

Minutes of the meeting of General scrutiny committee held at the Three Counties Hotel, Belmont Road, Belmont, Hereford, HR2 7BP on Friday 11 June 2021 at 10.15 am

- Present:** Councillors Jonathan Lester (Chairperson), Tracy Bowes (Vice-chairperson), Barry Durkin, Louis Stark, David Summers and William Wilding
- In attendance:** Councillors Liz Harvey (Cabinet member finance, corporate services and planning) and David Hitchiner (Leader of the Council)
- Officers:** Richard Ball (Director for economy and place), Ben Baugh (Democratic services officer), Guy Goodman (Deputy solicitor to the Council) [as a virtual participant], Adrian Griffiths (Joint strategic finance lead), Rebecca Howell-Jones (Acting director of public health), Les Knight (Head of additional needs), Andrew Lovegrove (Chief finance officer), Amy Pitt (Assistant director Talk Community programme), Jenny Preece (Democratic services officer), Paul Smith (Assistant director all ages commissioning) and Claire Ward (Solicitor to the council)

Messages of appreciation

On behalf of the committee, the chairperson expressed his gratitude to Councillors Hewitt and Matthews for their crucial roles and contributions on the committee in recent years; Councillors Bowen and Summers were welcomed as new members of the committee. The chairperson also asked that the thanks of the committee be sent to Tim Brown, the former clerk who had retired recently, for his long service and fantastic job in supporting the committee.

1 APOLOGIES FOR ABSENCE

Apologies for absence had been received from committee member Councillor Sebastian Bowen.

2 NAMED SUBSTITUTES

No named substitutes were present.

3 DECLARATIONS OF INTEREST

Councillor Summers declared an 'other' interest in agenda item 7, Herefordshire Council's response to the covid pandemic, due to attendance at meetings of the Covid 19 engagement working group.

4 MINUTES

The minutes of the meeting held on 26 April 2021 were received.

Resolved: That the minutes of the meeting held on 26 April 2021 be approved as a correct record and be signed by the chairperson.

5 QUESTIONS FROM MEMBERS OF THE PUBLIC

No questions had been received from members of the public.

6 QUESTIONS FROM COUNCILLORS

A question received from a councillor in advance of the meeting and the response is attached as appendix 1 to these minutes.

7 HEREFORDSHIRE COUNCIL'S RESPONSE TO THE COVID PANDEMIC

In accordance with paragraph 4.2.13 (b) of the Council's constitution, the chairperson considered that this item should be discussed at this meeting as a matter of urgency to provide the committee with the opportunity to consider how well the council had performed during the pandemic.

The chairperson noted that the Covid situation was unprecedented and had caused huge problems but the council and its officers had done a good job in reacting to the challenging circumstances. Nevertheless, this was an opportunity to reflect upon lessons learned for the council and its partners.

The solicitor the council introduced the report by commenting that: this was an emergency that had never been encountered by the council before; officers had responded positively and collaboratively, working as a single organisation; to capture the position, the report had been informed by many people and it was acknowledged that it may appear disjointed in parts; decisions had to be made which had never been made before; the situation had been managed through a gold and silver command structure; and the local resilience forum had recently decided that the situation was no longer an emergency and public bodies were entering a recovery phase.

Questions and comments were invited from committee members and responses were provided by attending officers, the principal topics included:

1. The effectiveness of the Covid 19 engagement working group.
2. The accessibility and visibility of mental health resources and support, including for members of staff and care workers.
3. The need to capture issues that could have been handled better or where more could have been done.
4. The involvement of subject matter experts and people with lived experiences in the co-design and co-production of service areas.
5. The Talk Community response which provided a coordinated support offer for vulnerable residents and the plans to support different areas of the recovery.
6. The rapid transformation to deliver services in different ways and provide wellbeing support.
7. The need to consider the lessons learned from the operation of the gold and silver crisis management methodology.
8. The identification of clinically extremely vulnerable people and communication issues with this cohort.
9. The coordination of information on the multiple sources of national and local support for schools and the development of initiatives to support the welfare of pupils.
10. The effectiveness of relationships between local, regional and national bodies, including issues with communications between government and the council in terms of the application of the tier system.

11. The local decision to procure sufficient stocks of personal protective equipment (PPE) in advance of national guidance, avoiding subsequent shortages and potentially saving lives.
12. The need to explore and understand the experiences of residents and other stakeholders.
13. The importance of gathering key metrics, such as infection rates and care home deaths, in order to obtain a whole picture of how well the Herefordshire system performed.
14. How changing guidance from different departments of government, often involving short timescales, had been handled by partners locally and regionally.
15. Local businesses had played a key role, such as diversifying into the production of hand sanitisers.
16. The potential to feed into the national public inquiry, including on: the importance of government liaising with the council and local partners 'on the ground' going forward; examples of where the council had taken the initiative; the impact of the government's handling of the pandemic on the council, businesses, care homes and residents; and to understand where the council and local partners had jurisdiction to make their own decisions and where they had to follow the national lead.
17. The approach of the solicitor to the council and the chief finance officer to decision-making in extraordinary circumstances, with examples provided in relation to the procurement of PPE and the payment of grants to local businesses.
18. The identified need to keep the council's records of small businesses up-to-date and, more broadly, for all points of contact to ensure that communication could be effective on a mass scale.
19. There was an opportunity to examine the emergency decisions that were taken and the consequential implications to inform any necessary changes to the scheme of delegation.
20. How managers had been encouraged to engage with staff members working remotely and the chief executive's new 'flexible futures' initiative to shape the future of home and office working with staff representatives. As the systems that facilitated this had been available before the pandemic, it was commented that organisations needed to reflect on why they had not used them in the past, and how they could identify and utilise emerging innovations and technologies for the benefit of service delivery and to 'build back better'.
21. The actions undertaken on the payment of grants to local businesses were praised but it was considered that the grant eligibility information could be strengthened.
22. The redeployment of staff had provided support to functions essential to the response but the effect of redeployment upon the council's operations should be assessed.
23. How social / physical distancing had influenced emergency travel and parking measures, how this had polarised local opinion. It was suggested that there should be a roadmap for the potential withdrawal or retention of such measures.
24. The high risk scores associated with the risk to the council's finances, uncertainties about the ongoing and enduring costs that would be incurred in the future (such as the additional costs of delivering social care and other services), and the need to highlight the concerns about the financial situation to government and to advocate for extended support to councils.

25. Current understanding about the efficacy of existing vaccines to emerging variants of concern, the likelihood of needing to live with consequences of Covid in the long term, and how the lives of people were being changed permanently, particularly for those with health conditions which prevented vaccination or minimised the immune response.
26. The arrangements for identifying and contacting clinically extremely vulnerable people were explored further.
27. The significant efforts of voluntary and community groups during the pandemic and the intention to build upon this through Talk Community to bring Herefordshire together, including increasing the number of active hubs from 20 to 50 by March 2022. The Talk Community response was praised and it was commented that a broad range of communication methods would help to raise awareness of related activities and opportunities to become involved.
28. The need to include the implications of the pandemic for service delivery, including for enforcement, in the Covid risk register.
29. The linkages between health, the environment and anti-social behaviour.
30. The resources mobilised to reduce Covid transmission rates and mortality in care homes, including the provision of PPE free of charge, frequent multi-agency and provider forums, measures to contain outbreaks, infection control training for care workers, increased care home fees as recommended by the Local Government Association to maintain the viability of providers, the deployment of government grants into the care sector, and the establishment of a regional care home support network.
31. Whilst the funding was welcomed, there had been significant administrative burdens for the council and restrictive conditions for providers associated with infection control and testing, and workforce capacity grants. It was suggested that there was a need to provide this feedback to government, especially as there seemed to be inconsistencies between different government departments.
32. The environmental impact of discarded PPE and single use plastics, and the implications for the council's environmental objectives. It was suggested that the task and finish group on litter could consider this matter.

[Note: the meeting adjourned between 12.30 pm and 12.50 pm]

The chairperson said that, following a conversation with the cabinet member finance, corporate services and planning during the adjournment, it was important to feed back to government that, notwithstanding the challenges with certain grants, local government had demonstrated that it could deliver things well on the ground.

It was questioned whether the council had done and was doing enough to ensure the recovery of the local economy. The Leader of the Council reported that a Covid 19 recovery plan was to be considered by cabinet on 24 June 2021 and there was to be an economic summit with a spectrum of business to consider how to work together on the recovery.

Officers were invited to reflect further on what did not go well, comments included: the council had to mobilise resources ahead of government guidance and before grant monies became available, and this could have been done even earlier in anticipation of the pandemic; the potential extent of the seriousness of the crisis had not been fully realised in the early stages and pre-planning had been insufficient; the late receipt of legislative changes for implementation the following day had made it difficult to ensure that the right advice went out;

there had been significant learning in terms of scientific knowledge, intelligence sharing, outbreak management, and contact tracing but further 'what if' scenarios could be explored corporately; and the volume of email correspondence from businesses, including those unknown to the council at the time, had been significant and there was a sense of frustration from some but the approach of getting the responses right, first time was nevertheless correct in the circumstances.

A committee member commented that details of an outbreak at a Herefordshire farm could have been communicated to elected members at an earlier stage and in an appropriate format to enable the sharing of relevant information with constituents and local councils.

Issues with government provided PPE and provisions for people who were shielding were explored briefly.

It was reported that members of staff were encouraged to have vaccinations and to undertake regular testing but this remained a personal choice, and intelligence about clinically vulnerable members of staff would inform safe practices in the workplace.

The committee then reviewed and refined draft recommendations, and agreed the following resolution; this included a discussion of the need to recognise formally what had been achieved by members of staff and for consideration to be given to the award of an additional day's holiday during 2022. The chairperson noted that the committee was likely to return to specific aspects of the council's response as further information emerged.

RESOLVED:

- 1. That the committee puts forward the following recommendations to the executive with respect to the discharge of council functions in its dealing with the Covid response:**
 - a. That a Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis be undertaken for each directorate in order to understand fully what happened, what problems were encountered, the implications of redeployment, and the learning accrued during the pandemic.**
 - b. That officers collate appropriate metrics to then enable Herefordshire Council's outcomes and performance to be compared with similar authorities.**
 - c. That a review be undertaken of the gold / silver / bronze crisis management structure and related arrangements to ensure that it is fit for purpose and operations across multiple agencies are streamlined for future emergency situations.**
 - d. That surveys be undertaken to engage with the public, voluntary and community groups, health and care partners, businesses and other stakeholders in order to understand their experiences of the pandemic and to encourage them to contribute to shaping the future of public services.**
 - e. That mental health resources and support for council staff and care workers be made as visible as possible, including through the distribution of information cards.**
 - f. That letters be sent to government to highlight: the lack of dialogue with local authorities at critical points, especially in respect of the application of the tier system; the need to address the substantial and enduring pressures of the ongoing pandemic on the costs of service delivery and the consequential**

impacts on local government finances; supported by the collation of feedback from the health and care sector, the concerns about administrative burdens and restrictive conditions of some grants, especially the infection control grant; and to demonstrate the responsiveness and efficiency of the Herefordshire system in dealing with the challenges at a local level.

- g. That consideration be given to the experiences and evidence base in Herefordshire, informed by the suggested surveys and metrics, for input into the national public inquiry.
 - h. That consideration be given to the ways in which the council can improve the robustness of its records for all points of contact, including with businesses and with clinically extremely vulnerable groups.
 - i. That the emergency decisions be examined to ensure that the scheme of delegation is working effectively and efficiently.
 - j. That, as part of the 'Flexible Futures' project, that consideration be given to how the organisation can ensure that it is aware of emerging innovations and technologies that can support new ways of working and provide opportunities for service improvements, enhancing environmental performance, and building back better.
 - k. That grant eligibility information available to small businesses be reviewed and updated.
 - l. That a roadmap be developed for the potential withdrawal or retention of emergency travel measures that were introduced in Hereford and the market towns for the purposes of social distancing.
 - m. The implications of the pandemic for service delivery, including for enforcement, be added to the risk register.
 - n. That communications to elected members about emerging public health issues be looked at to ensure that it is both timely and can be shared as widely as possible.
 - o. That the hard work of management and staff members in coping with the pandemic be recognised formally through a letter from all elected members of the Council.
 - p. Consideration be given to providing all officers with an extra day's holiday for 2022.
2. That the scoping statement for the task and finish group on litter include consideration of matters relating to personal protective equipment disposal.

8 COMMITTEE WORK PROGRAMME

Attention was drawn to the work programme included in the agenda (appendix 1, agenda pages 21-23).

It was reported that the following would be presented to the next meeting: the scoping statement for the task and finish group on litter; and the executive responses to the committee's further recommendations in respect of the waste management strategic review and the review of the climate and ecological emergency.

The terms of reference and the membership of the standing panel on the climate and ecological emergency (as set out on agenda page 17) were agreed.

It was noted that the committee had requested an item to be brought forward on the New Model Institute for Technology and Engineering (NMITE) and it was clarified that the committee would wish to consider updates on all the council's activity with NMITE, including the situation with funding and with estate matters.

Resolved:

That:

- a) the work programme as set out at appendix 1 to the report be approved; and
- b) the terms of reference for the standing panel on the climate and ecological emergency, as set out at paragraph 15 of the report, and the membership be approved, and the chairperson be elected by the membership of the panel from their number.

9 DATE OF NEXT MEETING

The next scheduled meeting was to be held on Monday 12 July 2021 at 10.15 am.

The meeting ended at 1.19 pm

Chairperson

Questions from councillors

General scrutiny committee, 11 June 2021

Question from Councillor Yolande Watson

Can General Scrutiny examine the process for and efficacy of, ensuring the Wye Valley Area of Outstanding Natural Beauty (WVAONB) Management Plan is fully considered in decisions made by Herefordshire Council's planning service?

Response

The concern of Councillor Watson is noted and it is understood that there have been related discussions at recent meetings of the Planning and Regulatory Committee.

The scrutiny committee would not usually review the application or attention of a specific policy but it has already identified the intention to undertake scrutiny activity on the planning service as part of its work programme and it will be mindful of the point raised in the question.

In the meantime, the Director for Economy and Place has made the following comment:

'I can confirm that the AONB Management Plan is a material consideration in all planning matters and forms part of the evidence base for both the Core Strategy and Neighbourhood Development Plans (NDPs). As a consequence all applications within the AONB are considered in light of these policies and planning officers are aware of the importance of referencing such matters within reports where appropriate.'

