

PUBLIC QUESTIONS TO CABINET – 23 November 2023

Question 1

Jeremy Milln – Hereford

To: Councillor Swinglehurst, Cabinet member Environment

The five-storey steel tower at Jacob's Court in the Central Conservation Area, built in 2003 to a design by Angus Jamieson for Paul Tobin, is still scaffolded following concerns from the Council's Building Control of the safety of its glass panels. The ongoing charge for the scaffolding had exceeded £60k by the time Mr Willimont asked his question of Cabinet about it on 24th June 2021. Planning consent was granted over a year ago to replace the panels.

The matter is of considerable public concern, see <https://www.herefordvoice.co.uk/forums/topic/3031-jacobs-court-scaffolding/>

Companies House has no obvious record of a charge against the property company by which the expenditure may be recouped. So how much money is now owed to Herefordshire Council in respect of Jacob's Court, how will it be recovered and when will the eyesore scaffolding be removed?

Response

The scaffolding in question was erected in 2010 following concerns that the glazing installed had the potential to fail and was a potential risk through shattering and falling from a height. The scaffolding was erected to retain the glazing in position. The scaffolding has been regularly inspected and modified where required. The total cost of the scaffolding to date is circa £65,000. The council will seek to recover this cost.

Whilst retaining the scaffolding is a cost burden to the council, due to the public interest of maintaining safety, the responsibility of resolving the situation lies with the owners of the property. The Council has had recent dialogue with the owners but a solution has not yet been agreed.

Supplementary question

Thank you for your response to my question about the rising cost to the Council of its thirteen years maintaining the supporting scaffolding at Jacob's Court. It is disappointing that a building which passed planning and building control just twenty years ago should so soon have been found defective. What is the expected timescale for resolving these issues and how will the Council recover the money from the building owners.

Supplementary response

As the planning application for the replacement of the windows has now been approved, we are working with the property owner to finalise time scales for taking the development forward and for the scaffolding to be removed. The Council will seek to fully recover the costs incurred. The works were pursuant to [section 78 Building Act 1984](#) and that includes provisions that enable the recovery of reasonable costs incurred by the Local Authority.

Question 2

John Harrington – Hereford

To: Councillor Durkin, Roads and Regulatory Services

In March, the previous administration's Cabinet voted to adjust the structure of the Public Realm contract with BBLP to bring back over staff, such as asset managers, technical staff, and inspectors (what BBLP call Locality Stewards) into direct Herefordshire Council employ. This decision was driven by the belief that without our own directly employed staff, the Council couldn't effectively monitor the extraordinary all-encompassing contract given to BBLP by the Conservative administration in 2013 - a contract abdicating such a broad extent of responsibility away from a local authority to a private commercial civils contractor that I do not believe has replicated by any Council anywhere else in the country. In accordance with the direct and democratic instructions given through that decision will members shortly be presented with the new model of the contract to vote on, which was due around now?

Response

The report to Cabinet on 2 March 2023 approved adaption of the Public Realm Contact to form a Future Operating Model that would best meet Herefordshire Council's key objectives. Since that time the Future Operating Model has been developed, and it is scheduled to bring a report to Cabinet in March 2024, which will set out further details of the Future Operating Model, and seek support for its implementation to be operational from 1 April 2025.