

Leader's report to Council

Meeting: Council

Meeting date: 4 March 2022

Report by: Leader of the Council

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose

To provide an update on the work of the Cabinet since the previous meeting of the Council. A brief summary of decisions taken by the executive is provided at appendix A and all decision reports and notices are available on the [council's website](#).

Recommendation(s)

That:

- a) The contents of the report be noted and questions raised for the Leader to answer.**

Alternative options

1. There are no alternative options; the constitution requires the Leader to provide Council with reports on the activities of the executive.

Key considerations

2. Herefordshire Council's constitution provides that the Leader's report will be submitted to each ordinary meeting of council (other than the budget meeting) on which they may be questioned and if so, answer. This will report the work of the cabinet since the last report and will include: (a) A summary of those executive decisions taken by the

cabinet, individual cabinet members, and joint executive committees and other activities of the cabinet since the previous Council meeting; (b) Any recommendations of the cabinet in respect of the budget and policy framework; (c) Any report to Council required by a scrutiny committee; and (d) A summary and particulars of any urgent decision made under paragraphs 4.4.53-55 (urgent decisions).

3. I am pleased to provide to Council my Leader's report. This report principally covers the key decisions taken since my last report to Council for the meeting on 28 January 2022 to the date of this report (23 February 2022). All decisions taken since 14 January 2021 are set out in Appendix A.
4. I wish to highlight the following key items:

Core Strategy progress report

5. Work is continuing to prepare a Local Plan which will replace the existing Herefordshire Core Strategy as the statutory development plan for the County. On January 17th the first of a series of public consultations got underway to inform the preparation of the new plan. This consultation focussed on a series of spatial options setting out alternatives for distributing housing development in the county for the next twenty years. Members workshops held in February provided an early opportunity for members to hear about the options and provide some initial comments. Work on a number of key evidence base studies is now underway, including employment land provision and retail and town centre studies, with a number of other studies in the process of being commissioned. Later in the spring a consultation will be undertaken around the development of key planning policies to help develop an up-to-date range of policies, this will be followed in early summer with more detailed place based and area based options. Our aim is to prepare a draft Local Plan for consideration by the council early in 2023.

Update on Phosphates

6. I was encouraged by the debate at council on the Water Protection Zone (WPZ) motion and the recognition by all present on the need for action. You may recall that, in November 2021, I wrote to Rebecca Pow MP, Parliamentary Under Secretary of State, Department for Environment Food & Rural Affairs calling for an independent review of the Nutrient Management Board (NMB) Phosphate Action Plan. Whilst the NMB has been valiantly progressing actions it is clear that the technical advisory support to NMB is insufficiently resourced to deliver progress and a revised plan is needed. I therefore wrote to Rebecca Pow again, following the WPZ motion and suggested a Phosphate Commission as a way forward. Officers are in discussion with Natural England, the Environment Agency, Natural Resources Wales (NRW) and Powys County Council together with key stakeholders on how we can maximise the opportunity a commission presents. The Phosphate Commission will take on the work of developing the new plan, at the same time we will continue to proactively support the NMB in delivering the present plan.
7. Senior Directors from the Environment Agency visited the County on 10th and 11th February to learn first hand about some of the issues facing the EA and farming with a particular emphasis on the River Wye. Rebecca Pow joined the visit on the morning of 10th February. Cllr Swinglehurst and I were pleased to be invited to join the visit which was successful in raising the profile with the Minister.

8. On 3rd February, the Chief Executive and I were also able to bring our needs nationally to the attention of the LGA Environment Economy Housing and Transport Board by way of a presentation to that Board.
9. I am also pleased to report that progress continues to be made on our first Integrated Wetland site at Luston. There is still work to be done on evidencing certainty but I am sure that Luston and other sites, as they come on stream, will begin to ease the pressure on developers. I am keen we do everything we can to bring our communities together to resolve the biggest local environmental challenge of our generation. Officers continue to work with developers to find ways of encouraging private schemes and with the farming community to support Environmental Stewardship.

Cabinet meeting with Powys County Council Cabinet on 17 February 2022

10. On Thursday 17 February, we held our second meeting with the Powys County Council Cabinet. Our main topics of discussion were first to learn from Powys how they had dealt with the equivalent of the Improvement Notice which we have received and second to share issue relating to phosphates in the Rivers Wye and Lugg.
11. We discussed how we might work together on the Border Deal which has been promised by the Government and will meet again after the Welsh Local elections in May 2022 to agree some concrete actions. Meanwhile the Chief Executives will continue their dialogue.

Citizens' Climate Assembly

12. The Herefordshire Citizens' Climate Assembly took place virtually over two evenings and two weekends in January to address the question 'How should Herefordshire meet the challenges of Climate Change?'. With the goal of producing recommendations the sessions were structured to enable participants to understand the issues, hear different viewpoints, weighing up the evidence, question and debate points. This involved hearing from a range of experts, finding out what was already happening at a local, regional and national level, and sharing of good practice from community groups and organisations. There are 35 recommendations under the themes of buildings, transport and food, farming and land-use, which will be received formally by cabinet on the 24th February 2022. There was a strong emphasis on partnership at the assembly and the next stage will be to view the recommendations with a range of partners and where relevant to the council develop delivery plans that include feasibility, timescale and cost.
13. The assembly members were representatives of Herefordshire, selected independently by the Sortition Foundation with a report on the process published on their website. This included attitudes towards climate change with a range of viewpoints included. This was the first citizens assembly for Herefordshire Council and provided a new way of engaging a cross section of the community who were supported through the process of contributing to decision making. Nearly all participants felt very positive toward their involvement in the assembly and these views were shared with cabinet members as part of the feedback to cabinet members on the recommendations.

Budget and Delivery Plan

14. I was pleased that the Budget was approved at the last Council Meeting. Cabinet members are now working on the Delivery Plan for the 2022/23 municipal year.

Community impact

15. The County Plan shapes the future of Herefordshire and aims to encourage and strengthen our vibrant communities, create a thriving local economy and protect and enhance our environment to ensure Herefordshire remains a great place to live, visit, work, learn and do business. The plan guides the work of the council and our relationship with individuals, families, communities and partners through to 2024. The council's delivery plan outlines the detailed work that we have committed to delivering over the next eighteen months.
16. The community impact of any decisions of the executive have been set out within the relevant decision report and taken into consideration at the time the decision was taken. Reporting to Council the activities of the executive demonstrates the council's commitment to the code of corporate governance principle of implementing good practices in transparency, reporting and audit to deliver effective accountability.

Environmental Impact

17. A central underpinning of Herefordshire Council's County Plan is healthy, connected and vibrant ecosystems strongly support the local economy, improve health and wellbeing and make the county an attractive place to live and to visit. It is a commitment of the plan to protect and enhance this environment while stewarding it for future generations.
18. The council's delivery plan is underpinned by the commitment of this executive to use our unique role as leaders of the places we represent to help people feel safe, supported and proud of our unique and beautiful environment and we shall tackle the climate challenge through new approaches to sustainability. In doing this we will base our work on the lessons we have learned, what our residents and businesses tell us and our understanding of what our county needs for a successful future.

Equality duty

19. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
20. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. Our providers will be made aware of their contractual requirements in regards to equality legislation.

21. The Equality Act 2010 established a positive obligation on local authorities to promote equality and to reduce discrimination in relation to any of the nine 'protected characteristics' (age; disability; gender reassignment; pregnancy and maternity; marriage and civil partnership; race; religion or belief; sex; and sexual orientation). In particular, the council must have 'due regard' to the public sector equality duty when taking any decisions on service changes.

Resource implications

22. There are no financial implications arising from the recommendations of this report. The financial implications of any decisions of the executive listed at appendix A have been set out within the relevant decision report and taken into consideration at the time the decision was taken and will inform any future decision making.

Legal implications

23. The council and committee, and cabinet rules within the constitution require the Leader to provide a report to Council on the work of the cabinet since the last meeting of Council and, at the first meeting to follow the annual meeting of Council (except in a year when there are ordinary elections), on the priorities of the cabinet and progress made in meeting those priorities. This report ensures these requirement are met.
24. Appointment of cabinet members and allocation of portfolio responsibilities are responsibilities of the Leader of the Council, and the constitution requires that any changes are subsequently reported to Council. This report ensures these requirement are met.
25. There are no legal implications arising from the recommendations of this report. The legal implications of any decisions of the executive listed at appendix A have been set out within the relevant decision report and taken into consideration at the time the decision was taken

Risk management

26. There are no risks arising from the recommendations of this report. The risks of any decisions of the executive listed at appendix A have been set out within the relevant decision report and taken into consideration at the time the decision was taken and will inform future decision making.

Consultees

27. None.

Appendices

- Appendix A - Executive decisions taken from 14 January 2022 to 24 February 2022.

Background papers

None