. 12 to 18 months.

**Question 12**

**Mr T W Harvey, Leominster**

**To: cabinet member, contract and assets**

In the consideration of the best way to deliver library services in Herefordshire, why is the in-house management of library services not included as an option to be evaluated along with the other possibilities such as out-sourcing?

**Response**

In-house delivery is included as an alternative option in the report to be considered by Cabinet today. Proposals submitted by potential providers will, as part of the tender evaluation, be assessed against current service delivery standards and costs.

**Question 13**

**Ms J Adams, Kingsthorpe**

**To: cabinet member, contract and assets**

Will the Council give assurance that the community groups representing the concerns of users and supporters of archives, museums and libraries will be given the opportunity to be fully involved in the development of any service specifications and evaluation of bids should a commissioning process to examine options for their delivery be put in place?

**Response**

As the report on today's agenda sets out it is proposed to use the existing service standards rather than develop a new specifications. An evaluation process will be developed to include provision for user group representative views to be taken into consideration.

**Supplementary question**

How will any tender process take into account the cultural value and thus the economical value. Of the services.

**Answer**

The cultural benefits will be taken into account. There is nothing unusual about the cultural criteria and our standard criteria will continue.

**Question 14**

**Mrs C Palgrave, How Caple**

**To: cabinet member, finance and corporate services**

The proposed capital programme for 2018/9 shows a Grant & Funding Contribution of £29.052m for the South Wye Transport Programme. This is different from the £27m provisionally awarded for the SWTP from the Marches LEP Local Growth Fund. Which figure is correct?

**Response**

The total budget for the South Wye Transport Package is £35m. Funding for the scheme comprises £27m allocated from the Marches LEP Local Growth Fund and £8m Local Transport Plan grant allocations over the life of the project. The Grant and Funding Contribution column in the appendix shows the balance of LEP and LTP funding yet to be drawn down with the balance of the £35m figure being shown in the previous years' column. I would also like to clarify that the appendix 1 published with the agenda erroneously included £970k prudential borrowing; this has been corrected in a supplement published this week.

### **Question 15**

**Ms A E Jones, Hereford**

**To: cabinet member, contracts and assets**

As a former library worker I am interested in the following: When formulating the agreement of a TUPE process how long will the Council guarantee that the Staff Terms and Conditions and their Local Government Pensions will be protected for?

### **Response**

The council will comply with the TUPE legislation. Should a commissioned service be implemented, relevant staff would transfer on existing terms and conditions including pension. TUPE does not expressly prohibit changes to terms and conditions within a certain time frame, but any new employer would be obliged to follow relevant employment processes should they wish to implement a change.

### **Question 16**

**Mr R Palgrave, Hereford**

**To: cabinet member, infrastructure**

The adopted Neighbourhood Development Plan for Abbeydore, Bacton, Ewyas Harold, Dulas, Llancillo, Rowlestone and Kentchurch, identified a key issue as follows - "The long-term objective of re-opening the Pontrilas Railway Station should be promoted, with the aim of reducing road use and for the wider economic benefit of south west Herefordshire."  
Pontrilas is identified in the Core Strategy as a main focus of proportionate housing development, and I understand that the local sawmill is interested in making use of the railway line for freight transport.

Will Herefordshire Council actively support the objective set out in the NDP?

## **Response**

The Neighbourhood Development Plan (NDP) referred to was adopted on 20 April 2018 forms part of the statutory development plan. The re-opening of the station at Pontrilas emerged as a key issue and a long term objective within the area. There is no specific policy within the plan regarding the reopening of the station as it was considered to be beyond the plan period.

The proposal is not currently prioritised within the council's Corporate Plan or Local Transport Plan and before consideration could be given to supporting achievement of this long term objective work would need to be undertaken to establish an initial business case through an assessment of the proposal in line with national guidance. I have discussed the proposal with the ward member and although the council does not currently have resources available to support this initial work we would be happy to provide the community with advice on the process to be followed so that they may take forward this initial exploration.

## **Question 17**

**Mr D Stevens, Branch Secretary Herefordshire UNISON, Hereford**

**To: cabinet member, contract and assets**

With regards to the future of museums libraries and archives, if a procurement process is commenced for the future commissioning of museums, libraries and archives will UNISON be included in any subsequent tender creation and following procurement processes?

## **Response**

Management will comply with the council's policies for managing change within the organisation and will inform unions and positively engage them in developing options, consultation and negotiation about major changes in the workforce in accordance with established HR policies and procedures.

## **Supplementary question**

Is it a yes or a no?

## **Answer**

I will leave it to you to make your own assumptions about the answer.

## **Question 18**

**Ms D Toynbee, Hereford**

**To: cabinet member, contracts and assets**

What plans does the Council have to reduce and ultimately stop the use of single-use plastics across its estate, including schools?

## **Response**

The council's [Environmental Policy](#) approved in 2013 is currently being reviewed and consideration is being given to this issue as part of that review.

Schools are responsible for their own procurement policies, but we will, as part of our review, consider how best to encourage schools and our contractors, to minimise use of single use plastics where less environmentally impactful materials are available. These discussions are already underway with our catering provider.

More widely the council's [Stop the Drop](#) campaign has gathered enormous community support to reduce and clear up litter, including single use plastics, across the our beautiful county.

### **Question 19**

**Mr A Sharp, Hereford**

**To: cabinet member, infrastructure**

In light of the evidence in the CPOs for the SLR, I suspect that only desk-top analysis was used to re-route bridleways and would welcome evidence to the contrary. It is also of great concern that the planners appear not to grasp the current legal precedent requiring horse-riders to ride on the road and not the verge as the planners have suggested in the Orders. Instead of trying to cut corners at every turn, thereby putting horses and their riders in grave danger, please can the council reassure bridleway users that every site will now be visited – in person - and that safety audits, relying on up to date information, are now carried out as a matter of urgency.

### **Response**

There is no attempt to 'cut corners at every turn' and the safety of all road users continues to be appropriately assessed in accordance with established guidelines to ensure informed decision making.

Any proposed changes to the public rights of way network have been designed using appropriate guidance and standards, and safety audits of the scheme have been carried out as the design has progressed; further audits will be completed when the scheme is constructed.

### **Question 20**

**Mrs K Sharp, Hereford**

**To: cabinet member, infrastructure**

The CPO documents for the SLR leads one to suspect that only desk-top analysis was used to reposition a new PROW and access gate onto an extremely dangerous road and also that a Road Safety Audit was not carried out in regard of the repositioned access at HA7 onto Haywood Lane. If this was not the case, I would welcome any evidence please as well as an assurance that the council will seek to better protect and reassure pedestrians as they plan the SLR and that every site will now be visited – in person – and safety audits for each path and gate will be carried out now as a matter of urgency.

### **Response**

Road safety audits of the scheme design were carried out at the appropriate stages of the project. An objector's concerns about the visual impact of an access relocation on their property has been considered and, subject to the Secretary of State's consent, a modification will be sought to the Side Roads Order to retain the access from the footpath on Haywood Lane in its current location. The review you suggest is not required; the appropriate design process has been followed, appropriate audits have been completed, and further audits will be carried out when the scheme is constructed in accordance with established processes.

## Councillors' questions at Cabinet – 28 June 2018

### Question 1

**Councillor CA Gandy, Conservatives**

**To: cabinet member, contract and assets**

The library service in Herefordshire is extremely valued and can be a life line for some of our most vulnerable residents who do not have the money available to either purchase books or a digital device and who also particularly in rural communities use their library as a meeting place and somewhere to obtain local information. If the decision is taken to outsource Herefordshire Library services what assurances can you give that access to our libraries by the most vulnerable will not change and that rural community libraries will continue to be supported as at present.

### Response

The value of the library service is not in question, and drives the need for us to find a way in which the future of these services can be assured in the most cost effective way.

If the recommendations to be considered elsewhere on the Cabinet's agenda today are approved the commissioning of services will be based on the current standard of service.

The front-line delivery of community libraries is provided by local groups and parish councils who provide their time to deliver locally valued services which are important additions to the overall library network across the county. Although as independent from the council these community libraries would not form part of any commissioned service the council currently supports these libraries with training, advice and in some cases IT – also the council pays for the book stock; this support would be maintained through any commissioned service.

### **Question 2**

**Councillor RM Matthews, Herefordshire Independents**

**To: cabinet member, transport and regulatory services**

A team of scientists from the University of Exeter and the Barcelona Institute for Global Health have recently announced that they have found a very strong link between the new generation of LED street lighting and breast and prostate cancer. Analysis of four thousand people in eleven regions of Spain established a link between exposure to LED lighting, doubled the risk of prostate cancer together with a 1.5 times higher chance of developing breast cancer.

Can the Cabinet Member inform us if he was aware of these very serious findings, and if so what action is being taken to reassure the public.

Public Health England have also recently raised concerns about the increasing use of LED lighting, which has of course recently been installed throughout this county.

**Response**

I am aware of the research report, and the media coverage of a statement made by the chief medical officer. It is unfortunate that similar coverage was not afforded to the clarification issued by Public Health England (PHE) some days later which stated "While the chief medical officer's article highlights a theoretical risk of glare to motorists from LED street lighting if it is not installed correctly, PHE anticipates that a vast majority of this type of lighting will be installed with the LEDs recessed or with an appropriate balance of blue light so it does not dazzle drivers". PHE's senior scientific group leader of radiation dosimetry went on to confirm that the references to high levels of blue light damaging the retina refers to blue light in general rather than that emanating from street lights and no risk of eye damage from LED street lighting.

This is an area where there is currently no scientific consensus. The EU's Scientific Committee on Health, Environmental and Emerging Risks has also undertaken a review of this specific issue and, whilst recognising the need for further research concluded:

"... that there is no evidence of direct adverse health effects from LEDs emission in normal use (lamps and displays) by the general healthy population."

Lighting in Herefordshire has been correctly installed and includes an automated process for dimming the lights through the night.

We will of course continue to monitor research on this subject, but it is pleasing to note that Herefordshire was reported by the Campaign to Protect Rural England as being the darkest county in England with the lowest average light levels.

**Supplementary Question**

It has been noted that EU have concerns about the issue and that further research will be taking place. What systems does this authority have in place to monitor the research in this issue?

**Answer**

This issue will continue to be monitored by the Director of Public Health through Public Health England. Further research will be reported on by national professional bodies and networks. Subsequent findings of such research will be monitored and reported on by the Director of Public Health.