

# Public Document Pack



**Service Director – Legal, Governance and  
Commissioning**

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Monday 14 August 2017

## Notice of Meeting

Dear Member

### **Cabinet**

The **Cabinet** will meet in the **Council Chamber - Town Hall, Huddersfield** at **4.00 pm** on **Tuesday 22 August 2017**.

This meeting will be live webcast. To access the webcast please go to the Council's website at the time of the meeting and follow the instructions on the page.

The items which will be discussed are described in the agenda and there are reports attached which give more details.

A handwritten signature in black ink, appearing to read 'Julie Muscroft', on a light-colored background.

**Julie Muscroft**

**Service Director – Legal, Governance and Commissioning**

Kirklees Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform the Chair/Clerk of their intentions prior to the meeting.

## **The Cabinet members are:-**

### **Member**

Councillor David Sheard

Councillor Shabir Pandor

Councillor Peter McBride

Councillor Naheed Mather

Councillor Musarrat Khan

Councillor Erin Hill

Councillor Viv Kendrick

Councillor Masood Ahmed

Councillor Graham Turner

Councillor Cathy Scott

### **Responsible For:**

Leader / Strategy and Strategic Resources, New Council & Regional Issues

Deputy Leader / Strategy and Strategic Resources, New Council & Regional Issues

Economy (Strategic Planning, Regeneration and Transport)

Economy (Strategic Housing, Regeneration and Enforcement)

Corporate (Place, Environment and Customer Contact Services)

Children

Adults and Public Health

Children

Corporate (Place, Environment and Customer Contact Services)

Adults and Public Health

# Agenda

## Reports or Explanatory Notes Attached

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**Pages**

**1: Membership of the Committee**

To receive apologies for absence of Members who are unable to attend this meeting.

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**2: Minutes of previous meeting**

1 - 14

To approve the Minutes of the meeting of the Committee held on 25<sup>th</sup> July 2017 and 31<sup>st</sup> July 2017.

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**3: Interests**

15 - 16

The Councillors will be asked to say if there are any items on the Agenda in which they have disclosable pecuniary interests, which would prevent them from participating in any discussion of the items or participating in any vote upon the items, or any other interests.

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**4: Admission of the Public**

Most debates take place in public. This only changes when there is a need to consider certain issues, for instance, commercially sensitive information or details concerning an individual. You will be told at this point whether there are any items on the Agenda which are to be discussed in private.

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## **5: Deputations/Petitions**

The Committee will receive any petitions and hear any deputations from members of the public. A deputation is where up to five people can attend the meeting and make a presentation on some particular issue of concern. A member of the public can also hand in a petition at the meeting but that petition should relate to something on which the body has powers and responsibilities.

In accordance with Council Procedure Rule 10 (2), Members of the Public should provide at least 24 hours' notice of presenting a deputation.

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## **6: Public Question Time**

The Committee will hear any questions from the general public.

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## **7: Member Question Time**

To consider questions from Councillors.

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## **8: Corporate Financial Monitoring Report - Quarter 1 for 2017-18**

17 - 36

A report providing the Council's 2017-18 forecast financial outturn position for General Fund Revenue, Housing Revenue Account and Capital Plan, as at Quarter 1.

Wards: All Wards

Officer: Eamonn Croston 01484 221000

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## **9: West Yorkshire +Transport Fund (WY+TF)**

37 - 42

A report for Cabinet to consider underwriting land acquisition costs until finance is subsequently secured from WY+TF and costs reimbursed.

Wards: All Wards

Officer: Keith Bloomfield 01484 221000

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## **10: Dewsbury Rail Station Gateway**

43 - 48

A report seeking approval for expenditure of £450k from the Strategic Priorities Capital Plan which will ensure delivery of the Dewsbury Rail Station Gateway scheme.

Wards: Dewsbury East  
Officer: Keith Bloomfield 01484 221000

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## **11: Air Quality Management Area Declaration and AQ Update**

49 - 156

A report seeking approval for delegated authority to the Service Director Commercial, Regulatory and Operational for changes and additions to Air Quality Management Areas.

Wards: Birstall and Birkenshaw  
Lindley  
Newsome  
Greenhead  
Colne Valley  
Liversedge and Gomersal  
Heckmondwike  
Dewsbury East  
Dewsbury West  
Ashbrow

Officer: Martin Wood 01484 221000

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## **12: Consultation about services for children and families, including people with disabilities**

157 -  
208

A report seeking approval to carry out public consultation and engagement about proposed changes to services that support children and their families.

Wards: All  
Officers: Sue Richards, Jo-Anne Sanders and Joanne Bartholomew  
01484 221000

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**13: Food Safety Development Plan 2017-2019** 209 -  
228

A report seeking approval for the Food Safety Development Plan produced in accordance with the expectations of the Food Standards Agency.

Wards: All Wards  
Officer: Nasir Dad 01484 221000

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**14: Charging for Food Hygiene Rating Score Re-visits** 229 -  
236

A report seeking approval for the introduction of charges for Food Hygiene Rating Score re-visits after national roll-out by the Food Standards Agency.

Wards: All Wards  
Officer: Nasir Dad 01484 221000

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**15: Social Work Teaching Partnership** 237 -  
242

A report outlining the Social Work Teaching Partnership which will contribute to the transformation work in Children and Adult Services.

Wards: All Wards  
Officer: Marion Gray 01484 221000

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Contact Officer: Andrea Woodside

## KIRKLEES COUNCIL

### CABINET

**Tuesday 25th July 2017**

Present: Councillor David Sheard (Chair)  
Councillor Shabir Pandor  
Councillor Peter McBride  
Councillor Naheed Mather  
Councillor Musarrat Khan  
Councillor Viv Kendrick  
Councillor Masood Ahmed  
Councillor Cathy Scott

Observers/Guests Councillor Elizabeth Smaje  
Councillor Julie Stewart-Turne

Apologies: Councillor Erin Hill  
Councillor Graham Turner

#### **274 Membership of the Committee**

Apologies for absence were received on behalf of Councillors Hill and G Turner.

#### **275 Interests**

Councillor McBride declared an 'other' interest in Agenda Item 11 on the grounds that he is a Board Member of KSDL and left the meeting during the consideration of this item.

#### **276 Admission of the Public**

It was noted that all Agenda Items would be considered in public session.

#### **277 Deputations/Petitions**

No deputations or petitions were received.

#### **278 Public Question Time**

No questions were asked.

**279 Member Question Time**

No questions were asked.

**280 Proposed remedial works for ground stabilisation at A635 Holmfirth Road, Shepley**

Cabinet received a report which sought approval to undertake remedial works to mitigate ground movements and stabilise the highway at the A635, Holmfirth Road, Shepley. The report advised that the route was a major classified road linking the M1 to the south of Kirklees, and neighbouring towns. It explained that the road, near its junction with Rowgate had been subject to ongoing ground movement over the past 65 years which had caused the highway, and a substantial retaining wall, to fail on several occasions leading to the partial; closure of the road, pending the implementation of interim remedial measures.

Cabinet noted that the proposed remedial works, which would mitigate ground movements and stabilise the highway, including its retaining structures, were based upon the outcome of extensive site investigation that had been undertaken to identify the underlying cause/s of the movement so as to devise a remedial scheme which would resolve the subsidence problem. The report explained that the current proposals included the construction of large bored reinforced concrete piles over the affected section to mitigate the ground movements and stabilise the highway and substantial retaining wall, and that the works would largely be funded through additional funding secured through a successful Challenge Fund bid. Cabinet were informed that the proposed works could be constructed whilst maintaining a single lane shuttle working to minimise disruption, and that they were anticipated to commence in September 2017, lasting a period of approximately 12 weeks.

**RESOLVED -**

That approval be given for ground stabilisation remedial works to be undertaken on the A635, Holmfirth Road, Shepley.

**281 New Inclusion and Diversity Strategy and Action Plan**

Cabinet received a report which sought approval for the Council's new Inclusion and Diversity Strategy, and Action Plan, prior to its submission to the meeting of Council on 13 September 2017. The report explained that, since the adoption of the Inclusion and Diversity Policy statement at Council during March 2016, work had been undertaken to develop a long term strategy to put in place practical measures and embed key principles as outlined in the Statement and Action Plan. Cabinet were advised that, in the first year of the four year action plan, there would be an internal focus in respect of outcomes and measures, and that once progress against outcomes had been measured, there would be a more external focus on outward-facing community related issues, which would be incorporated into the plan in years 2, 3 and 4.



The 2017-2021 Inclusion and Diversity Strategy, and Action Plan, was attached at Appendix One of the considered report.

**RESOLVED -**

That the Inclusion and Diversity Strategy and Action Plan be endorsed and submitted to the meeting of Council on 13 September 2017.

**282 Specialist Provision for Kirklees Children with Communication and Interaction Needs**

Cabinet received a report which set out details of the outcomes of the non-statutory consultation on the proposed new communication and interaction provision to be hosted by Windmill Church of England Voluntary Controlled Primary School. The report advised that, following the meeting of Cabinet on 7 March 2017, a process began to identify a host school for the proposed provision, and sought expressions of interest over a four week period, following which four applications were received. A review of the applications determined that Windmill C of E (VC) Primary School was the preferred host. Following this, Cabinet gave authorisation on 4 April 2017 for officers to develop plans for a non-statutory consultation on the proposals, and to complete the legal process to decommission the specialist provision at Ashbrow School for children with speech, language and communication needs.

Cabinet were asked to note the responses to the non-statutory consultation, as detailed within the considered report, and authorise officers carry out the next stage of the legal process to establish twelve transitional places for children with communication and interaction needs at Windmill C of E (VC) Primary School and decommission the twelve transitional places at Ashbrow School. It was noted that the outcomes of representations received during the statutory publication period would be submitted to Cabinet in September 2017, following the four week period of publication of notices during August 2017, and that subject to approval, implementation was expected to take place during October 2017.

**RESOLVED -**

- 1) That the responses to the non-statutory consultation regarding establishing a new communication and interaction provision to be hosted by Windmill Church of England Voluntary Controlled Primary School, providing twelve transitional places, be noted.
- 2) That Officers be requested to take steps to carry out the next stage of the legal process to;  
(i) establish twelve transitional places for children with communication and interaction needs at Windmill Church of England Voluntary Controlled Primary School, (ii) decommission twelve transitional places for speech, language and communication needs at Ashbrow School and (iii) report the outcomes of the representations received during the statutory publication period to Cabinet.

**283 Ad Hoc - Adult Mental Health Assessments**

(Under the provision of Council Procedure Rule 36(i) Cabinet received representations from Councillors Smaje and Stewart-Turner.)

Cabinet received a report which set out the findings of the Ad-Hoc Scrutiny Panel – Adult Mental Health Assessments. The report explained that the Panel had been established following expressions of concern in relation to waiting times between referral and assessment for mental health problems, difficulties in accessing mental health intervention prior to crisis, and prioritisation by voluntary and statutory services. The terms of reference of the Panel sought to understand the pathway for assessments in Kirklees, from the initial need for referral to assessment, and onto treatment.

The report advised that the Panel met between April 2016 and June 2017 to carry out its work, which included engaging with representatives of the South West Yorkshire Foundation Trust, Greater Huddersfield CCG, and voluntary support groups.

The findings and arising recommendations of the Panel were set out within an appendix to the considered report, alongside an action plan which detailed the completion targets of each recommendation. Cabinet were asked to note the findings, alongside the responses of health partner. It was agreed that it would be beneficial to support the report to the next meeting of Council for the information of all Members.

**RESOLVED -**

- 1) That the findings of the Ad-Hoc Scrutiny Panel (Adult Mental Health Assessments), and the response on the recommendations from partner organisations, be noted.
- 2) That the report be submitted to the meeting of Council on 13 September 2017 for information.

**284 Kirklees Stadium Development Ltd - Request for Short Term Loan Facility**

Cabinet gave consideration to a report which set out details of a request from Kirklees Stadium Development Limited (KSDL) to provide a loan facility of £200k for a period of twelve months, on commercial terms. The report explained that KSDL were requesting that the Council considered providing a loan, on full commercial terms, of £200k for a period of twelve months in order to give KSDL the ability to manage its cashflow until the next payment of funds in respect of HD One development is due to be received from the developer of the scheme. It was noted that the proposed loan would be secured as part of the Council's first ranked charge on the assets of KSDL.

Paragraph 2 of the considered report detailed the reasons for the request and the recent change in position from KSDL's bankers, explaining that offering to provide a £200k facility would provide the Council with the opportunity to earn interest on the loan at a fully commercial rate which would be substantially in excess of what the

Council could generate on a short term deposit, and that KSDL would not be disadvantaged by this as the terms would be equivalent to those by the bank. The report explained that, on balance, it was recommended that KSDL's request be approved, and that rather than providing a guarantee to the company's bank to underpin a facility of £200k, the loan should be provided direct by the Council.

**RESOLVED -**

- 1) That approval be given to the offer of a loan facility of £200 to KSDL, for the period up to 31 July 2018, at a commercial rate of interest.
- 2) That authority be delegated to the Service Director (Legal, Governance and Commissioning), in consultation with the Strategic Director (Economy and Infrastructure), to enter into a suitable loan agreement and amend existing security arrangements to incorporate the additional £200k advance, entering into all deeds and documents necessary to give effect to the amendments.

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Contact Officer: Andrea Woodside

## **KIRKLEES COUNCIL**

### **CABINET**

**Monday 31st July 2017**

Present: Councillor David Sheard (Chair)  
Councillor Shabir Pandor  
Councillor Peter McBride  
Councillor Naheed Mather  
Councillor Musarrat Khan  
Councillor Viv Kendrick  
Councillor Masood Ahmed  
Councillor Graham Turner

Apologies: Councillor Erin Hill

Observers: Councillor Martyn Bolt

#### **285 Membership of the Committee**

Apologies for absence were received on behalf of Councillor Hill.

#### **286 Minutes of previous meeting**

Approved as a correct record.

#### **287 Interests**

Councillor McBride declared an 'other' interest in Agenda Item 14 and left the meeting during the consideration of that item.

#### **288 Admission of the Public**

It was noted that all Agenda Items 16, 17 and 18 would be considered in private session.

#### **289 Deputations/Petitions**

No deputations or petitions were received.

#### **290 Public Question Time**

Cabinet received a question from Derek Hardcastle regarding the progress of the asset transfer of Kirkburton Library to Kirkburton Parish Council.

A response was provided by Councillor G Turner.

**291 Member Question Time**

Cabinet received a question from Councillor Bolt regarding the progress of the asset transfer of Mirfield Library.

A response was provided by Councillor G Turner.

**292 Property Investment Fund**

(Under the provision of Council Procedure Rule 36 (1) Cabinet received a representation from Councillor Bolt).

Cabinet received a report which set out details of a proposal to create a property Investment Fund (PIF) which would allow the Council to support major development projects which produce wider economic benefits to the Council and the wider Kirklees economy. The report explained that the proposal, which would initially allocate £25m from the Capital Plan, would enable the Council to offer loans to development projects which offered significant economic benefits to the Council, and the wider Kirklees area. Cabinet were advised that any funding offers would be made on the basis that the loan repayments made by the recipient would cover the Council's financing costs and allow for an appropriate margin on cost of funds reflecting the level of risk involved and consistent with state aid principles. The report advised that all funding offers made would be subject to appropriate due diligence and security arrangements, and that each individual loan would be subject to a further submission to Cabinet. Cabinet noted that the £25m budget would be phased as; £5m in 2017/18, £15m in 2018/19 and £5m in 2019/20.

The report indicated that a significant number of local authorities' had created similar arrangements to enable returnable investments to be made in development projects, and that the key areas of focus had mainly been; stimulating the economic strategy, promoting development to sustain and develop a robust local economy, growth in the business rate base, and allowing land and property owned by the authority to be transferred to a different ownership model to reduce revenue budget exposure. It was noted that, within Kirklees, there were a number of potential schemes which would meet the broad objectives of a PIF and would allow the Council to intervene to stimulate the local economy and increase revenue flows or reduce liabilities.

**RESOLVED -**

That approval be given to the establishment of a Property Investment Fund (PIF) with £25m of provision being made in the Capital Plan, phased as detailed in paragraph 3.5 of the considered report.

**293 Options for the future of Council operated older person Residential Care Facilities**

(Under the provision of Council Procedure Rule 36 (1) Cabinet received a representation from Councillor Bolt).

## Cabinet - 31 July 2017

Cabinet gave consideration to a report which set out options on the future of (i) dementia care residential facilities at Castle Grange, Newsome and Claremont House, Heckmondwike and (ii) intermediate care residential facilities at Ings Grove House, Mirfield and Moorlands Grange, Netherton, all of which were constructed in 2006 and are currently operated by the Council.

The report explained that, due to a reduction in the overall Council budget, it would be necessary to review how the Council delivers and pays for residential care, both immediate and long term residential. The report outlined the work that date been undertaken to date to examine potential alternative delivery models, including a consultation exercise with residents and their families. The report sought approval for authority to be delegated to officers to make the final decision as to the disposal of the care homes, in accordance with the preferred to option for each, ie, for Ings Grove House and Moorlands Grange (Intermediate Homes) to be transferred to a single provider, and for Claremont House and Castle Grange (Residential Homes) to be transferred to one or more private or third sector providers following a competitive procurement process.

A copy of the consultation questionnaire was attached at Appendix A of the report. Appendix B, which was considered in private prior to the determination of this item, set out more specific detail on the transfer of ownership of the homes to another body through a long lease arrangement.

(Cabinet gave consideration to exempt information at Agenda Item 16 (Minute No. 300 refers) prior to the determination of this item).

### **RESOLVED -**

- 1) That, in relation to Immediate Homes, (i) approval be given to the alternative provision as set out in Appendix B of the considered report (ii) the terms and timing of any further consultation be delegated to the Chief Executive (or their nominee) in consultation with Cabinet Portfolio Holders for Corporate/ Adults and Public Health (iii) upon receipt and evaluation of the terms of the proposals as set out in Appendix B, powers to agree the preferred options be delegated to the Chief Executive (or their nominee) in consultation with Cabinet Portfolio Holders for Corporate /Adults and Public Health to inform a final decision (iv) following such a decision by the Chief Executive (or their nominee) authority be delegated to the Service Director (Legal, Governance and Commissioning), to enter into and execute any agreements or instruments relating to the transfer of a business and/or disposal of assets.
  
- 2) That, in relation to Residential Homes, (i) approval be given to market the residential homes for business transfer and delegate the terms and timing of any further consultation to the Strategic Director (Adults and Health) in consultation with Cabinet Portfolio Holders for Corporate/ Adults and Public Health (ii) upon receipt and evaluation of the terms of the sale of business proposals, authority be delegated to the Strategic Director (Adults and Health) in consultation with Cabinet Portfolio Holders for Corporate/ Adults and Public Health, to agree the preferred options (iii) following such a decision by the Strategic Director (Adults and Health) authority be delegated to the Service Director (Legal, Governance and Monitoring) to enter into and

execute any agreements or instruments relating to the transfer of a business and/or disposal of assets.

**294 Freehold Asset Transfer of Birstall Community Centre and Library, Market Street, Birstall, WF17 9EN**

Cabinet received a report which set out a proposal to transfer the land and buildings which currently make up Birstall Community Centre and Library to Birstall Community Holdings Ltd (BCH) (or Charitable Incorporated Organisation) on a freehold transfer. Paragraph 2 of the considered report set out the background to the transfer which included detail relating to the submission of the business case, and proposals for the lease back of part of the asset to enable the Council to continue to provide a library service from the building. The report advised that the building was in an acceptable state of repair, though a condition survey had identified required works totalling £48,835, and that the running costs for 2016/17 had been £33,029, hence making the transfer revenue saving. It also advised that BCH had requested 15% of the average of the previous two years running costs, in line with the 2017 Community Asset Transfer Policy, which would result in a one-off revenue implication of £5,003.

**RESOLVED -**

- 1) That authorisation be given, in principle, to the freehold transfer of Birstall Community Centre and Library to Birstall Community Holdings Ltd or Charitable Incorporated Organisation (CIO) if created in sufficient time for nil consideration, to include covenants for community use with the exception of up to 30% commercial use, subject to Birstall Community Holdings Ltd providing information relating to ongoing CIO governance, details of the Management Committee and its Members, and the outcome of the second round of consultation before the legal completion of transfer.
- 2) That authorisation be given to a requirement within the transfer to lease back part of the asset for use of the Library and Information Centre for a period of five years with a three month break clause at nil rent but with an agreed service charge.
- 3) That it be required that the asset transfer contains arrangements that enable the Council to continue to use the property as an Electoral Polling Station, as this is not outlined within the 2017 Community Asset Transfer Policy.
- 4) That authority be delegated to the Service Director (Economy, Regeneration and Culture) and Service Director (Legal, Governance and Commissioning) to negotiate and agree the terms and red line boundary of both the freehold transfer of the Centre and the leaseback for the library to Birstall Community Holdings Ltd or CIO, if created within sufficient time to complete the transfer.



**295 125 Year Leasehold Asset Transfer of Honley Community Centre, Stoney Lane, Honley, HD9 6DY**

Cabinet received a report which set out a proposal to transfer the land and buildings which currently make up Honley Community Centre to Netherton Community Centre CIC (NCC) on a 125 year leasehold transfer. Paragraph 2 of the considered report set out the background to the transfer which included detail relating to the submission of the business case, and the current operation of the Centre. The report advised that the building was in an acceptable state of repair, though a condition survey had identified required works totalling £67,855 and that the running costs for 2016/17 had been £6,723, hence making the transfer revenue saving. It also advised that NCC had requested 15% of the average of the previous two years running costs, in line with the 2017 Community Asset Transfer Policy, which would result in a one-off revenue implication of £874.52.

**RESOLVED -**

- 1) That authorisation be given, in principle, for the 125 year leasehold transfer of Honley Community Centre to Netherton Community Centre Community Interest Company (CIC) for nil consideration and to include covenants for community use with the exception of up to 30% commercial use, subject to Netherton Community Centre CIC providing information relating to the CIC governance, an increase in Directors on its Board, full details of the Management Committee and their accounts for 2016/2017.
- 2) That it be required that the lease contains arrangements that enable the Council to use the property as an Electoral Polling Station, as this is not outlined in the 2017 Community Asset Transfer Policy.
- 3) That authority be delegated to the Service Director (Economy, Regeneration and Culture) and the Service Director (Legal, Governance and Commissioning) to negotiate and agree the terms of the lease (including the red line boundary of the 125 year leasehold transfer) that relate to the transfer of Honley Community Centre to Netherton Community Centre CIC.

**296 Update on the Council Financial Outturn and Rollover Report 2016-17; deferred at Council on 11 July 2017**

Cabinet received a report which set out an update on the Council's financial outturn and rollover report, following its deferral at the meeting of Council on 11 July 2017. The report explained that the discrepancies with figures previously presented had been reviewed and had been identified as mainly typographical errors, with the overall revenue and capital budget outturn positions being unaffected by the corrections. The revised figures were summarised within an appendix to the considered report. It was noted that the revisions would be submitted to the next meeting of Council on 13 September 2017.

**RESOLVED -**

That the corrections as set out within the report be noted and that the report be submitted to the meeting of Council on 11 September 2017.

**297 Investment in Transformation Update**

Cabinet gave consideration to a report which provided an update on the Council's transformation programme, specifically on the scope of work that had been agreed with Deloitte for the 2017/2018 financial year, and sought approval for funding from the New Council Development Reserve to support it. The report advised that the Chief Executive, as Chair of the Transformation Portfolio Board, had given approval for funds to be drawn down to support the activity to date, in accordance with the delegation agreement and explained subsequent changes to the governance arrangements to the New Council Programme.

The report explained Deloitte's role in supporting the Council to identify savings and implement the changes needed, and advised that an agreement had been reached that priority support would be focussed upon Adult Social Care, All Age Disability, Children's Services Improvement and Transformation, Procurement and Sufficiency and Planning.

It was noted that Cabinet would receive regular reports, as part of the quarterly revenue monitoring report cycle, on the use of the New Council Developments Reserve and the overall programme of work for New Council.

(Cabinet gave consideration to exempt information at Agenda Item 17 (Minute No. 301 refers) prior to the determination of this item).

**RESOLVED -**

- 1) That it be noted that the Chief Executive, in her capacity as Chair of the Transformation Board, has given approval for funds to be drawn down from the New Council Development Reserve to support this activity to date, in accordance with the delegation agreed by Cabinet for this reserve in July and August 2015.
- 2) That the New Council Development Reserve be utilised to support the next phase of the Council's transformation programme in line with the proposals set out in the considered report.
- 3) That it be agreed that overall budget responsibility for the New Council Development Reserve be delegated to the Chair of the Redesign Board.

**298 John Smith's Stadium Site, Huddersfield - request to restructure existing Lease Agreements**

Cabinet received a report which set out a request from Kirklees Stadium Development Ltd to restructure existing lease arrangements in respect of John Smith's Stadium site to facilitate the HD One development. The report advised that, as part of the preparation work for the development, KSDL had requested that the Council restructures the existing leases in order to provide three new leases to cover the discrete areas of the site as planned as part of the development, and that the new leases be for a period of 250 years to meet funder expectations. The report advised that the progression of proposals for HD One were now at a stage whereby

## **Cabinet - 31 July 2017**

potential funders required an extended term for the leases that KSDL was able to provide to them, and that a term of 250 years would allow optimal funding terms to be secured. An appendix to the considered report illustrated the three site areas requested for the 250 year lease arrangement.

(Cabinet gave consideration to exempt information at Agenda Item 17 (Minute No. 302 refers) prior to the determination of this item).

### **RESOLVED -**

- 1) That the proposal from KSDL to restructure the existing property leases at the Stadium site and dispose of the additional Council land as set out at paragraph 2.5 of the considered report be accepted.
- 2) That the Strategic Director (Economy and Infrastructure) and Service Director (Legal, Governance and Monitoring) be authorised to negotiate and agree the terms of the new lease restructure.
- 3) That the Service Director (Legal, Governance and Commissioning) be authorised to enter into and complete all documentation necessary to implement the requested lease structure.

### **299 Exclusion of the Public**

### **300 Options for the future of Council operated older person Residential Care Facilities**

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It was considered that it would not be in the public interest to disclose the information contained in the report as disclosure could potentially adversely affect overall value for money and could compromise the commercial confidentiality of the bidding organisations and may disclose the contractual terms, which is considered to outweigh the public interest in disclosing information including greater accountability, transparency in spending public money and openness in Council decision making.)

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 9 (Minute No. 293 refers).

### **RESOLVED -**

Cabinet received exempt information prior to the determination of Agenda Item No. 9.

### **301 Investment in Transformation Update**

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation)

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Order 2006, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It was considered that the public interest in maintaining the exemption, which would protect the interests of the Council and third party organisations concerned, outweighed the public interest in disclosing the information and providing greater openness in the Council's decision making.)

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 13 (Minute No. 297 refers).

### **RESOLVED -**

Cabinet received exempt information prior to the determination of Agenda Item No. 13.

## **302 John Smith's Stadium Site, Huddersfield Request to restructure existing lease arrangements**

(Exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information). It was considered that it would not be in the public interest to disclose the information as disclosure could adversely affect overall value for money and compromise the confidentiality of the bidders and the Council. The public interest in maintaining the exemption outweighed the public interest in disclosure of information in terms of accountability, transparency in spending public money and openness in Council decision making.)

Cabinet gave consideration to the exempt information prior to the determination of Agenda Item 14 (Minute No. 298 refers).

### **RESOLVED -**

Cabinet received exempt information prior to the determination of Agenda Item No. 14.

<b>KIRKLEES COUNCIL</b>			
<b>COUNCIL/CABINET/COMMITTEE MEETINGS ETC</b>			
<b>DECLARATION OF INTERESTS</b>			
<b>Name of Councillor</b>			
<b>Item in which you have an interest</b>	<b>Type of interest (eg a disclosable pecuniary interest or an "Other Interest")</b>	<b>Does the nature of the interest require you to withdraw from the meeting while the item in which you have an interest is under consideration? [Y/N]</b>	<b>Brief description of your interest</b>

Signed: ..... Dated: .....

## NOTES

### Disclosable Pecuniary Interests

If you have any of the following pecuniary interests, they are your disclosable pecuniary interests under the new national rules. Any reference to spouse or civil partner includes any person with whom you are living as husband or wife, or as if they were your civil partner.

Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner, undertakes.

Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority -

- under which goods or services are to be provided or works are to be executed; and
- which has not been fully discharged.

Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.

Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.

Any tenancy where (to your knowledge) - the landlord is your council or authority; and the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.

Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -

- (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
- (b) either -

the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.



**Name of meeting:** Cabinet  
**Date:** 22 August 2017  
**Title of report:** Corporate Financial Monitoring Report, Quarter 1, 2017-18

### Purpose of the Report

To receive information on financial monitoring on general fund revenue, Housing Revenue Account (HRA) and Capital Plan, as at Quarter 1 (month 3), 2017-18.

Key decision – is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Key decision - is it in the <a href="#">Council's Forward Plan (key decisions and private reports)</a> ?	Key decision - Yes
The Decision - Is it eligible for “call in” by <a href="#">Scrutiny</a> ?	No
Date signed off by Strategic Director & name	Jacqui Gedman – 10.08.17
Is it also signed off by the Service Director for Finance, IT & Transactional Services ?	Debbie Hogg – 10.08.17
Is it also signed off by the Service Director – Legal, Governance & Commissioning ?	Julie Muscroft – 11.08.17
Cabinet member portfolio - Corporate	Cllr Graham Turner Cllr Musarrat Khan

**Electoral wards affected: All**  
**Ward councillors consulted: None**

**Public or private: Public**

### 1. Summary

- 1.1 The Council's General Fund controllable (net) revenue budget for 2017-18 was set at **£294.7m**. The budget includes planned (net) revenue savings of £54m in 2017-18.
- 1.2 A further £8.3m 'temporary resources' has been added to this budget in-year, reflecting planned drawdown from “one-off” earmarked reserves to fund a number of “one-off” deferred expenditure commitments/other developments. This results in a revised budget of **£302.9m** at Quarter 1.

- 1.3 The temporary resources of £8.3m included in the revised budget reflects planned drawdown from Council earmarked reserves in-year to fund a range of deferred expenditure commitments and developments. This includes £3m from grants reserve, £2.1m from schools reserve, £2.4m from the revenue rollover reserve (previous year approvals), and £0.8m from the Transformation reserve
- 1.4 There is a forecast overspend of £5.8m against the £302.9m revised budget at Quarter 1; equivalent to 1.9% variance against revised budget. The forecast overspend indicates the extent to which the Council is likely to achieve its planned (net) savings target of £54m in 2017-18.
- 1.5 Quarter 1 monitoring indicates that the Council is on track to deliver £49m (net) savings in-year against its £54m savings target; equivalent to 90% achievement. The £5.8m forecast overspend represents the shortfall against target savings in-year. The forecast revenue outturn as at Quarter 1 is summarised in Table 1 below.

**Table 1 - Overview of 2017-18 general fund forecast revenue outturn position at Quarter 1**

Strategic Director Portfolios	Year to date			Annual forecast		
	Budget to date	Actuals to date	Variance	Revised Budget	Forecast	Variance
	£000	£000	£000	£000	£000	£000
Children & Families	19,646	19,698	52	68,147	72,004	3,857
Adults & Health	9,533	7,952	(1,581)	109,950	112,157	2,207
Economy & Infrastructure	33,814	31,691	(2,123)	86,847	86,480	(367)
Central Budgets	3,000	3,180	180	37,996	38,077	81
<b>Grand Total</b>	<b>65,993</b>	<b>62,521</b>	<b>(3,472)</b>	<b>302,940</b>	<b>308,718</b>	<b>5,778</b>

- 1.6 The forecast £5.8m overspend at Quarter 1 2017-18, in part reflects timing issues on the delivery of key service transformation, including £849k relating to Early Intervention and Targeted Support. There is also acknowledged to be some volatility with current forecasts in particular with regard to Children's Services, which includes a current net overspend on agency costs at £2.5m, and pressures on external placements at £652k.
- 1.7 Elsewhere, planned savings with regard to Supporting People at £1.6m, Schools Transport at £1.3m and Older People's residential strategy at £469k are currently under review both in terms of their deliverability, and timing. The reported overspends are mitigated in part by underspends in other service areas, including Waste Services at £335k and Welfare & Exchequer services at £572k.
- 1.8 Proposals for the use of new monies for Adult Social Care, announced by the Chancellor as part of the Spring Budget 2017, were considered at Council on 11 July 2017. The new monies are a non-recurrent and reducing 3 year grant, and members approved a prudent approach in light of this, to bring forward further



proposals for the use of in-year additional monies totalling £8.3m, as part of the forthcoming 2018-22 budget strategy update. Pending this update, Quarter 1 monitoring makes no specific forecast assumptions with regard to the in-year funding or any associated spend.

- 1.9 Following the recent Council Senior Management restructure, approved revenue budgets have been re-aligned accordingly. While the budget alignment is largely complete, work is ongoing to conclude this exercise, and any further changes will be reflected accordingly as part of the monthly financial monitoring reports to Executive Team and portfolio holders, and through Quarterly reporting to Cabinet.
- 1.10 General fund reserves are forecast to reduce in-year by £25.2m, from £90.1m to £64.9m. The forecast reduction includes the £8.3m earmarked reserves drawdown referred to at paras 1.2 - 1.3 above, plus £11.1m set aside as part of annual budget approval at budget Council in February 2017 to help deliver an overall balanced budget in 2017-18. The forecast Quarter 1 overspend of £5.8m would also have to be offset against available reserves at year end.
- 1.11 Of the remaining £64.9m general fund reserves at year end, earmarked reserves commitments total £25.6m, and statutory schools reserves total £9.8m (cannot be re-directed for non-school uses).
- 1.12 If the forecast £5.8m overspend is not eradicated by year end, it will need offsetting against available reserves, which would then reduce available 'financial resilience' reserves to £24.5m to mitigate against future budget and other unfunded risks; equivalent of just over 8% of the annual controllable (net) revenue budget. This figure is net of an assumed £5m minimum balances requirement.
- 1.13 The Collection Fund accounts separately for council tax and business rates income and payments. Council tax is projecting an in-year surplus of £700k; mainly due to improved performance in income collection. Business rates is projecting an in-year surplus of £1.1m; largely reflects a review of bad debt provision requirements for backdated appeals outstanding relating to the 2010 rates valuation.
- 1.14 The Council's Housing Revenue Account (HRA) accounts for all Council housing related revenue expenditure and income in a separate statutory (ring-fenced) account. The forecast revenue outturn is a small surplus of £159k against an annual turnover of £93.3m in 2017-18; equivalent to just 0.2%. Estimated HRA reserves at 31 March 2018, net of set aside for business risks and a minimum working balance, is £49.7m.
- 1.15 The Council's revised capital budget for 2017-18 is **£109.8m**. The revised capital budget reflects proposals set out in the 2016-17 financial outturn and rollover report for the allocation of 2016-17 capital rollover to current 2017-18 approved budgets, and the re-profiling of the existing approved plan over the 2017-22 period.
- 1.16 The forecast capital outturn at Quarter 1 is £80.8m, resulting in an underspend of £29.0m; equivalent to 26.4%. This is summarised in Table 2 below.

**Table 2 – forecast Capital Outturn 2017-18 at Quarter 1**

<b>By Category</b>	<b>Revised Budget</b>	<b>Actuals to date</b>	<b>Annual forecast</b>	<b>Variance</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
Strategic Priorities	33,343	1,442	14,992	(18,351)
Baseline	53,813	5,358	45,740	(8,073)
Risks & Pressures	2,595	0	0	(2,595)
<b>General Fund</b>	<b>89,751</b>	<b>6,800</b>	<b>60,732</b>	<b>(29,019)</b>
Housing Revenue Account	20,022	491	20,022	0
<b>Total</b>	<b>109,773</b>	<b>7,291</b>	<b>80,754</b>	<b>(29,019)</b>

1.17 The projected underspend reflects in part, the timing in delivery of a number of strategic priority capital schemes, including £8.3m relating the HD-One development planned for John Smith’s stadium, now due on site in Spring 2018. As well, the revolving credit facility to Kirklees College of £6m is no longer required.

## **2. Information required to take a decision**

2.1 The Appendices accompanying this report provide a more detailed breakdown of the Quarter 1 financial monitoring position, as follows :

- i) Appendix 1 sets out by service area, the forecast general fund revenue outturn position in 2017-18;
- ii) Appendix 2 summarises the forecast general fund reserves movements in-year, and the summary financial performance of the Collection Fund, including Collection Fund surpluses/deficits rolled forward from previous years;
- iii) Appendix 3 summarises the forecast HRA financial position including movements in HRA reserves in-year;
- iv) Appendix 4 highlights the more significant general fund and HRA forecast variances across service areas; and
- v) Appendix 5 sets out in more detail, reasons for the more significant forecast capital variances across strategic priority and baseline capital schemes.

## **3. Implications for the Council**

3.1 The report provides summary information on current and forecast financial performance against annual Council revenue and capital budgets, as at Quarter 1, 2017-18. These budgets support the overall delivery of the following Council objectives and Priorities within available resources:

- i) Early Intervention and Prevention (EIP)
- ii) Economic Resilience (ER)

- iii) Improving Outcomes for Children
- iv) Reducing demand of services

### **Financial, Legal & Other Implications**

- 3.2 The Council continues to face significant financial challenges and must ensure it can achieve a sustainable balanced budget over the medium term and beyond.
- 3.3 Current approved budget plans include a planned (net) saving requirement of £54m in 2017-18. Quarter 1 monitoring forecasts indicate the delivery in-year of £49m (net) savings compared to planned savings; equivalent to 90% against target savings.
- 3.4 The forecast £5.8m overspend at Quarter 1 reflects in part a number of planned savings targets whose deliverability is currently under review (see also, paras 1.6 to 1.7 earlier). It is expected that a review of current savings deliverability and alternative options will be incorporated into the forthcoming 2018-22 budget strategy update.
- 3.5 The Council is working closely with its Transformation Business Partner to ensure robust financial governance, programme management, monitoring and review across a range of key Transformation and Service level change activity across the Council.
- 3.6 This includes the identification of opportunities for 'new' savings (including the potential to stretch existing savings targets). Future proposals are anticipated will be incorporated into the 2018-22 budget strategy update.
- 3.7 Overall, the general fund revenue Quarter 1 monitoring forecast suggests good progress is being made 'in-year' to manage spend within available budgets. However, current approved budget plans include further target savings of £28.2m in 2018-19, which means that the Council needs to ensure that any underlying in-year pressures potentially rolling forward into 2018-19 will require corrective action in the current year , or early consideration alternative proposals.
- 3.8 The financial resilience reserves forecast at £24.5m at year end (net of an assumed £5m minimum balances requirement), is directly impacted on by the Council's in-year overspend position. The purpose of this reserve is to mitigate against budget and other unfunded risks included in the corporate risk register. Because it is "one-off" in nature, it is short-term funding only and is not a sustainable resource available to offset ongoing budget pressures.
- 3.9 The overall Collection Fund financial performance reflected at Quarter 1, if sustainable, suggests increased resource potential in future years beyond current budgetary assumptions, and this will be considered as part of the 2018-22 budget strategy update. There remains some volatility in particular with regard to business rates appeals still outstanding.
- 3.10 The capital monitoring forecast includes timing issues in particular with regard to strategic priority capital schemes. Council treasury management financing cost requirements (new borrowing) already factor in assumed slippage in borrowing requirement of £14.9m in 2017-18 against the approved capital plan.

- 3.11 The impact of the forecast underspend is marginal on current year treasury management revenue budgets, and similarly marginal on the affordability prudential indicator (annual debt costs as a proportion of net revenue income stream), which is currently just over 8%.

#### **4. Consultees and their opinions**

This report has been prepared by the Service Director, Finance, IT and Transactional Services, in consultation with the Executive Team.

#### **5. Next Steps**

To present this report to Cabinet as part of the Quarterly financial monitoring reporting cycle.

#### **6. Cabinet portfolio holders recommendations**

The portfolio holders note the good progress being made in managing the in-year savings programme although recognising the continuing underlying financial challenges facing the Council.

#### **7. Officer recommendations and reasons**

Having read this report and the accompanying Appendices, Cabinet are asked to:

- 7.1 note the Quarter 1 forecast £5.8m revenue monitoring overspend;
- 7.2 note the forecast reduction in general fund reserves in-year at £25.2m and year end position at £64.9m;
- 7.3 note the favourable in-year financial performance on the Collection Fund;
- 7.4 note the Quarter 1 forecast HRA surplus at £159k and forecast reserves position at year end at £49.7m;
- 7.5 consider further officer proposals to bring the forecast £5.8m overspend in line with budgets by year end;
- 7.6 note proposals to incorporate key intelligence from Quarter 1 monitoring, as appropriate, into the forthcoming 2018-22 budget strategy update; and
- 7.7 note the financial strategy approved at Council approval on 11 July, with regard to Adult Social care new monies, and that further proposals for the use of new monies for Adult Social Care will be brought back to Cabinet and Council as part of the forthcoming budget strategy update report in September/early October.

#### **8. Contact Officer**

Eamonn Croston, Head of Finance & Accountancy

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James Buttery Finance Manager

[james.buttery@kirklees.gov.uk](mailto:james.buttery@kirklees.gov.uk)

**9. Background papers and History of Decisions**

Annual budget report 2017-21

Annual outturn and rollover report 2016-17

Proposals for the use of new monies for Adult Social Care report

**10. Service Director responsible**

Debbie Hogg, Chief Financial Officer (&Service Director, Finance, IT & Transactional Services) ; [debbie.hogg@kirklees.gov.uk](mailto:debbie.hogg@kirklees.gov.uk)

## Appendix 1

### Corporate Revenue Budget Monitoring 2017/18 – Month 3

Strategic Director portfolio responsibilities	Year To Date			Annual				
	Control lable Budget (Net)	Actuals	Variance	Controllable Budget (Net)	Planned use of reserves	Revised Budget	Forecast	Variance
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Child Protection & Family Support	12,704	13,147	443	48,852	719	49,571	52,758	3,187
Learning & Early Support & Schools	6,942	6,551	(391)	16,090	2,486	18,576	19,246	670
<b>Sub Total (Children &amp; families)</b>	<b>19,646</b>	<b>19,698</b>	<b>52</b>	<b>64,942</b>	<b>3,205</b>	<b>68,147</b>	<b>72,004</b>	<b>3,857</b>
Adults Social Care Operations	4,071	3,330	(741)	85,043	382	85,425	85,747	322
Policy, Intelligence & Public Health	(496)	(1,835)	(1,339)	1,955	89	2,044	2,235	191
Quality, Assurance, Standards & Safeguarding	394	365	(29)	2,260	67	2,327	2,297	(30)
Service Integration	5,564	6,092	528	19,892	262	20,154	21,878	1,724
<b>Sub Total (Adults &amp; Health)</b>	<b>9,533</b>	<b>7,952</b>	<b>(1,581)</b>	<b>109,150</b>	<b>800</b>	<b>109,950</b>	<b>112,157</b>	<b>2,207</b>
Economy, Regeneration & Culture	2,341	1,738	(603)	11,233	1,887	13,120	12,517	(603)
Commercial, Regulatory & Operational Services	4,517	4,064	(453)	33,138	103	33,241	34,525	1284
Finance & Transactional Services	21,900	21,201	(699)	22,796	633	23,429	22,814	(615)
Governance & Commissioning	567	680	113	1,960	0	1,960	2,073	113
Office of the Chief Executive	4,489	4,008	(481)	13,472	1625	15,097	14,551	(546)
<b>Sub-Total (Economy &amp; Infrastructure)</b>	<b>33,814</b>	<b>31,691</b>	<b>(2,123)</b>	<b>82,599</b>	<b>4,248</b>	<b>86,847</b>	<b>86,480</b>	<b>(367)</b>
Central Budgets	3,000	3,180	180	37,996	0	37,996	38,077	81
<b>General Fund Total</b>	<b>65,993</b>	<b>62,521</b>	<b>(3,472)</b>	<b>294,687</b>	<b>8,253</b>	<b>302,940</b>	<b>308,718</b>	<b>5,778</b>

## Appendix 2

### GENERAL FUND EARMARKED RESERVES

	As at 1st April 2017	Reserves supporting 2017-18 MTFP	Planned drawdown in-year	Unplanned use of Reserves (forecast overspend)	Forecast Reserves Position as at 31st March 2018
	£'000	£'000	£'000	£'000	£'000
Statutory (School Reserves)	(11,852)		2,090		(9,762)
Earmarked (Other)	(39,494)	7,700	6,163		(25,631)
<b>Financial Resilience Reserves</b>					
Risk	(28,046)	-		5,778	(22,268)
General Balances	(10,718)	3,485			(7,233)
<b>Sub-Total</b>	<b>(38,764)</b>	<b>3,485</b>	<b>-</b>	<b>5,778</b>	<b>(29,501)*</b>
<b>Grand Total</b>	<b>(90,110)</b>	<b>11,185</b>	<b>8,253</b>	<b>5,778</b>	<b>(64,894)</b>

*\*includes minimum balances requirement of £5m*

### Collection Fund Forecast (Council Share)

	Council Tax £'000	Business Rates £'000
<b>(Surplus)/Deficit as at 1st April 2017</b>	<b>(3,000)</b>	<b>1,300</b>
Re-payments to/(from) General fund in 17-18	2,000	(1,900)
In Year financial performance	(700)	(1,100)
<b>(Surplus)/Deficit at 31st March 2018</b>	<b>(1,700)</b>	<b>(1,700)</b>

## HOUSING REVENUE ACCOUNT 2017/18 – MONTH 3

	Year to Date			Annual		
	Controllable Budget (Net)	Actuals	Variance	Revised Budget	Forecast	Variance
	£'000	£'000	£'000	£'000	£'000	£'000
Repairs & Maintenance	7,463	7,404	(59)	22,384	22,360	(24)
Housing Management	11,389	12,290	901	35,104	34,925	(179)
Other Expenditure	466	22	(444)	27,470	27,477	7
<b>Total Expenditure</b>	<b>19,318</b>	<b>19,716</b>	<b>398</b>	<b>84,958</b>	<b>84,762</b>	<b>(196)</b>
<b>Rent &amp; Other Income</b>	<b>(21,844)</b>	<b>(19,935)</b>	<b>1,909</b>	<b>(93,351)</b>	<b>(93,314)</b>	<b>37</b>
Revenue Contribution to Capital Funding	0	0	0	5,395	5,395	0
Planned transfer to HRA Reserves	-	-	-	2,998	2,998	0
<b>Total</b>	<b>(2,526)</b>	<b>(219)</b>	<b>2,307</b>	<b>0</b>	<b>(159)</b>	<b>(159)</b>

## HRA RESERVES

	Balance at 1 April 2017	Approved Movement in Reserves (Inc. future years commitments)	Balance at 31 March 2018
	£'000	£'000	£'000
Opening Balance 1 April			
Planned transfer from HRA		(2,998)	(2,998)
Forecast in Year Surplus/Deficit	(52,013)	(160)	(52,173)
Set aside for business risks		4,000	4,000
Working balance		1,500	1,500
<b>Total</b>	<b>(52,013)</b>	<b>2,342</b>	<b>(49,671)</b>



## Key Highlights – Child Protection &amp; Family Support

Activity Level	Progress Against Planned Savings	T/SLC*	Revised Budget £'000	Variance to Date £'000	Variance for the year £'000	Comments
Fostering Service(including Recruitment)	Increase of fostering placements	T	6,306	(351)	344	Pressure on volume led External Fostering placements.
External Residential Placements	Super foster carers / review high cost placements	T	5,989	(61)	652	Pressure on volume led External Residential placements.
Various	Further service pressures	SLC	18,289	800	2,045	Overspending on Agency amounting to £3.383m, offset in part by substantive vacancies at £646k, and other underspends including Leaving Care Accommodation at £427k and Adoption Allowances at £218k
Various	Business support	SLC	2,184	104	345	Pressure due to unachievable business support efficiency savings due to increase in overall service establishment and delays in implementing new social care system
Various	Skill mix (reduction in non-qualified staff)	SLC	262	(68)	(262)	Additional savings achieved relating to posts transferred over to Early Help.

\*

T=Transformation  
SLC=Service Level

Activity Level	Progress Against Planned Savings	T/SLC	Revised Budget £'000	Variance to Date £'000	Variance for the year £'000	Comments
Early Intervention & Targetted Support	Service redesign	T	5,532	(98)	849	Estimated slippage on savings based on a model that assumes completion of the review by the end of July, with new staffing structure in place by the end of October 2017.

## Key Highlights – Adults Social Care Operation

## Appendix 4 (continued)

Activity Level	Progress Against Planned Savings	T/SLC	Revised Budget £'000	Variance to Date £'000	Variance for the year £'000	Comments
In-House residential services: Older People residential strategy	Partners to deliver Integrated Health/Social Care to those with specialist needs , including exploring new delivery models	T	(469)	469	469	Delayed implementation of residential strategy.
Self-Directed Support	Reduction in direct payments / independent sector home care	T	20,806	1,013	(470)	Forecast volumes on Independent Sector Home Care and Direct Payments below budgeted
Independent Sector Residential & Nursing	Reduction of older placements / adults future pressures (demographics)	T	15,681	1,403	452	Unit costs for Older People placements exceeding budgeted levels.
Independent Sector Residential & Nursing	Reduction in Placements	T	17,163	(268)	(249)	Forecast placement numbers slightly below budgeted.
Independent Sector Residential & Nursing	Reduction in high cost physical disability placements	SLC	3,293	(327)	(346)	Forecast Savings in excess of budgeted
Activity Level	Other Significant Variances		Revised Budget £'000	Variance to Date £'000	Variance for the year £'000	Comments
Other demand led	In-House Residential - Older People		3,218	(115)	268	Overspend mainly agency staff to cover

## Key Highlights – Policy, Intelligence & Public Health

## Appendix 4 (continued)

Activity Level	Progress Against Planned Savings	T/SLC	Revised Budget £'000	Variance to Date £'000	Variance for the year £'000	Comments
Public Health	Management & Regulatory savings	SLC	(449)	0	449	Budget savings still to be identified

## Key Highlights – Service Integration

Activity Level	Progress Against Planned Savings	T/SLC	Revised Budget £'000	Variance to Date £'000	Variance for the year £'000	Comments
Supporting People	Service redesign	T	4,130	963	1,590	Work stream in progress – overspend due to timing delays/slippage. Expected to reach required level for following year.
Early Years Special Educational Needs Support	Service redesign	T	(3)	126	553	Delayed implementation of Service redesign.
Children with a Disability	Service redesign	T	2	333	333	Savings opportunities have been identified and are in progress. Full saving unlikely to be achieved in 2017/18.
Community Liaison (Including Grants)	Service redesign	SLC	176	(374)	1,213	Will form part of Community Plus model. Funded by utilisation of service re-design investment budget (see below).
Community Liaison (Including Grants)	Adults Early Intervention & Prevention add back	SLC	2,328	(580)	(2,328)	Will fund the Community Plus model. Partly utilised by community liaison including grants (see above).
Activity Level	Other Significant Variances		Revised Budget £'000	Variance to Date £'000	Variance for the year £'000	Comments
Children with a Disability	Direct Payments & Agency Home Care		1,167	(11)	341	A combination of volume and cost pressures.

Activity Level	Progress Against Planned Savings	T/SLC	Revised Budget £'000	Variance to Date £'000	Variance for the year £'000	Comments
Schools Transport	Combined Authority working	T	1,825	135	1,301	A robust operational framework and a statutory duty only provision position policy will allow the Service to assess actual volume and reduce the level of service being offered on a discretionary basis. Transport options will be written onto the policy. Promoting independence will be at the heart of the transport offer for all appropriate children.
Seasonal Weather	New methods of working	SLC	1,192	25	600	Delayed implementation of service changes for the delivery of seasonal weather service saving. Accelerated savings within Commercial Regulatory & Operational Services to offset this delay.
Activity Level	Other Significant Variances		Revised Budget £'000	Variance to Date £'000	Variance for the year £'000	Comments
Waste Services			18,085	(335)	(335)	Reflects current performance linked to forward facing initiatives around future of waste disposal

Activity Level	Other Significant Variances	Revised Budget £'000	Variance to Date £'000	Variance for the year £'000	Comments
Welfare & Exchequer		7,991	(655)	(572)	£182k relates to welfare and complimentary benefits (vacant posts) and better off Project. £343k relates to Benefit Payments over-recovery.

Activity Level	Revised Budget £'000	Variance £'000	Comments
HD-One (KSDL)	8,750	(8,250)	The HD One Development planned for the John Smith's Stadium site is not due on site until spring 2018. The Council is providing a secured loan facility to Kirklees Stadium Development Ltd (KSDL) which would allow KSDL to take a majority equity stake in the complex.
Kirklees College Loan	6,000	(6,000)	This has recently been repaid in full and no further utilisation of the revolving credit facility anticipated.
European Grant Funding	1,750	(1,750)	This budget was created to provide match funding for opportunities to access funding from European Structural Funds. Given the outcome of the June 2016 referendum there is now a high level of uncertainty around the availability and timing of any funding available and therefore no expenditure is planned for 2017/18.
Learning & Support (New Pupil Places)	11,921	(980)	The build for the New North primary school will not start until 2018/19 due to complex site issues. Any underspend in funding on Strategic Priorities will be required to rollover to 2018/19 to enable the rolling programme on schools to be delivered as part of the Schools Investment Needs Strategy.
<b>Strategic Priorities Total</b>	<b>28,421</b>	<b>(16,980)</b>	

Activity Level	Revised Budget £'000	Variance for the year £'000	Comments
<b>Learning &amp; Early Support</b>			
Basic Need	1,742	(1,024)	Any underspend in funding on the Basic Need 17/18 programme will be required to fund the rolling programme of Basic Need future pressures, including new Social, Emotional & Mental Health (SEMHD) place needs.
One-Off Initiatives	2,322	(1,387)	Mainly due to underspend on Section 106 contributions (£941k). Some contributions not received from developers. Majority of funds remain unallocated either whilst discussions occur to identify schools to benefit or funds held pending emergence of new Investment Needs Strategy.
<b>Learning &amp; Early Support Total</b>	<b>4,064</b>	<b>(2,411)</b>	

Activity Level	Revised Budget £'000	Variance for the year £'000	Comments
<b>Economy &amp; Regeneration</b>			
Housing Private Sector	5,521	(2,135)	Includes Section 106 budget of £969k not currently projected to spend but looking into possible schemes that could be funded from this pot. Demolition of property at Wakefield Road, Moldgreen of £169k which is not projected to spend this year due to needing to raise a Compulsory Purchase Order on one of the properties. Also, capital allowances budget not planned to spend this year but to be used for Large Housing Sites Scheme £994k.
Economic Resilience	3,084	(1,345)	There are currently no plans against the budgeted underspend, however, a report will be taken to Cabinet later in the year to agree on schemes to be developed.
<b>Economy &amp; Regeneration Total</b>	<b>8,605</b>	<b>(3,480)</b>	



## Key Highlights – Capital Plan Risks & Pressures

## Appendix 5 - continued

Activity Level	Revised Budget £'000	Variance for the year £'000	Comments
Risks & Pressures	2,500	(2,500)	No commitment against these resources for the financial year.

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**Name of meeting**                      **Cabinet**  
**Date**                                        **22 August 2017**  
**Title of report**                         **West Yorkshire +Transport Fund (WY+TF)**  
     **Land Acquisition Fund**

**Purpose of report**

Cabinet to consider underwriting land acquisition costs until finance is subsequently secured from WY+TF and costs reimbursed. It is suggested that the Council establishes a rolling 'WY+TF Land Acquisition Fund'

<b>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</b>	Yes  All Wards Land Acquisition Costs may exceed £250k
<b>Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a></b>	Yes  July 24 2017
<b>The Decision - Is it eligible for call in by Scrutiny?</b>	Yes
<b>Date signed off by Strategic Director &amp; name</b>	Naz Parkar - 10.08.17
<b>Is it also signed off by the Service Director - Finance, IT, and Transactional?</b>	Debbie Hogg - 02.08.17
<b>Is it also signed off by the Service Director - Legal, Governance and Commissioning?</b>	Julie Muscroft - 09.08.17
<b>Cabinet member Economy</b>	Cllr Peter McBride Economy - Strategic Planning Regeneration and Transport  Cllr Naheed Mather Economy - Strategic Housing, Regeneration and Enforcement

**Electoral wards affected: All**

**Ward councillors consulted: None**

**Public or private:** Public Report

**1. Summary**

1.1 Cabinet to consider underwriting land acquisition costs until finance is subsequently secured from WY+TF and costs reimbursed.

**2. Information required to take a decision**

2.1 A report 'West Yorkshire + Transport Fund (WY+TF) - Scheme Principles' was submitted to Cabinet on the 9th February 2016 requesting Cabinet to consider a number of forthcoming sensitive issues which are likely to arise from the development of the Kirklees WY+TF schemes. One of the issues and areas of

sensitivity raised was the need to acquire third party land to enable scheme delivery.

- 2.2 The Cabinet report set out that the application of these issues on Kirklees WY+TF schemes which are mainly highway improvement schemes, will be included in future individual project reports as they are developed and presented to Cabinet for consideration/approval.
- 2.3 Projects and Programmes being delivered under the management of the West Yorkshire Combined Authority for the WY+TF, have to progress through five activity stages prior to achieving final scheme approval:
  - a. Expression of Interest
  - b. Case Paper
  - c. Outline Business Case
  - d. Full Business Case
  - e. Finalise Costs/Approval to Construct.

When the WY+TF was initially established, the Combined Authority determined that funds to acquire land would only be released for schemes after Full Business Case approval was achieved.

- 2.4 However this condition has now been relaxed and as such, we can now seek funding for the acquisition of land at the Outline Business Case stage which allows officers to commence negotiations with the land owners to try and secure the land, at an earlier stage which could be beneficial.
- 2.5 Whilst the Council will endeavour to purchase land in line with the available funding, there may be a need to secure land at short notice, for example where land or property comes onto the market and it would be in the Council's interest to acquire at that time. Such a situation could mean that acquisitions are undertaken potentially at the Council's risk.
- 2.6 As funding for acquiring land is deferred and based on costs incurred, the ability to draw down the funding from WY+TF will be given via a Funding Agreement which can only be claimed upon completion of the purchase.
- 2.7 This means that each project promotor (i.e. the local Authority) will have to put mechanisms in place to underwrite land acquisition costs themselves in the short term.
- 2.8 To enable the Council to underwrite land acquisition costs until approval for reimbursement is secured from WY+TF; it is suggested that the Council establishes a rolling 'WY+TF Land Acquisition Fund' within the Strategic Regeneration Capital budget with an initial allocation of £0.85m. The initial scheme in Kirklees where land acquisition will be required is the A629 Halifax Road (Phase 5) scheme, but other schemes will follow over time.
- 2.9 Under Kirklees Council's existing terms of Delegation, the Service Director - Economy, Regeneration and Culture has authority to negotiate to acquire land and property to the value of £250,000 or less; however, if the acquisition is for highway purposes, it has been normal Council practice to ensure that funding approval is in place so that purchases are not made at risk.

- 2.10 On occasions that land and property values exceed this delegated threshold limit, it is proposed to request in such instances delegated authority to the Service Director - Economy, Regeneration and Culture in consultation with the Portfolio Holder to negotiate to acquire land and property up to the value of £500,000, for WY+TF Schemes.
- 2.11 The fund will be monitored through regular finance reports provided to the Council's West Yorkshire plus Transport Fund Programme Board and to Cabinet through the normal Capital Plan expenditure reporting format.

### 3. **Implications for the Council**

#### 3.1 **Early Intervention and Prevention (EIP)**

None

#### 3.2 **Economic Resilience (ER)**

Resolution of land acquisitions at an early stage will enable road transport infrastructure to be brought forward within proposed delivery timeframes. This, in turn, will enable the development of housing and employment sites to support the future needs of Kirklees residents.

#### 3.3 **Improving Outcomes for Children**

None

#### 3.4 **Reducing demand of services**

None

#### 3.5 **Legal/Financial or Human Resources**

##### 3.5.1 Legal

The Council has powers to acquire land for highway improvement purposes under Part XII Highways Act 1980. The Council also has a general power of acquisition under Section 120 Local Government Act 1972.

##### 3.5.2 Financial

It is proposed that the Council establishes a rolling 'WY+TF Land Acquisition Fund' within the Strategic Regeneration Capital budget with an initial allocation of £0.85m. As noted at 2.6 to 2.8 above the Council funding requested is essentially a 'bridging loan' mechanism to allow land assembly for major transport schemes to be progressed to a point where the individual schemes can progress through the next stage in the WYTF approval process at which point the expenditure on land acquisition will be reimbursed. The reimbursed funds would then be used to replenish the Council funding pot to allow for a similar process on further land acquisition. The revenue cost to the Council will therefore be the opportunity cost of not having the resources used to fund land acquisition on short term deposit. Given current short term

deposit rates and the maximum exposure under the proposed fund of £850k this would equate to a maximum loss of interest of circa £8500 pa.

### 3.5.3 Human Resources

N/A

## 4. **Consultees and their opinions**

4.1 Not applicable at this stage.

## 5. **Next steps**

Subject to consideration of this report:

- 5.1 Establish, within the Strategic Regeneration Capital budget, a rolling 'WYTF Land Acquisition Fund' with an initial allocation of £0.85m.
- 5.2 Commence negotiations with land owners for land required to deliver the A629 Halifax Road (Phase 5) project.
- 5.3 Develop the WYTF A629 Halifax Road (Phase 5) project to Outline Business Case stage with a target date of October 2017 for submission.
- 5.4 Seek funding approval via the WYCA Investment Committee to continue scheme development in order to achieve Full Business Case status, which when accepted will permit delivery of the scheme.
- 5.5 Submit a report to Cabinet, seeking consideration of full scheme approval and implementation, authorisation in a similar timeframe to 5.4 above.

## 6. **Officer recommendations and reasons**

- 6.1 That the above 'next steps' be approved to enable the WYTF A629 Halifax Road Phase 5 to progress through to construction.
- 6.2 That the exercise of the authority for the Council to acquire parcels of land for highway purposes, where the acquisition price is between £250,000 and £500,000 be delegated to the Service Director, Economy, Regeneration and Culture to be exercised by the Service Director in consultation with the Portfolio Holders for Economy.

## 7. **Cabinet portfolio holder's recommendations**

- 7.1 The portfolio holders for Economy - Cllr Peter McBride and Cllr Naheed Mather were briefed on the 31 July 2017 on the content of this report and were in agreement with the approval of the 'next steps' to enable the WYTF A629 Halifax Road Phase 5, to progress through to construction and would ask that Cabinet do the same.

8. **Contact officer**

Keith Bloomfield  
Operations Manager WY+TF, Economy, Regeneration & Culture  
[keith.bloomfield@kirklees.gov.uk](mailto:keith.bloomfield@kirklees.gov.uk)  
(01484) 221000

9. **Background Papers and History of Decisions**

9.1 West Yorkshire + Transport Fund (WT+TF) - Scheme Principles Report,  
submitted to Cabinet on the 9<sup>th</sup> February 2016.

10. **Director responsible**

Paul Kemp  
Service Director - Economy, Regeneration & Culture  
[paul.kemp@kirklees.gov.uk](mailto:paul.kemp@kirklees.gov.uk)  
(01484) 221000

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**Name of meeting**                      **Cabinet**  
**Date**                                        **22 August 2017**  
**Title of report**                         **Dewsbury Rail Station Gateway**

**Purpose of report**

Cabinet is requested to consider expenditure of £450k from the Strategic Priorities Capital Plan which will ensure delivery of the Dewsbury Rail Station Gateway scheme.

<b>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</b>	Yes  Two or more electoral wards Spending exceeds £250k
<b>Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a></b>	Yes  July 24 2017
<b>The Decision - Is it eligible for call in by Scrutiny?</b>	Yes
<b>Date signed off by Strategic Director &amp; name</b>	Naz Parkar - 10.08.17
<b>Is it also signed off by the Service Director - Finance, IT and Transactional Services?</b>	Debbie Hogg - 4.08.17
<b>Is it also signed off by the Service Director - Legal, Governance and Commissioning?</b>	Julie Muscroft - 9.08.17
<b>Cabinet member Economy</b>	Cllr Peter McBride Strategic Planning Regeneration and Transport  Cllr Naheed Mather Strategic Housing, Regeneration and Enforcement

**Electoral wards affected: Dewsbury East**

**Ward councillors consulted: None**

**Public or private: Public**

**1. Summary**

- 1.1 The proposed scheme involves the delivery of a high quality public space that will enhance the station forecourt, enabling comfortable pedestrian connectivity and the conditions for efficient transport movement around the space.
- 1.2 The total cost of the planned scheme is £950k of which £500k has already been secured from the Highways Local Transport - Integrated Transport Block, equally split over 2017/18 and 2018/19.
- 1.3 It is proposed to allocate £450k from the Regeneration Capital Plan for this scheme.

## 2. Information required to take a decision

- 2.1 Kirklees priorities in the Leeds City Region Strategic Economic Plan 2016-2036, include regenerating Huddersfield and North Kirklees. In Dewsbury, the aim is to achieve a transformational economic overhaul which includes ambitious proposals for housing growth to kick-start this revival. The North Kirklees Growth Zone (NKGZ) is a key asset in this respect.
- 2.2 The West Yorkshire Combined Authority is developing a West Yorkshire Transport Strategy to align transport policies, strategy and delivery with the objectives and targets of the refreshed Strategic Economic Plan (SEP). The refreshed Strategic Economic Plan (SEP) sets an ambition for 'good growth' by combining productivity, social and environmental outcomes.
- 2.3 Improving transport cuts across all four SEP priorities, but is central to Priority 4 (Infrastructure for Growth) which details requirements for investment in transport infrastructure and services to support the growth and regeneration of prioritised locations within the city region.
- 2.4 One of the key priorities of The Kirklees Economic Strategy is to seek to bring about improvements to the physical infrastructure: making it easier for businesses to succeed and for people to access work. The strategy recognises the importance of Dewsbury and its town centre and calls for transformational change by building on its strategic location within close proximity to Leeds.
- 2.5 At a localised level the Council is developing a series of transport interventions in and around the town centre which concentrate on bringing about improvements to make Dewsbury a better connected, more accessible town centre. The emerging implementation plan for Dewsbury is setting the scene to bring about transformational change.
- 2.6 Over 1.7 million passengers currently use Dewsbury Railway Station. It is a key economic asset for the town providing connectivity across the region the north and the UK, however currently the environment around the station provides an unattractive and poor sense of arrival into Dewsbury. As a gateway into Dewsbury, this really is a fundamental part of the town which will make a huge difference to the thousands of people who live, work and commute every day.
- 2.7 A proposal is being developed alongside Transpennine Express (TPE) to enhance and improve the 'sense of arrival' by redevelopment and public realm upgrades to the station forecourt and resulting changes to the surrounding infrastructure.
- 2.8 The proposed scheme (Appendix A) design includes:
  - Amendments to the current station parking facilities;
  - The part pedestrianisation of the area directly outside the railway station building to vastly improve surface connectivity, create a much greater public realm space and reduce conflict between different road users;
  - Retention of some aspect of drop off in the forecourt, along with facilities for taxis, cyclists and designated parking, all of which help to maintain the vibrancy of the area;

- The re-design of current crossing arrangements between the Railway station and Wellington Road to create a straight across pedestrian crossing, which sets out a clear pathway in line with main pedestrian desire lines; and
- Some highways redesign to enable all of the above mentioned improvements to be made whilst minimising any negative impact on junctions and road users.

2.9 The transformation of the Station Forecourt as part of the NKGZ is a vital first step in attracting inward investment to Dewsbury in providing a sense of arrival and uplifting the impression of the wider Town Centre and providing the catalyst for transformational change.

2.10 Kirklees Council in conjunction with WYCA will continue to work with Transpennine Express to encourage further improvements to the facilities at the station to enhance the experience of travelling to/from Dewsbury.

### 3. Implications for the Council

#### 3.1 Early Intervention and Prevention (EIP)

None

#### 3.2 Economic Resilience (ER)

Improved transport provision within and between Kirklees towns and with neighbouring towns and cities supports the district's economy. It will support the growth and diversification of the economy by encouraging sustainable access to employment and training opportunities.

#### 3.3 Improving Outcomes for Children

None

#### 3.4 Reducing demand of services

None

#### 3.5 Legal/Financial or Human Resources

##### 3.5.1 Legal

The Council has the necessary powers to carry out the scheme works.

It should be noted though that part of the scheme works will be carried out on land that most likely is in the ownership of Network Rail and therefore it will be necessary to obtain the approval of Network Rail and possibly also the Transpennine Express as franchisee to lawfully carry out the work on that part of the station forecourt that is not in the Council's ownership.

Part of the scheme works will also be carried out on Council land that is subject covenants in favour of Network Rail and therefore it may be necessary to obtain the consent of Network Rail to lawfully carry out these works.

### 3.5.2 Financial

The total cost of the planned scheme is £950k of which £500k has already been secured from the Highways Local Transport - Integrated Transport Block, equally split over 2017/18 and 2018/19.

It is proposed to allocate the balance of £450k from the Regeneration Capital Budget.

### 3.5.3 Human Resources

N/A

## 4. **Consultees and their opinions**

- 4.1 Cabinet is asked to approve £950k of capital expenditure funded as per 3.5.2 above to the scheme.
- 4.2 As part of the project plan a wider engagement and consultation exercise will be carried out. Where required, specific consultation will take place with individuals prior to implementation.
- 4.3 To date local ward members have been informed of the planned scheme in addition to briefings made to portfolio holders.

## 5. **Next steps**

- 5.1 Subject to Cabinet approval, the draft project plan milestones are as follows

Consultation	September/October 2017
Detailed Design	October through to December 2017
Publish Traffic Regulation Orders	December 2017
Procurement	May 2018
Appoint Contractor	June 2018
Start Construction	July 2018
Scheme Complete	December 2018

## 6. **Officer recommendations and reasons**

Cabinet is requested to:

- 6.1 Agree capital expenditure of £950k for the Dewsbury Rail Station scheme.

## 7. **Cabinet portfolio holder's recommendations**

- 7.1 The portfolio holders for Economy - Cllr Peter McBride and Cllr Naheed Mather were briefed on the 31 July 2017 on the content of this report and were supportive of the scheme.

8. **Contact officer**

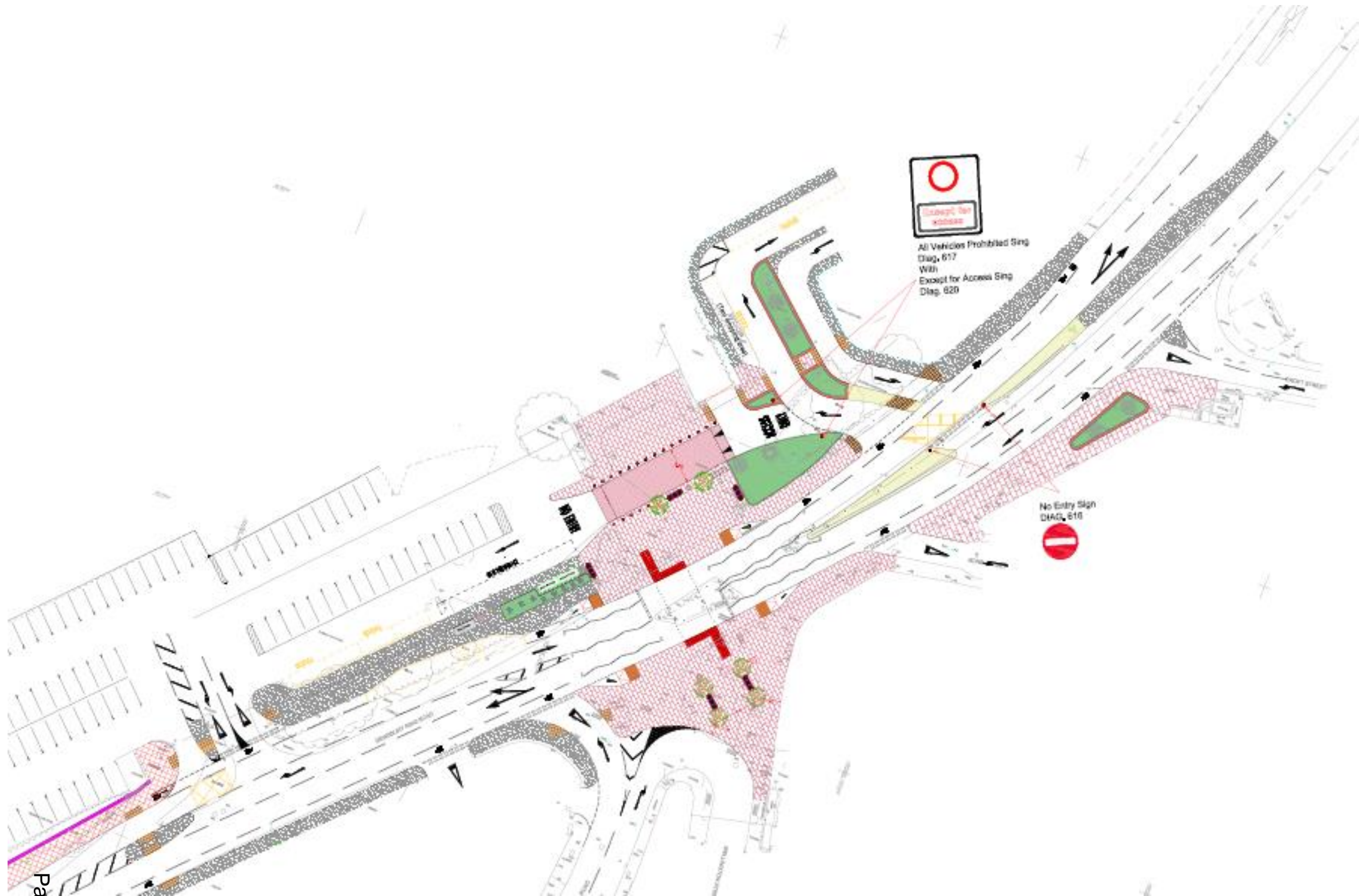
Keith Bloomfield  
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[paul.kemp@kirklees.gov.uk](mailto:paul.kemp@kirklees.gov.uk)  
(01484) 221000

9. **Background Papers and History of Decisions**

9.1 None

10. **Director responsible**

Paul Kemp  
Service Director - Economy, Regeneration & Culture  
[paul.kemp@kirklees.gov.uk](mailto:paul.kemp@kirklees.gov.uk)  
(01484) 221000



**Name of meeting:** Cabinet  
**Date:** 22 August 2017  
**Title of report:** Air Quality Management Area Declaration and AQ Update

## Purpose of report

1. The report seeks cabinet approval for delegated authority to the Service Director Commercial, Regulatory and Operational for changes and additions to Air Quality Management Areas (AQMA)
2. General Update to Cabinet on Air Quality

<b>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</b>	<b>Yes</b>  <b>If yes give the reason why</b> Affects two or more electoral wards (10 Wards)
<b>Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a></b>	<b>Yes</b>  <b>If yes also give date it was registered</b>
<b>The Decision - Is it eligible for call in by Scrutiny?</b>	<b>Yes</b>
<b>Date signed off by <u>Strategic Director</u> &amp; name</b>  <b>Is it also signed off by the Service Director for Finance IT and Transactional Services?</b>  <b>Is it also signed off by the Service Director for Legal Governance and Commissioning Support?</b>	Naz Parkar - 10.08.17  Debbie Hogg - 9.08.17  Julie Muscroft - 11.08.17
<b>Cabinet member <a href="#">portfolio</a></b>	Cllr Musarrat Khan - Corporate (Place, Environment, and Customer Contact Services)  Cllr Graham Turner - Corporate (Place, Environment and Customer Contact Services)

## Electoral wards affected:

Birstall and Birkenshaw  
 Lindley  
 Newsome  
 Greenhead  
 Colne Valley  
 Liversedge and Gomersal  
 Heckmondwike  
 Dewsbury East  
 Dewsbury West  
 Ashbrow

**Ward councillors consulted: None**

## **Summary**

Local Air Quality Management (LAQM) is the framework in the UK where Local Authorities monitor levels of air pollution and take action when levels are above those required by Government. The Local Authority must declare Air Quality Management Areas (AQMA) for the areas of the borough where pollution levels are exceeded. Action plans can then be developed to reduce levels of pollution to acceptable levels.

Kirklees Council Pollution Officers monitor air pollution at over 70 locations across the borough.

There are currently two AQMAs with in Kirklees. We seek Cabinet approval to delegate authority to the Service Director, Commercial, Regulatory and Operational to:

- Remove the AQMA in Scout Hill, Dewsbury as pollution levels are now below national standards.
- Reduce the size of AQMA at Bradley, Huddersfield as the size of the area affected by pollution above national standards has reduced.
- Declare 7 new AQMAs as pollution levels are being breached in 7 areas of the borough.

Maps and locations of these areas are in the appendices of the 2016 ASR.

The declarations, modifications and removals are achieved by legal Orders made under the Environment Act 1995, authorised by the Service Director on approval by Cabinet.

The evidence base and reasons behind the above actions of the Council were outlined in the 2016 Annual Status Report (ASR) submitted to the Department for the Environment, Food and Rural Affairs (DEFRA) in September 2016. Cabinet was briefed on this in December 2016.

Air quality is a national problem, the UK Government manages air quality through the LAQM process and action planning to comply with European Union air quality limits. We seek to give an update to recent consultations the UK Government has produced which we have replied to.

### **1. Information required to take a decision**

#### **2.1 Declaration of new AQMAs**

Kirklees Council's 2016 Annual Status Report sets out the pollution monitoring Kirklees Council has undertaken to show that the areas outlined below are subject to unacceptable levels of air pollution. The 2016 ASR can be found here:

<https://www.kirklees.gov.uk/beta/crime-and-safety/pdf/kirklees-annual-status-report-2016.pdf>

We propose to declare new AQMAs in 7 areas (Appendix F – Air Quality Management areas, 2016 ASR). The new AQMAs are as a result of exceedance of annual NO<sub>2</sub> objectives and the boundaries have been defined through the use of monitoring coupled with air quality modelling. The AQMAs are discrete areas within the following locations;



- Birchencliffe
- Birkenshaw
- Eastborough
- Edgerton
- Heckmondwike
- Huddersfield Town Centre
- Outlane

The boundaries of the AQMAs are based on the monitoring Kirklees officers have undertaken and modelling of the extent of the pollution.

Declaration of AQMAs is a legal requirement where pollution levels have been shown to exceed the National Air Quality Objectives. The National Air Quality Objectives are the pollution limits set by Government to comply with European Union Directives on Air Quality and Health. As we have identified these areas as exceeding the pollution limits, we have informed Government and the public of this by publishing the 2016 Annual Status Report we are now obliged to declare the AQMAs.

The declaration of an AQMA is a positive step for the health of the residents of Kirklees as we have identified areas of the borough where there are unacceptable levels of pollution and we can then start the process of action planning to reduce the levels of pollution in these areas to acceptable levels.

Action planning is the identification and carrying out of steps, locally within the AQMA, on a borough wide basis or regionally to have a positive impact on the air quality of the areas.

## **2.2 Removal of the Scout Hill AQMA**

As detailed in the 2016 Annual Status Report the existing AQMA at Scout Hill, Dewsbury has been continually monitored for levels of air pollution since its introduction in 2007.

Through action planning the Council has taken steps to improve the air quality in Scout Hill and our monitoring has shown a significant improvement in particulates, which are now below the National Air Quality Objectives. We have therefore, proposed in the ASR that we remove the AQMA in Scout Hill, which has been accepted by DEFRA.

The main action taken in Scout Hill to reduce the levels of particulates was to undertake deep cleans of the area, along with other district wide measures, which removed particulate build ups which could then be re-suspended in the air increasing levels of particulates.

## **2.3 Reduction in size of the Bradley AQMA**

As detailed in the 2016 Annual Status Report the existing AQMA at Bradley Huddersfield has been continually monitored for levels of air pollution since its introduction in 2007.

The Bradley AQMA was introduced in 2007 due to exceedances of Nitrogen Dioxide. Current pollution monitoring and modelling has shown that the number of properties at which the Air Quality Objective is now being exceeded has significantly reduced.

Improved traffic signalling has been introduced at this junction to reduce congestion and it is felt that this and district wide improvements have led to the reduction in area impacted in the AQMA.

Therefore, we propose to reduce to the size of this existing AQMA to only incorporate the properties which our modelling show that pollution levels are exceeded.

### **3. Implications for the Council**

#### **3.1 Early Intervention and Prevention (EIP)**

Poor air quality has been shown to be a significant cause of poor health. It is critical that the Council identify areas of poor air quality as early as possible so that action plans can be drawn up and action taken to improve quality of air and therefore, residents health.

This will intern reduce the levels of poor health, the demand on primary and secondary health care and the consequential knock on effects on other public services.

By taking action as soon as possible we will prevent ill health developing.

#### **3.2 Economic Resilience (ER)**

Through action planning associated with the Air Quality Management Area declarations we will be working with local businesses through local and regional initiatives to move towards low emission vehicles within their fleets.

Due to national and local actions to improve air quality it is likely that the use of polluting vehicles will become more expensive through direct and indirect taxation and through other initiatives and schemes such as chargeable Clean Air Zones.

Declarations of AQMAs help Kirklees receive national and regional funding to access and promote schemes to help local businesses become low emission businesses helping them be more economically resilient as they will be ready for future pressures on them through the increasing cost of running polluting vehicle fleets.

#### **3.3 Improving Outcomes for Children**

Children are one of the most susceptible groups to the damaging effects of poor air quality. Common health effects is the increased prevalence of asthma in Children. For Children growing up in areas of poor air quality it is likely that they will suffer from heart related disease late in life.

Declaration of these AQMAs will allow Action Planning to reduce the levels of pollutants and therefore, increase the health outcomes and long term health chances of the Children living in these areas.

#### **3.4 Reducing demand of services**

Although there is no direct reduction in demand of services – as these actions are designed to promote the health of our residents – there will be a long term reduction in services demand by increasing the healthy life span of Kirklees residents therefore, reducing the consequential demand of services poor health brings.

### **3.5 Other (eg Legal/Financial or Human Resources)**

The Council is obliged to declare Air Quality Management Areas where we have identified that the Air Quality Objectives are not being met.

Kirklees has informed the Government through the Annual Status Report that we have identified the 7 areas where the pollution limits are being breached.

DEFRA is expecting that we make these declarations within this reporting year. Failure to do so could lead to action from Government, through the imposition of fines, or official reprimands which would lead to reputational damage to the Council.

The ASR is a public document. Therefore, members of the Public and other Stakeholders can see the monitoring which has taken place and the findings. Therefore, it is important that the Council takes the necessary steps to protect public health.

The European Union is able to fine the Government for failing to meet National Air Quality objectives, these fines will be passed onto Local Authorities who fail to take action against poor air quality.

## **4. Consultees and their opinions**

The Department of Environment, Food and Rural Affairs (DEFRA) have agreed the 2016 Annual Status Report and have therefore endorsed our monitoring and conclusions.

Following delegation to officers, officers will consult on the proposal to declare the AQMAs and the changes to Scout Hill AQMA and Bradley AQMA based on the 2016 ASR in line with the DEFRA Technical and Policy Guidance TG16 and PG16.

## **5. Next steps**

Following delegation of authority to the Service Director, Commercial, Regulatory and Operational the relevant Orders will be drafted and authorised for the creation of the 7 Air Quality Management Areas (AQMA), the removal of the Scout Hill AQMA and the modification of the Bradley AQMA.

Following this Action Plans will be drawn up for each of the AQMAs and brought together for in an Action Plan for Kirklees. The preparation of the Action Plans is subject to statutory consultation as required by the Environment Act 1995 Schedule 11.

The 2017 Annual Status Report will be submitted to DEFRA for approval which will detail the actions we have taken following the 2016 report and outline our proposals for the future.

## **6. Officer recommendations and reasons**

Following delegated authority to the Service Director Commercial, Regulatory and Operational the 'next steps' detailed above at point 5 to be actioned, to comply with the Council's obligations under the Environment Act 1995.

**7. Cabinet portfolio holder's recommendations**

The portfolio holders for Corporate - Cllr Graham Turner and Cllr Musarrat Khan were briefed on the 7 August 2017 on the content of this report and were in agreement that following delegated authority to the Service Director Commercial, Regulatory and Operational, the 'next steps' detailed above at point 5 be actioned, to comply with the Council's obligations under the Environment Act 1995 and would ask that Cabinet do the same.

**8. Contact officer**

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**9. Background Papers and History of Decisions**

2016 Kirklees Annual Status Report <https://www.kirklees.gov.uk/beta/crime-and-safety/pdf/kirklees-annual-status-report-2016.pdf>

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## 2016 Air Quality Annual Status Report (ASR)

In fulfilment of Part IV of the  
Environment Act 1995  
Local Air Quality Management

Date: June 2016

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## Executive Summary: Air Quality in Our Area

Kirklees is the third largest Metropolitan District in area - it covers 157 square miles or 40,860 hectares and a population of ~404,000. Measured in population terms Kirklees is one of the larger local authorities in England and Wales ranking 11th out of 348 districts. Over one tenth of the district is in the Peak District National Park. The extremes of altitude in Kirklees range from 33m (108 ft) at Thornhill Lees to 582m (1903 ft) at Black Hill.

Manufacturing industry, textiles and engineering still form a proportion of the local economy, the majority of it situated in the Huddersfield and Dewsbury areas and northwards to the M62. The urban areas comprise nine towns including the two larger towns of Huddersfield and Dewsbury.

## Air Quality in Kirklees

Air pollution is associated with a number of adverse health impacts. It is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society: children and older people, and those with heart and lung conditions. There is also often a strong correlation with equalities issues, because areas with poor air quality are also often the less affluent areas<sup>1,2</sup>.

The annual health cost to society of the impacts of particulate matter alone in the UK is estimated to be around £16 billion<sup>3</sup>.

The air quality issues within Kirklees are focussed around the road network connecting the towns, and traffic which passes between the West Yorkshire conurbation along the M62 and Greater Manchester.

Kirklees Council have conducted monitoring across the district where these primary roads are in close proximity to relevant human activity. To date Kirklees has identified 2 primary pollutants of concern. They are Nitrogen Dioxide and Particulate Matter.

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<sup>1</sup> Environmental equity, air quality, socioeconomic status and respiratory health, 2010

<sup>2</sup> Air quality and social deprivation in the UK: an environmental inequalities analysis, 2006

<sup>3</sup> Defra. Abatement cost guidance for valuing changes in air quality, May 2013

2016

Current trends indicate that the levels of these pollutants have fallen over the last 5 years, but health related objectives are still exceeded within the district.

## Actions to Improve Air Quality

Kirklees Council has taken forward a number of measures during the current reporting year of 2016 in pursuit of improving local air quality.

Key completed measures are:

- West Yorkshire Low Emission Strategy
- Deep Clean of Scout Hill
- ECO Stars Freight Recognition Scheme
- Local Plan Air Quality Officer input and associated study

The Deep Clean of Scouthill was an AQMA focused project conducted in 2014 and 2015 in an attempt to reduce the PM<sub>10</sub> exceedances. The project targets the issue of re-suspension of particulates. Prior to conducting the cleaning PM<sub>10</sub> levels exceeded the daily objective, which resulted in a declaration in 2007. Following the improvement actions, Kirklees Council have observed an 83% fall in number of daily exceedances by conducting deep cleans in the area. The lower levels have been observed in both 2014 and 2015. It is for that reason that Kirklees Council are proposing to revoke AQMA 2.

The majority of the other aforementioned improvement actions are districtwide and policy based action, of which the improvements are difficult to measure.

## Local Priorities and Challenges

During the 2016/17 reporting year Kirklees Council priorities for air quality are listed below;

- Declare 7 AQMAs
- Construct new action plan for the district and AQMAs
- Integrate the West Yorkshire Low Emission Strategy into Council Policy
- Undertake impact assessment of the local plan



- Explore a regional EV charging network

## How to Get Involved

If you wish to get information for air quality, please use the following websites:

<http://www.kirklees.gov.uk/community/noisePollution/pollution.aspx>

<http://www.kirklees.gov.uk/involve/entry.aspx?id=821>

<https://uk-air.defra.gov.uk/>

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## 1 Local Air Quality Management

This report provides an overview of air quality in Kirklees Council during 2016. It fulfils the requirements of Local Air Quality Management (LAQM) as set out in Part IV of the Environment Act (1995) and the relevant Policy and Technical Guidance documents.

The LAQM process places an obligation on all local authorities to regularly review and assess air quality in their areas, and to determine whether or not the air quality objectives are likely to be achieved. Where an exceedance is considered likely the local authority must declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) setting out the measures it intends to put in place in pursuit of the objectives. This Annual Status Report (ASR) is an annual requirement showing the strategies employed by Kirklees Council to improve air quality and any progress that has been made.

The statutory air quality objectives applicable to LAQM in England can be found in Table E.2 in Appendix E.

## 2 Actions to Improve Air Quality

### 2.1 Air Quality Management Areas

Air Quality Management Areas (AQMAs) are declared when there is an exceedance or likely exceedance of an air quality objective. After declaration, the authority must prepare an Air Quality Action Plan (AQAP) within 12-18 months setting out measures it intends to put in place in pursuit of the objectives.

A summary of AQMAs declared by Kirklees Council can be found in Table 2.1. Further information related to declared or revoked AQMAs, including maps of AQMA boundaries are available online at [https://uk-air.defra.gov.uk/aqma/local-authorities?la\\_id=140](https://uk-air.defra.gov.uk/aqma/local-authorities?la_id=140) and <http://www.kirklees.gov.uk/community/noisePollution/pollution.aspx>

We propose to declare new AQMAs in 7 areas (Appendix F – Air Quality Management areas). The new AQMAs are as a result of exceedance of annual NO<sub>2</sub> objectives and the boundaries have been defined through the use of monitoring coupled with air quality modelling. These areas are as follows;

- Birchencliffe
- Birkenshaw
- Eastborough
- Edgerton
- Heckmondwike
- Huddersfield Town Centre
- Outlane

The AQMA 1 at Bradley continues to exceed the annual NO<sub>2</sub> objectives. Therefore, Kirklees Council has no intention to revoke or amend the boundaries

As agreed with DEFRA in our previous USA 2015, the levels of particulate in Scouthill have continued to be below the daily PM<sub>10</sub> objective and we therefore propose to revoke AQMA2 (see monitoring section).

**Table 2.1 – Declared Air Quality Management Areas**

AQMA Name	Pollutants and Air Quality Objectives	City / Town	One Line Description	Action Plan
AQMA 1	NO <sub>2</sub> - Annual	Huddersfield	79 Residential dwellings in close proximity to junction for A62 / A6107 in Bradley	For progress see Table 2.2
AQMA 2	PM <sub>10</sub> - Daily	Dewsbury	46 Residential dwellings in close proximity to A62 in Scouthill	For progress see Table 2.2

## 2.2 Progress and Impact of Measures to address Air Quality in Kirklees Council

Kirklees Council has taken forward a number of measures during the current reporting year of 2016 in pursuit of improving local air quality. Details of all measures completed, in progress or planned are set out in Table 2.2. More detail on these measures within the district can be found in respective Action Plans and strategies.

Key completed measures are:

- West Yorkshire Low Emission Strategy
- Deep Clean of Scout Hill
- ECO Stars Freight Recognition Scheme
- Local Plan Air Quality Officer input and associated study



**Table 2.2 – Progress on Measures to Improve Air Quality**

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
	Title	Select from the categories in blue box	Select from the subcategories in blue box		Date	Date				Date	
1	Install Split Cycle Offset Optimisation technique (SCOOT) Traffic Managements System within AQMA 1	Traffic Management	UTC, Congestion management, traffic reduction	Kirklees Council	2013	2013	Reduction in queuing time	NO2 / PM10	Installed	2013	
2	Alter SCOOT to incorporate actual Air Quality pollution levels	Traffic Management	UTC, Congestion management, traffic reduction	Kirklees Council	2015	2016	Reduction in NOx and PM10	NO2 / PM10	Planning stage	2017	
3	Bus priority at lights in AQMA 1	Traffic Management	UTC, Congestion management, traffic reduction	Kirklees Council	2013	2014	Reduction in queuing time for public transport	NO2 / PM10	Implemented scheme	2014	

2016

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
4	Bradley Junction. Re-model one of the busiest Road Junction in Kirklees in AQMA 1	Transport Planning and Infrastructure	Strategic highway improvements, Re-prioritising road space away from cars, including Access management, Selective vehicle priority, bus priority, high vehicle occupancy lane	Kirklees Council	2014	2019	Reduce congestion levels at AM/PM peaks	NO2 / PM10	Pre-design stage	2021	

2016

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
5	Ravensthorpe Bypass. Complete by pass of AQMA 2.	Transport Planning and Infrastructure	Strategic highway improvements, Re-prioritising road space away from cars, including Access management, Selective vehicle priority, bus priority, high vehicle occupancy lane	Kirklees Council	2012	2021	Divert traffic away from AQMA 2	NO2 / PM10	Feasibility Study carried out	2026	

2016

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
6	Cooper Bridge Gyratory proposed in AQMA 1	Transport Planning and Infrastructure	Strategic highway improvements, Re-prioritising road space away from cars, including Access management, Selective vehicle priority, bus priority, high vehicle occupancy lane	Kirklees Council	2014	2019	Reduction in queuing time	NO2 / PM10	Junction designed. Funding sought	2021	

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
7	Proposed New Junction 24a on M62	Transport Planning and Infrastructure	Strategic highway improvements, Re-prioritising road space away from cars, including Access management, Selective vehicle priority, bus priority, high vehicle occupancy lane	Highways Agency	2013	2021	Reduction in traffic volume through AQMA 1	NO2 / PM10	Feasibility Study	2023	

2016

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
8	Bus Lanes approaching AQMA 1	Traffic Management	Strategic highway improvements, Re-prioritising road space away from cars, including Access management, Selective vehicle priority, bus priority, high vehicle occupancy lane	Kirklees Council	2010	2011	Reduction in delays to buses	NO2 / PM10	Bus lane installed		
9	Resource Smart Resource Corridor	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	Kirklees Council			Reduction of NO2 in AQMA	NO2 / PM10			

2016

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
10	Internal Travel Plans	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	Kirklees Council	2008	2009	Uptake of sustainable options	NO2 / PM10	Adopted and implemented	Ongoing	
11	Transport Plans for Businesses required	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	Kirklees Council	Pre 2006	Pre 2006	Uptake of sustainable options	NO2 / PM10	Asking for plans through planning process	Ongoing	

2016

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
12	School Travel Plan Framework	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	Kirklees Council	2005	2006	Uptake of sustainable options	NO2 / PM10	Schools were encouraged to produce travel plans and funding sought to fund infrastructure requirements	Ongoing	
13	Bikeability in schools. Council staff visited schools giving cycling safety training.	Public Information	Via other mechanisms	Kirklees Council	2009	2010	Increase in cycling	NO2 / PM10	Promoted cycling in schools via education programmes on road safety	2014	



Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
14	Spenn Valley Greenway (Traffic Free Cycleway on former railway line)	Transport Planning and Infrastructure	Cycle network	Kirklees Council	1998	2000	Increase in cycling	NO2 / PM10	Cycleway implemented	2000	
15	Calder Valley Cycleway (Traffic Free Cycleway on former railway line)	Transport Planning and Infrastructure	Cycle network	Kirklees Council	2004	2008	Increase in cycling	NO2 / PM10	Cycleway implemented	2008	
16	City Cycle Ambition Grant 2	Transport Planning and Infrastructure	Cycle network	Kirklees Council	2015	2015	Increase in cycling	NO2 / PM10	Bid submitted for cycleway improvements	2016	
17	Free Parking for Electric Vehicles and 50% discount on parking for other ULEV	Traffic Management	Emission based parking or permit charges	Kirklees Council	2007	2008	Uptake of low emission and Ultra Low Emission Vehicles	NO2 / PM10	Scheme is operational	On going	

2016

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
18	City Car Club	Alternatives to private vehicle use	Car Clubs	Kirklees Council	2008	2009	Use of club cars	NO2 / PM10	Introduced car club to Kirklees District	Ongoing	
19	Car Sharing Scheme	Alternatives to private vehicle use	Car & lift sharing schemes	Kirklees Council	2006	2007	Use of website	NO2 / PM10	Contribute to license fee for car sharing website and private subsite for council staff	Ongoing	
20	Local Free Bus around Huddersfield Town Centre and Dewsbury Town Centre	Alternatives to private vehicle use	Other	Kirklees Council	2005	2006	Bus Patronage	NO2 / PM10	Bus runs in both Huddersfield and Dewsbury	Ongoing	

2016



Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
21	Conversion of Fleet to ULEV where appropriate	Promoting Low Emission Transport	Other	Kirklees Council	2008	2009	Number of fleet changed to EV	NO2 / PM10	We have used an electric transit type van for a number of years and have had the Energy Savings trust review our fleet to see if further swithes to Electric vehicles can be made	Ongoing	

2016

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
22	Air Quality report to Newspaper	Public Information	Via other mechanisms	Kirklees Council	Pre 2006	Pre 2006	Awareness of Air Quality amongst the public	NO2 / PM10	Daily Reports sent to newspaper	Ongoing	
23	Bike to work scheme within Council, discount cycle purchase scheme	Alternatives to private vehicle use	Other	Kirklees Council	2008	2009	Uptake of bikes	NO2 / PM10	Implemented scheme and promoted to workforce	Ongoing	
24	Local sustainable transport fund project to promote modal shift in schools. Dedicated officer visiting schools promoting modal shift	Public Information	Via other mechanisms	Kirklees Council	2011	2012	Monitor transport options at local schools	NO2 / PM10	Funded officer to go into schools and promote modal shift	Ongoing	

2016

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
25	Air Quality Strategy	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	Kirklees Council	2005	2006	Local policy using Air Quality as a decision factor	NO2 / PM10	Document completed and adopted	2006	
26	Deep Clean in AQMA 2	Traffic Management	Other	Kirklees Council	2013	2014	Reduction in PM10 levels	PM10	First deep clean conducted. 2014 reduction in exceedances of daily PM10 in AQMA Planning to conduct clean in 2015	Ongoing	

2016

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
27	Mote sensing real-time emissions	Public Information	Via other mechanisms	Kirklees Council	2010	2012	Results from research	NO2 / PM10	Analyse d emissions of local traffic		
28	Electric Vehicle Charge point Installed in Council Depot	Promoting Low Emission Transport	Other	Kirklees Council	2013	2014	Number of fleet changed to EV	NO2 / PM10	Charge point installed in council depot	2014	
29	Trial of EV vehicles as pool car	Promoting Low Emission Transport	Other	Kirklees Council	2014	2014	Uptake of LEVs	NO2 / PM10	Car was used by various staff to conduct daily works	2014	

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
30	Smokey Vehicle hotline	Public Information	Via other mechanisms	Kirklees Council	Pre 2000	Pre 2000	Number of calls received	NO2 / PM10	Customers can call and report vehicles with smokey exhausts	Ongoing	
31	Planning conditions on all applications for sustainable transport	Policy Guidance and Development Control	Air Quality Planning and Policy Guidance	Kirklees Council	2014	2014	Number of conditions on approval	NO2 / PM10	Currently request EV charge points on all new developments	Ongoing	
32	Green Procurement Toolkit	Policy Guidance and Development Control	Sustainable Procurement Guidance	Kirklees Council	2005	2006	use of toolkit in procurement	NO2 / PM10	Green procurement toolkit created for Low carbon	2015	

2016

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
33	West Yorkshire Low Emission Strategy	Policy Guidance and Development Control	Low Emissions Strategy	Bradford Council	2012	2013	Policy adopted by Kirklees Council	NO2 / PM10	Strategy document completed in draft form. To go out for review	2015	
34	Hotel EV Charge Point Project. Electric Vehicle Charge points installed in a number of accommodation providers	Promoting Low Emission Transport	Other	Calderdale Council Kirklees Council Bradford Council	2014	2015	use of the charge points	NO2 / PM10	Applications from hotels. Number of sites installed	2015	
35	Install SCOOT within AQMA 2	Traffic Management	UTC, Congestion management, traffic reduction	Kirklees Council	2012	2013	Reduction in queuing time	NO2 / PM10	Installed	2013	



2016

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
36	New links to Greenway (Cycle Path) added through planning	Transport Planning and Infrastructure	Cycle network	Kirklees Council	2000	2000	Increase cycle routes	NO2/P M10	Recommended conditions to planning	Ongoing	
36	Subsidised Metro Cards for Staff	Promoting Travel Alternatives	Other	Kirklees Council	Pre 2006	Pre 2006	Promote use of public transport	NO2/P M10	Scheme is operational	Ongoing	
37	Metro Cards Introduced for work journeys	Promoting Travel Alternatives	Other	Kirklees Council	2008	2009	Reduce use of cars for shorter journeys	NO2/P M10	Metro Cards in use for public transport for council staff to undertake their daily work	Ongoing	

2016

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
38	Installing EV Charge points into private car parks (three sites, 4 units installed)	Promoting Low Emission Transport	Other	Kirklees Council	2015	2015	Usage of charge points	NO2/PM10	Bid successful and sites identified	2015	
39	Congestion performance funding	Traffic Management	UTC, Congestion management, traffic reduction	Kirklees Council	2011	2012	Number of children going to schools using non private vehicles to access sites	NO2/PM10	Funded officer to go into schools and promote modal shift	2014	
40	Bus priority at lights in AQMA 1. Gives late buses priority through Air Quality Management Area 1	Traffic Management	UTC, Congestion management, traffic reduction	Kirklees Council	2013	2014	Reduction in queuing time for public transport	NO2 / PM10	Implemented scheme	2014	

2016

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
41	Bluetooth journey monitoring	Public Information	Via other mechanisms	Kirklees Council	2013	2014	Inform smart traffic management	NO2/PM10	Ran trial of bluetooth data collection system	2016	
42	Retrofitting of School Buses with Pollution abatement equipment	Promoting Low Emission Transport	Vehicle Retrofitting programmes	West Yorkshire Combined Authority	2013	2013	All school buses now retrofitted and emissions reduced by 90%	NO2	All school buses now retrofitted and emissions reduced by 90%	2014	
44	Installation of Rapid Charge Network across West Yorkshire	Promoting Low Emission Transport	Other	West Yorkshire Combined Authority	2014	2015	Rapid charge network across West Yorkshire being installed	NO2/PM10	Sites identified and installation due to begin in next few weeks	2015	

2016

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
45	Ainley Top Junction improvements	Transport Planning and Infrastructure	Other	Kirklees Council	2012	2014	Reduction in traffic congestion	NO2/PM10	Extra Lanes installed on Roundabout	2015	Scot to be installed 2015
46	A629 Corridor Improvement	Transport Planning and Infrastructure	Other	Kirklees Council	2013	2018	Reduction in traffic congestion	NO2/PM10	Bid for funding being prepared	2021	
47	A653 Corridor Improvement	Transport Planning and Infrastructure	Other	Kirklees Council	2013	2018	Reduction in traffic congestion	NO2/PM10	Bid for funding submitted	2018	
48	Bus priority at lights in AQMA 2	Traffic Management	UTC, Congestion management, traffic reduction	Kirklees Council	2012	2013	Reduction in queuing time for public transport	NO2 / PM10	Implemented scheme	2013	

2016

Measure No.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMA	Progress to Date	Estimated Completion Date	Comments
49	West Yorkshire ECO-Stars Scheme	Vehicle Fleet Efficiency	Driver training and ECO driving aids	Kirklees Council	2015/16	2016	Improvement in HGV Fleets	NO2 / PM10	Scheme purchased, Implementation begun	Ongoing	

## 2.3 PM<sub>2.5</sub> – Local Authority Approach to Reducing Emissions and or Concentrations

As detailed in Policy Guidance LAQM.PG16 (Chapter 7), local authorities are expected to work towards reducing emissions and/or concentrations of PM<sub>2.5</sub> (particulate matter with an aerodynamic diameter of 2.5µm or less). There is clear evidence that PM<sub>2.5</sub> has a significant impact on human health, including premature mortality, allergic reactions, and cardiovascular diseases.

Kirklees Council is taking the following measures to address PM<sub>2.5</sub>:

- Collaborative working between Public Health, Environmental Health, Planning and Highways to conduct a 2015 baseline Air Quality Model for the whole Kirklees District for PM<sub>2.5</sub> as part of local plan works.
- Installation of PM<sub>2.5</sub> monitors at 2 location within the district
- Analyse pre-existing PM<sub>10</sub> data and DEFRA PM<sub>2.5</sub> maps to inform Kirklees Council of potential issues within the district

## **3 Air Quality Monitoring Data and Comparison with Air Quality Objectives and National Compliance**

### **3.1 Summary of Monitoring Undertaken**

#### **3.1.1 Automatic Monitoring Sites**

This section sets out what monitoring has taken place and how it compares with objectives.

Kirklees Council undertook automatic (continuous) monitoring at 7 sites during 2016. Table A.7 in Appendix A shows the details of the sites.

Maps showing the location of the monitoring sites are provided in Appendix D. Further details on how the monitors are calibrated and how the data has been adjusted are included in Appendix C.

In 2016 Kirklees Council have taken opportunity to review their automatic monitoring network. At the beginning of 2015 NO<sub>2</sub> & PM<sub>10</sub> was monitored by a network of 7 continuous automatic. Kirklees Council also monitored O<sub>3</sub> and SO<sub>2</sub> at 1 location. NO<sub>2</sub> & PM<sub>10</sub> monitors are based at 6 roadside and 1 urban background locations, while the O<sub>3</sub> & SO<sub>2</sub> are only at the Urban Background location.

In 2014 and 2015 only 2 automatic monitoring locations were found to exceed at the façade of properties for NO<sub>2</sub>. Our PM<sub>10</sub> AQMA has not exceeded since 2013 and particulate is not an issue at other locations. O<sub>3</sub> and SO<sub>2</sub> is not an issue within Kirklees. Kirklees Council has a limited monitoring budget, which means that we need to rationalise our monitoring network in order to ensure relevant cost affective data collection. With this in mind we have reviewed the automatic network and propose to remove 5 monitoring locations where AQO's are compliant.

Kirklees Council will also be adding 2 PM<sub>2.5</sub> monitors to the network at our 2 remaining roadside locations and will install diffusion tubes at locations where automatic monitors have been removed in order to ensure levels remain below the objective in these areas.

2016

### 3.1.2 Non-Automatic Monitoring Sites

Kirklees Council undertook non- automatic (passive) monitoring of NO<sub>2</sub> at 55 sites during 2016.

Table A.8 in Appendix A shows the details of the sites.

Maps showing the location of the monitoring sites are provided in Appendix D.

Further details on Quality Assurance/Quality Control (QA/QC) and bias adjustment for the diffusion tubes are included in Appendix C.

Kirklees Council currently have a diffusion tube monitoring network of 55 diffusion tubes across the whole district, which will be increased by 5 tubes when the automatic stations are decommissioned. These are constructed and analysed in the Kirklees Council laboratory, being of the composition 50%TEA solution to 50% Acetone.

Majority of diffusion tubes across the district are attached to street furniture such as lamp posts and sited at either in a kerbside or roadside location.

## 3.2 Individual Pollutants

The air quality monitoring results presented in this section are, where relevant, adjusted for “annualisation” and bias. Further details on adjustments are provided in Appendix C.

### 3.2.1 Nitrogen Dioxide (NO<sub>2</sub>)

Table A.9 in Appendix A compares the ratified and adjusted monitored NO<sub>2</sub> annual mean concentrations for the past 5 years with the air quality objective of 40µg/m<sup>3</sup>.

For diffusion tubes, the full 2016 dataset of monthly mean values and façade calculations are provided in Appendix B.

Table A.10 in Appendix A compares the ratified continuous monitored NO<sub>2</sub> hourly mean concentrations for the past 5 years with the air quality objective of 200µg/m<sup>3</sup>, not to be exceeded more than 18 times per year.

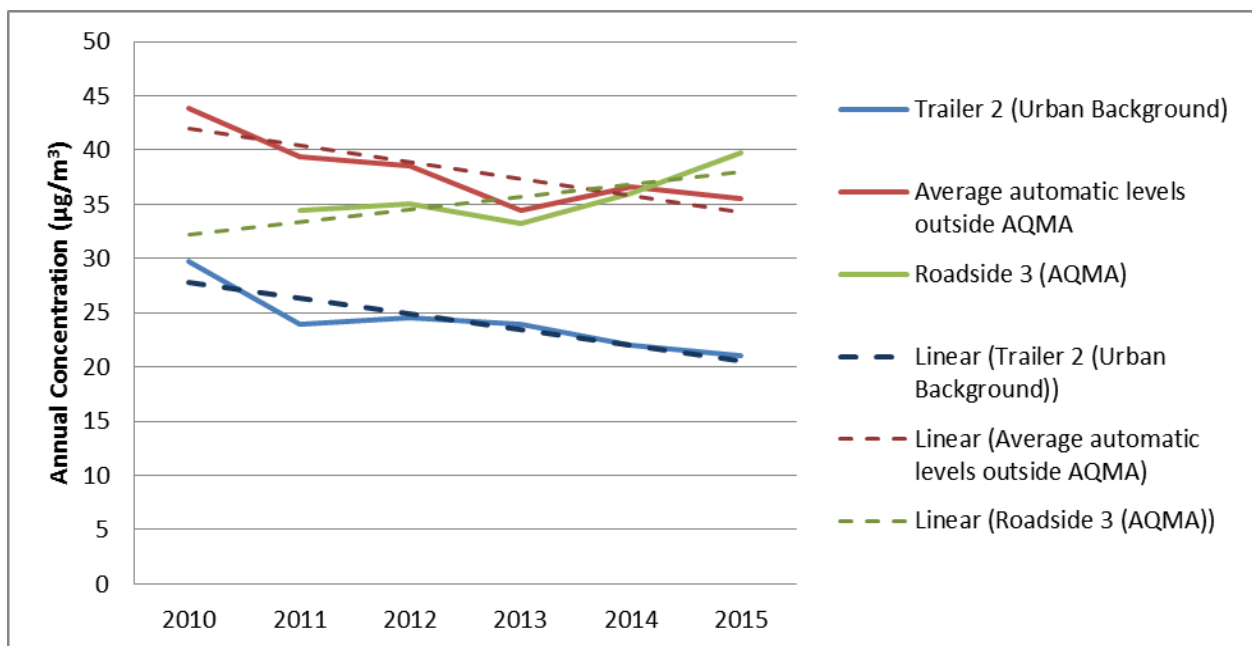


2016

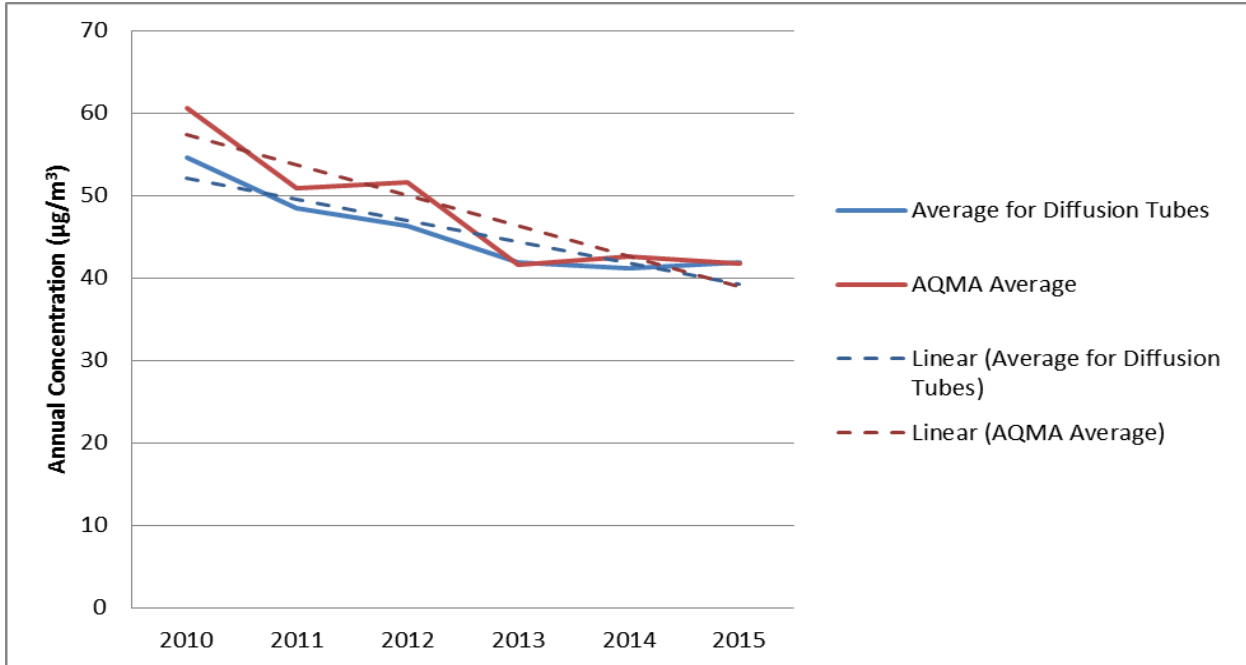
In 2016 no Kirklees Council automatic monitoring sites have reported levels exceeding the NO<sub>2</sub> hourly objective more than 18 times and only 1 diffusion in Eastborough exceeds 60µg/m<sup>3</sup> indicator.

In 2016 2 Kirklees Council automatic monitoring sites exceeded the annual AQO for NO<sub>2</sub> at Birchencliffe and Birkenshaw. Within the same period 7 diffusion tube locations exceeded the annual AQO for NO<sub>2</sub> at the façades of properties within the localities of Eastborough, Edgerton, Heckmondwike, Huddersfield Town Centre, Outlane and Thornton Lodge

**Figure 3.1 Automatic monitoring - Annual NO<sub>2</sub> concentration trends**



**Figure 3.2 Diffusion tube monitoring - Annual NO<sub>2</sub> concentration trends**



Figures 3.1 and 3.2 shows that trends for Annual NO<sub>2</sub> levels within the district have continued to show falls year on year since 2010 for average diffusion tube levels, average automatic monitor locations outside AQMAs and the urban background location.

Levels within the AQMA have conflicting trends between automatic and diffusion tube monitoring. Trends from the diffusion tube data mirrors that of other monitors within the district, that of a continuous fall since 2010. The automatic monitor level has always been lower than that observed using diffusion tubes. Over the last 2 years the levels have crept up. In 2015 the levels are closer to that of the diffusion tubes, but still not above the AQO. Variability between the levels could be accounted for due to the affect of street canyoning and gaps within the canyon. Therefore, because levels continue to fall and the automatic monitoring being below objectives, we have decided to carry out modelling to redefine the boundaries of the AQMA.

2016

Kirklees Council have conducted detailed assessments at 7 of the 8 locations and have run models to determine the extent of the exceedance. These areas are;

- Birchencliffe
- Birkenshaw
- Eastborough
- Edgerton
- Heckmondwike
- Huddersfield Town Centre
- Outlane

Details regarding the models and output maps are included in Appendix F.

In order to determine the issues within Thornton Lodge, Kirklees council proposes to install further passive monitoring sites to determine the full extent of the exceedance,

### **3.2.2 Particulate Matter (PM<sub>10</sub>)**

Kirklees Council have 3 types of monitoring equipment installed in our monitoring station Trailer 2 monitors using a tapered element oscillating microbalance (TEOM) and data collected at this station has been corrected using the Volatile Correction Model (VCM).

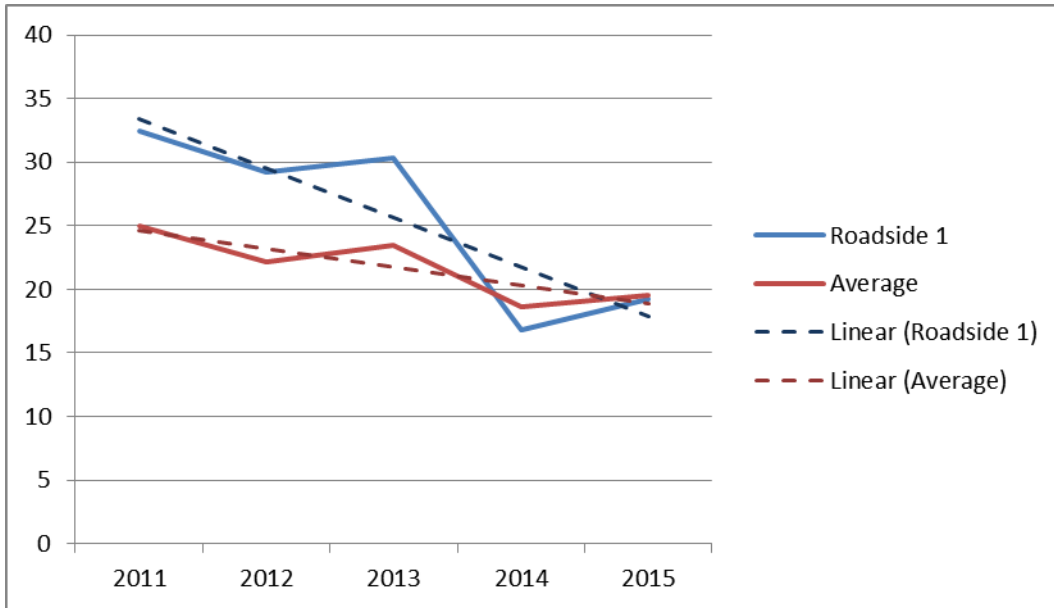
Discussion regarding PM<sub>10</sub> correction factors can be found in Appendix C

Table A.11 in Appendix A compares the ratified and adjusted monitored PM<sub>10</sub> annual mean concentrations for the past 5 years with the air quality objective of 40µg/m<sup>3</sup>.

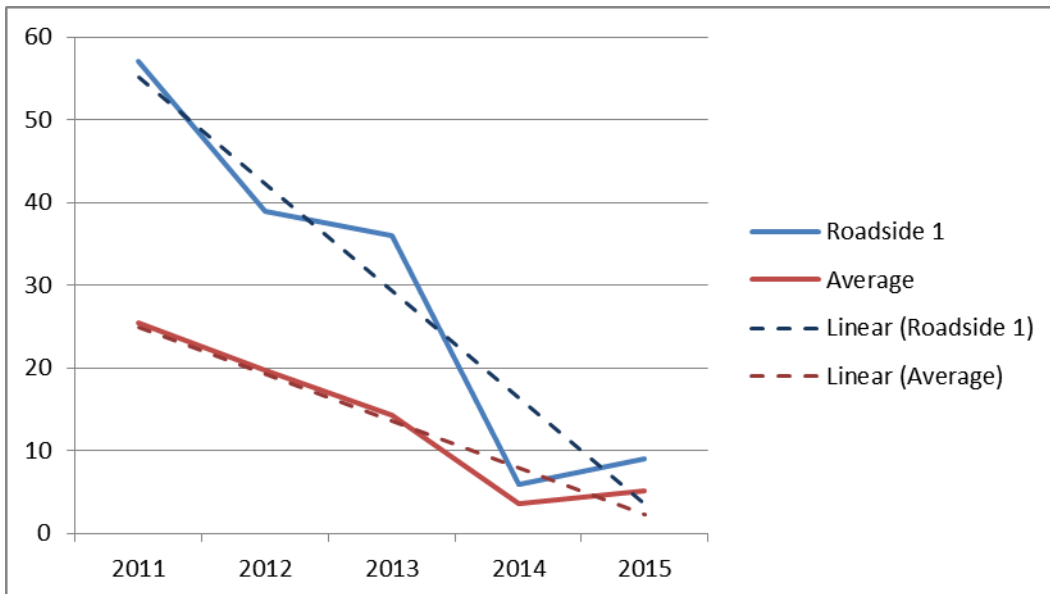
Table A.12 in Appendix A compares the ratified continuous monitored PM<sub>10</sub> daily mean concentrations for the past 5 years with the air quality objective of 50µg/m<sup>3</sup>, not to be exceeded more than 35 times per year.

In 2016 no Kirklees Council automatic monitoring sites have reported levels exceeding the Annual or Daily PM<sub>10</sub> objective more than 35 times.

**Figure 3.3 Automatic monitoring - Annual PM<sub>10</sub> concentration trends**



**Figure 3.4 Automatic monitoring - Daily PM<sub>10</sub> exceedance trends**



Figures 3.3 and 3.4 shows that trends for Annual PM<sub>10</sub> levels within the district have continued to show falls year on year outside and within the AQMA since 2011 for both annual and daily levels.

2016

### 3.2.3 Sulphur Dioxide (SO<sub>2</sub>)

Table A. in Appendix A compares the ratified continuous monitored SO<sub>2</sub> concentrations for year 2015 with the air quality objectives for SO<sub>2</sub>.

The SO<sub>2</sub> monitor is at a background location within the district. Kirklees Council has previously monitored at industrial locations, but have not recorded an exceedance during any monitoring period. Kirklees Council has therefore decided to remove SO<sub>2</sub> monitoring from our network.

## Appendix A: Monitoring Results

Table A.7 – Details of Automatic Monitoring Sites

Site Name	Site Type	X OS Grid Ref	Y OS Grid Ref	Pollutants Monitored	In AQMA?	Monitoring Technique	Distance to Relevant Exposure (m) <sup>(1)</sup>	Distance to kerb of nearest road (m) <sup>(2)</sup>	Inlet Height (m)
Trailer 2	Industrial	423185	420612	NO <sub>2</sub> , O <sub>3</sub> , PM <sub>10</sub> , SO <sub>2</sub>	Adjacent	Chemiluminescence method. Ultraviolet Absorptiometry. TEOM. Ultraviolet luminescence	N (42m)	6m	3.0
Roadside 1	Roadside	423247	420761	NO <sub>2</sub> , PM <sub>10</sub> ,	Y	Chemiluminescence method. FH 62 I-R	Y (3m)	3m	1.5
Roadside 2	Roadside	418240	426553	NO <sub>2</sub> , PM <sub>10</sub> ,	N	Chemiluminescence method. FH 62 I-R	Y (50m)	2m	1.5
Roadside 3	Roadside	417255	420358	NO <sub>2</sub> , PM <sub>10</sub> ,	Y	Chemiluminescence method. FH 62 I-R	Y (3m)	3m	1.5
Roadside 4	Roadside	420441	427353	NO <sub>2</sub> , PM <sub>10</sub> ,	N	Chemiluminescence method. FH 62 I-R	N (29m)	3m	1.5
Roadside 5	Roadside	422430	420399	NO <sub>2</sub> , PM <sub>10</sub> ,	N	Chemiluminescence method. FH 62 I-R	Y (3m)	3m	1.5

2016

Site Name	Site Type	X OS Grid Ref	Y OS Grid Ref	Pollutants Monitored	In AQMA?	Monitoring Technique	Distance to Relevant Exposure (m) <sup>(1)</sup>	Distance to kerb of nearest road (m) <sup>(2)</sup>	Inlet Height (m)
Roadside 6	Roadside	411739	419007	NO <sub>2</sub> , PM <sub>10</sub> ,	N	Chemiluminescence method. Met-One BAM	Y (8m)	5m	1.5

(1) 0m if the monitoring site is at a location of exposure (e.g. installed on the façade of a residential property).

(2) N/A if not applicable.

Table A.8 – Details of Non-Automatic Monitoring Sites

Site Name	Site Type	X OS Grid Ref	Y OS Grid Ref	Pollutants Monitored	In AQMA ?	Distance to Relevant Exposure (m) <sup>(1)</sup>	Distance to kerb of nearest road (m) <sup>(2)</sup>	Tube collocated with a Continuous Analyser?	Height (m)
1	Other	424506	421535	NO <sub>2</sub>	N	N	0.8	N	2.0
2	Other	414214	416504	NO <sub>2</sub>	N	N	4.1	N	2.0
3	Roadside	413504	417439	NO <sub>2</sub>	N	Y (2.0)	2.4	N	2.0
4	Roadside	424464	424395	NO <sub>2</sub>	N	Y (4.3)	1.8	N	2.0
5	Roadside	422443	420380	NO <sub>2</sub>	N	Y (1.6)	1.9	N	2.0
6	Roadside	417872	421050	NO <sub>2</sub>	Y	Y (5.2)	6.0	N	2.0
7	Urban Centre	414434	416744	NO <sub>2</sub>	N	Y (0.5)	0.5	N	2.0
8	Roadside	414496	417795	NO <sub>2</sub>	N	Y (2.5)	2.5	N	2.0
9	Kerbside	417280	420482	NO <sub>2</sub>	Y	Y (13.4)	0.7	N	2.0
10	Roadside	417227	420337	NO <sub>2</sub>	Y	Y (3.2)	2.0	N	2.0



Site Name	Site Type	X OS Grid Ref	Y OS Grid Ref	Pollutants Monitored	In AQMA ?	Distance to Relevant Exposure (m) <sup>(1)</sup>	Distance to kerb of nearest road (m) <sup>(2)</sup>	Tube collocated with a Continuous Analyser?	Height (m)
11	Roadside	414389	416262	NO <sub>2</sub>	N	Y (0.1)	5.5	N	2.0
12	Roadside	417335	420412	NO <sub>2</sub>	Y	Y (3.7)	1.8	N	2.0
13	Roadside	420377	427871	NO <sub>2</sub>	N	Y (2.1)	2.6	N	2.0
14	Urban Background	413669	416463	NO <sub>2</sub>	N	N	1.7	N	2.0
15	Co-location Study	420441	427353	NO <sub>2</sub>	N	N	3.0	Y	2.0
16	Co-location Study	420441	427353	NO <sub>2</sub>	N	N	3.0	Y	2.0
17	Co-location Study	420441	427353	NO <sub>2</sub>	N	N	3.0	Y	2.0
18	Roadside	422686	426229	NO <sub>2</sub>	N	Y (4.2)	1.9	N	2.0
19	Roadside	423563	421014	NO <sub>2</sub>	N	Y (6.5)	2.7	N	2.0
20	Roadside	424853	421828	NO <sub>2</sub>	N	Y (9.5)	1.5	N	2.0
21	Roadside	414149	416686	NO <sub>2</sub>	N	Y (6.9)	2.1	N	2.0

Site Name	Site Type	X OS Grid Ref	Y OS Grid Ref	Pollutants Monitored	In AQMA ?	Distance to Relevant Exposure (m) <sup>(1)</sup>	Distance to kerb of nearest road (m) <sup>(2)</sup>	Tube collocated with a Continuous Analyser?	Height (m)
22	Roadside	417418	420479	NO <sub>2</sub>	Y	Y (3.2)	1.5	N	2.0
23	Roadside	418483	420978	NO <sub>2</sub>	N	Y (14.1)	1.6	N	2.0
24	Roadside	409941	418471	NO <sub>2</sub>	N	Y (15.4)	2.0	N	2.0
25	Co-location	423185	420612	NO <sub>2</sub>	N	N	6.0	Y	2.0
26	Co-location	423185	420612	NO <sub>2</sub>	N	N	6.0	Y	2.0
27	Co-location	423185	420612	NO <sub>2</sub>	N	N	6.0	Y	2.0
28	Roadside	414745	416710	NO <sub>2</sub>	N	Y (0.1)	3.3	N	2.0
29	Co-location	429960	434240	NO <sub>2</sub>	N	N	30	Y	2.0
30	Co-location	432680	406174	NO <sub>2</sub>	N	N	3.5	Y	2.0
31	Roadside	413400	417495	NO <sub>2</sub>	N	Y (8.3)	2.7	N	2.0
32	Roadside	413513	417481	NO <sub>2</sub>	N	Y (5.0)	2.6	N	2.0

Site Name	Site Type	X OS Grid Ref	Y OS Grid Ref	Pollutants Monitored	In AQMA ?	Distance to Relevant Exposure (m) <sup>(1)</sup>	Distance to kerb of nearest road (m) <sup>(2)</sup>	Tube collocated with a Continuous Analyser?	Height (m)
33	Roadside	420727	423668	NO <sub>2</sub>	N	Y (4.3)	2.4	N	2.0
34	Roadside	420845	423770	NO <sub>2</sub>	N	Y (0.3)	1.9	N	2.0
35	Roadside	420853	423866	NO <sub>2</sub>	N	Y (9.4)	1.9	N	2.0
36	Kerbside	420304	419766	NO <sub>2</sub>	N	Y (2.9)	0.9	N	2.0
37	Roadside	420356	427810	NO <sub>2</sub>	N	Y (2.5)	2.2	N	2.0
38	Roadside	420222	427764	NO <sub>2</sub>	N	Y (18.3)	1.0	N	2.0
39	Roadside	424526	424326	NO <sub>2</sub>	N	Y (1.7)	2.1	N	2.0
40	Roadside	424871	421921	NO <sub>2</sub>	N	Y (1.2)	1.6	N	2.0
41	Roadside	418285	426630	NO <sub>2</sub>	N	Y (12.5)	3.4	N	2.0
42	Roadside	424969	422002	NO <sub>2</sub>	N	Y (5.6)	1.9	N	2.0
43	Roadside	425083	422022	NO <sub>2</sub>	N	Y (6.0)	1.9	N	2.0

Site Name	Site Type	X OS Grid Ref	Y OS Grid Ref	Pollutants Monitored	In AQMA ?	Distance to Relevant Exposure (m) <sup>(1)</sup>	Distance to kerb of nearest road (m) <sup>(2)</sup>	Tube collocated with a Continuous Analyser?	Height (m)
44	Roadside	425179	422114	NO <sub>2</sub>	N	Y (-7.2)	1.7	N	2.0
45	Roadside	414480	417720	NO <sub>2</sub>	N	Y (0.5)	7.2	N	2.0
46	Roadside	414546	417759	NO <sub>2</sub>	N	Y (0)	2.2	N	2.0
47	Other	407942	417261	NO <sub>2</sub>	N	Y (0)	14.4	N	2.0
48	Roadside	421039	423673	NO <sub>2</sub>	N	Y (0)	2.6	N	2.0
49	Roadside	413659	416182	NO <sub>2</sub>	N	Y (3.5)	3.7	N	2.0
50	Roadside	413414	415981	NO <sub>2</sub>	N	Y (1.6)	2.5	N	2.0
51	Roadside	421904	423580	NO <sub>2</sub>	N	Y (4.9)	1.0	N	2.0
52	Roadside	417627	416472	NO <sub>2</sub>	N	Y (7.8)	2.4	N	2.0
53	Roadside	411564	415902	NO <sub>2</sub>	N	Y ( 1.6)	1.7	N	2.0
54	Roadside	425196	421566	NO <sub>2</sub>	N	Y (2.7)	3.2	N	2.0

Site Name	Site Type	X OS Grid Ref	Y OS Grid Ref	Pollutants Monitored	In AQMA ?	Distance to Relevant Exposure (m) <sup>(1)</sup>	Distance to kerb of nearest road (m) <sup>(2)</sup>	Tube collocated with a Continuous Analyser?	Height (m)
55	Roadside	414187	408264	NO <sub>2</sub>	N	Y (3.2)	1.7	N	2.0
56	Planning	415009	416420	NO <sub>2</sub>	N	N	2.8	N	2.0
57	Planning	414291	417281	NO <sub>2</sub>	N	N	2.2	N	2.0
58	Planning	414350	417270	NO <sub>2</sub>	N	N	2.6	N	2.0

(1) 0m if the monitoring site is at a location of exposure (e.g. installed on/adjacent to the façade of a residential property).

(2) N/A if not applicable.

**Table A.9 – Annual Mean NO<sub>2</sub> Monitoring Results**

Site ID	Site Type	Monitoring Type	Valid Data Capture for Monitoring Period (%) <sup>(1)</sup>	Valid Data Capture 2015 (%) <sup>(2)</sup>	NO <sub>2</sub> Annual Mean Concentration (µg/m <sup>3</sup> ) <sup>(3)</sup>				
					2011	2012	2013	2014	2015
Trailer 2	Urban Background	Continuous	77	77	24.0	24.6	23.9	22.0	21.0
Roadside 1	Roadside	Continuous	83	83	39.5	<b>41.0</b>	35.9	37.2	32.0
Roadside 2	Roadside	Continuous	75	75	37.7	37.4	32.4	33.1	35.7
Roadside 3	Roadside	Continuous	75	75	34.5	35.0	33.2	36.0	39.8
Roadside 4	Roadside	Continuous	74	74	<b>46.3</b>	<b>42.9</b>	36.9	<b>43.6</b>	<b>44.6</b>
Roadside 5	Roadside	Continuous	77	77	33.9	33.1	32.8	32.7	29.7
Roadside 6	Roadside	Continuous	91	91	N/A	N/A	<b>42.3</b>	<b>41.7</b>	<b>44.4</b>

Notes: Exceedances of the NO<sub>2</sub> annual mean objective of 40µg/m<sup>3</sup> are shown in **bold**.

NO<sub>2</sub> annual means exceeding 60µg/m<sup>3</sup>, indicating a potential exceedance of the NO<sub>2</sub> 1-hour mean objective are shown in **bold and underlined**.

(1) data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(2) data capture for the full calendar year (e.g. if monitoring was carried out for 6 months, the maximum data capture for the full calendar year is 50%).

(3) Means for diffusion tubes have been corrected for bias. All means have been “annualised” as per Technical Guidance LAQM.TG16 if valid data capture for the full calendar year is less than 75%. See Appendix C for details.

**Table A.10 – 1-Hour Mean NO<sub>2</sub> Monitoring Results**

Site ID	Site Type	Monitoring Type	Valid Data Capture for Monitoring Period (%) <sup>(1)</sup>	Valid Data Capture 2015 (%) <sup>(2)</sup>	NO <sub>2</sub> 1-Hour Means > 200µg/m <sup>3</sup> <sup>(3)</sup>				
					2011	2012	2013	2014	2015
Trailer 2	Urban Background	Continuous	77	77	0	0	0 (64.23)	0 (79.85)	0 (71.17)
Roadside 1	Roadside	Continuous	83	83	0	5	1	0 (126.15)	0 (107.03)
Roadside 2	Roadside	Continuous	75	75	0	0	0(88.91)	0 (135.03)	0 (121.47)
Roadside 3	Roadside	Continuous	75	75	0	0	0	2 (139.91)	7 (171.37)
Roadside 4	Roadside	Continuous	74	74	7	5	0 (96.68)	1 (136.96)	0 (131.91)
Roadside 5	Roadside	Continuous	77	77	0	0	0	0 (98.96)	0 (89.28)
Roadside 6	Roadside	Continuous	91	91	N/A	N/A	0 (102.04)	0 (128.0)	0

Notes: Exceedances of the NO<sub>2</sub> 1-hour mean objective (200µg/m<sup>3</sup> not to be exceeded more than 18 times/year) are shown in **bold**.

(1) data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(2) data capture for the full calendar year (e.g. if monitoring was carried out for 6 months, the maximum data capture for the full calendar year is 50%).

(3) If the period of valid data is less than 90%, the 99.8<sup>th</sup> percentile of 1-hour means is provided in brackets.

**Table A.11 – Annual Mean PM<sub>10</sub> Monitoring Results**

Site ID	Site Type	Valid Data Capture for Monitoring Period (%) <sup>(1)</sup>	Valid Data Capture 2015 (%) <sup>(2)</sup>	PM <sub>10</sub> Annual Mean Concentration (µg/m <sup>3</sup> ) <sup>(3)</sup>				
				2011	2012	2013	2014	2015
Trailer 2	Urban Background	Continuous	77	22.81	22.46	21.54	17.22	18.52
Roadside 1	Roadside	Continuous	64	32.47	29.21	30.34	16.78	19.28
Roadside 2	Roadside	Continuous	0	18.61	19.13	19.11	15.92	N/A
Roadside 3	Roadside	Continuous	67	23.30 <sup>c</sup>	19.21	22.08	20.12	18.72
Roadside 4	Roadside	Continuous	70	23.29	19.87	22.29	20.84	19.14
Roadside 5	Roadside	Continuous	66	29.29	22.79	25.48	22.41	15.58
Roadside 6	Roadside	Continuous	45	N/A	N/A	N/A	17.13	25.95

Notes: Exceedances of the PM<sub>10</sub> annual mean objective of 40µg/m<sup>3</sup> are shown in **bold**.

(1) data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(2) data capture for the full calendar year (e.g. if monitoring was carried out for 6 months, the maximum data capture for the full calendar year is 50%).

(3) All means have been “annualised” as per Technical Guidance LAQM.TG16, valid data capture for the full calendar year is less than 75%. See Appendix C for details.



**Table A.12 – 24-Hour Mean PM<sub>10</sub> Monitoring Results**

Site ID	Site Type	Valid Data Capture for Monitoring Period (%) <sup>(1)</sup>	Valid Data Capture 2015 (%) <sup>(2)</sup>	PM <sub>10</sub> 24-Hour Means > 50µg/m <sup>3</sup> <sup>(3)</sup>				
				2011	2012	2013	2014	2015
Trailer 2	Urban Background	77	77	19	28	5 (33.31) <sup>c</sup>	2 (29.44)	4 (30.05)
Roadside 1	Roadside	64	64	<b>57</b>	<b>39</b>	<b>36 (50.32)<sup>c</sup></b>	6 (28.02)	9 (42.40)
Roadside 2	Roadside	0	0	4	9	4 (35.69) <sup>c</sup>	0 (24.81)	N/A
Roadside 3	Roadside	67	67	7 (29.68) <sup>c</sup>	12	13	8 (32.36)	3 (32.48)
Roadside 4	Roadside	70	70	22	13	13 (40.57) <sup>c</sup>	8 (33.77)	3 (25.38)
Roadside 5	Roadside	66	66	<b>44</b>	17	15	6 (35.96)	0 (20.26)
Roadside 6	Roadside	45	45	N/A	N/A	N/A	0 (24.79)	10 (40.11)

Notes: Exceedances of the PM<sub>10</sub> 24-hour mean objective (50µg/m<sup>3</sup> not to be exceeded more than 35 times/year) are shown in **bold**.

(1) data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(2) data capture for the full calendar year (e.g. if monitoring was carried out for 6 months, the maximum data capture for the full calendar year is 50%).

(3) If the period of valid data is less than 90%, the 90.4<sup>th</sup> percentile of 24-hour means is provided in brackets.

**Table A.7 – SO<sub>2</sub> Monitoring Results**

Site ID	Site Type	Valid Data Capture for monitoring Period (%) <sup>(1)</sup>	Valid Data Capture 2015 (%) <sup>(2)</sup>	Number of Exceedances (percentile in bracket) <sup>(3)</sup>		
				15-minute Objective (266 µg/m <sup>3</sup> )	1-hour Objective (350 µg/m <sup>3</sup> )	24-hour Objective (125 µg/m <sup>3</sup> )
Trailer 2	Urban Background	59	59	0 (7.81)	0 (7.72)	0 (7.48)

Notes: Exceedances of the SO<sub>2</sub> objectives are shown in **bold** (15-min mean = 35 allowed a year, 1-hour mean = 24 allowed a year, 24-hour mean = 3 allowed a year)

(1) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(2) Data capture for the full calendar year (e.g. if monitoring was carried out for 6 months, the maximum data capture for the full calendar year is 50%)

(3) If the period of valid data is less than 90%, the relevant percentiles are provided in brackets.

## Appendix B: Full Monthly Diffusion Tube Results for 2015

Table B.2 – NO<sub>2</sub> Monthly Diffusion Tube Results - 2015

Site ID	NO <sub>2</sub> Mean Concentrations (µg/m <sup>3</sup> )												Annual Mean	
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Raw Data (2)	Bias Adjusted (1)(2)
	1	64.22	66.49	57.28	48.12	50.10	53.32	62.23	65.98	52.55	67.54	75.78	61.79	<b>60.45</b>
2	74.40	73.32	69.93	58.99	59.92	47.08	43.79	57.60	55.13	77.10	76.31	54.19	<b>62.31</b>	<b>46.74</b>
3	73.17	79.30	65.92	66.01	61.95	64.45	68.23	75.67	73.95	79.17	80.55	70.86	<b>71.60</b>	<b>53.70</b>
4	53.23	39.42	53.02	55.42	51.60	41.34	33.46	40.72	54.64	-	55.99	36.91	<b>46.89</b>	<b>35.16</b>
5	63.84	48.77	65.33	49.50	56.29	48.17	46.14	49.57	56.42	56.84	69.64	53.43	<b>55.33</b>	<b>41.50</b>
6	-	84.03	48.93	43.35	39.94	43.54	38.85	46.72	50.17	70.63	55.06	49.84	<b>51.92</b>	<b>38.94</b>
7	64.33	63.11	49.96	54.99	57.97	55.59	44.08	63.34	69.01	82.81	63.29	48.53	<b>59.75</b>	<b>44.81</b>
8	64.07	-	53.74	41.75	33.08	48.45	37.49	49.25	50.99	69.03	66.45	47.42	<b>51.06</b>	<b>38.30</b>
9	-	61.58	51.68	37.63	40.00	45.37	36.17	45.13	53.91	63.29	75.02	65.30	<b>52.28</b>	<b>39.21</b>
10	-	62.72	48.00	43.36	44.92	54.28	45.88	53.05	61.82	76.19	73.57	53.84	<b>56.15</b>	<b>42.11</b>
11	62.16	66.47	59.01	46.03	50.81	48.07	38.98	-	52.67	70.75	73.19	53.72	<b>56.53</b>	<b>42.40</b>
12	-	64.05	-	46.29	49.20	51.52	-	55.78	57.02	61.23	66.10	59.61	<b>56.76</b>	<b>42.57</b>
13	51.72	78.13	48.66	52.34	45.06	49.51	40.92	46.82	54.57	56.48	67.24	54.58	<b>53.83</b>	<b>40.38</b>
14	28.91	26.05	24.02	20.26	14.06	12.88	13.52	15.39	23.09	33.05	24.54	25.73	<b>21.79</b>	<b>16.34</b>
15	59.92	64.21	51.69	42.61	42.93	56.74	45.91	48.23	42.07	45.80	56.69	58.75	<b>51.29</b>	<b>38.47</b>
16	58.49	65.16	55.27	47.84	50.35	55.61	48.11	45.52	48.08	50.38	61.22	55.47	<b>53.46</b>	<b>40.09</b>
17	54.10	56.89	48.22	49.92	52.28	55.22	44.82	46.61	49.42	53.40	55.67	49.70	<b>51.35</b>	<b>38.51</b>
18	60.61	64.75	69.43	60.48	59.80	56.37	44.96	59.36	61.35	62.62	68.42	58.23	<b>60.53</b>	<b>45.40</b>
19	52.26	48.65	65.71	55.13	42.00	50.77	48.68	57.80	56.37	64.82	-	42.09	<b>53.12</b>	<b>39.84</b>
20	59.28	68.44	-	-	51.66	49.07	44.40	49.15	57.82	43.10	62.37	57.09	<b>54.24</b>	<b>40.68</b>
21	57.48	-	64.97	57.06	54.43	49.31	43.43	-	55.16	87.00	68.17	61.93	<b>59.89</b>	<b>44.92</b>

Site ID	NO <sub>2</sub> Mean Concentrations (µg/m <sup>3</sup> )													Annual Mean	
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Raw Data (2)	Bias Adjusted (1)(2)	
	22	65.19	-	57.02	62.72	56.18	-	-	-	-	74.13	52.48	67.40	57.81	43.36
23	53.32	51.65	60.28	55.59	46.14	48.75	56.80	56.79	56.37	71.59	70.21	54.65	56.84	42.63	
24	82.03	90.01	61.25	67.89	59.04	55.97	55.96	46.20	70.58	90.54	74.94	53.33	67.31	50.48	
25	29.26	28.47	34.49	21.69	18.54	21.34	22.15	25.80	28.81	35.04	32.25	28.31	27.18	20.39	
26	36.26	24.28	36.90	23.68	18.66	24.89	21.13	24.85	31.67	29.18	29.43	28.86	27.48	20.61	
27	34.06	27.22	32.05	20.87	17.33	21.88	22.34	26.00	30.74	25.00	33.28	28.76	26.63	19.97	
28	72.79	87.47	72.93	68.97	67.17	62.33	51.11	73.69	64.77	88.60	84.41	80.60	72.90	54.68	
29	49.97	56.55	39.38	42.04	38.36	30.47	32.58	36.39	38.33	57.21	55.84	50.42	43.96	32.97	
30	55.38	63.11	49.98	45.97	37.98	39.08	39.54	43.11	59.83	60.40	59.98	56.71	50.92	38.19	
31	47.34	49.48	44.73	48.79	42.54	36.35	38.75	45.08	51.51	55.53	49.90	49.31	46.61	34.96	
32	73.16	64.46	63.09	54.66	54.84	53.40	55.94	57.51	65.34	76.74	71.13	68.39	63.22	47.42	
33	48.44	44.10	42.77	44.84	37.33	31.46	39.81	44.18	54.58	53.54	54.30	44.64	45.00	33.75	
34	42.31	45.66	47.61	48.19	42.21	-	-	33.65	42.71	52.98	43.01	44.47	44.28	33.21	
35	56.23	52.82	53.02	55.76	36.35	30.94	57.94	55.30	51.27	59.08	52.32	60.75	51.82	38.86	
36	58.25	-	-	53.58	49.28	51.78	54.33	63.59	57.21	63.19	62.30	53.03	56.65	42.49	
37	46.22	55.06	48.87	51.29	42.71	47.34	38.38	45.00	55.66	51.10	58.64	41.43	48.48	36.36	
38	47.80	57.59	51.47	54.32	43.28	55.56	42.20	51.00	48.03	54.20	62.65	50.41	51.54	38.66	
39	58.36	56.77	63.45	68.27	51.03	50.55	38.74	51.15	50.73	59.37	58.88	39.03	53.86	40.40	
40	55.34	61.70	82.48	55.15	60.09	92.33	72.44	107.78	110.87	77.44	99.93	90.62	80.51	60.39	
41	60.83	-	53.83	66.37	51.82	59.98	55.39	57.00	62.44	61.70	80.44	53.78	60.33	45.25	
42	61.07	59.58	52.92	51.28	50.34	-	35.92	49.87	72.32	53.30	70.26	73.63	57.32	42.99	
43	58.96	57.10	61.22	49.45	41.84	51.86	45.24	62.99	74.66	57.48	73.16	69.55	58.63	43.97	
44	50.97	52.05	53.72	41.79	41.97	45.03	39.93	47.91	55.84	42.22	60.61	54.88	48.91	36.68	
45	53.75	53.30	51.29	44.73	39.11	43.28	36.55	49.98	52.65	67.90	54.28	52.35	49.93	37.45	
46	48.18	46.64	48.00	50.33	40.13	46.78	35.80	-	51.05	69.90	64.86	53.83	50.50	37.87	

Site ID	NO <sub>2</sub> Mean Concentrations (µg/m <sup>3</sup> )													Annual Mean	
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Raw Data (2)	Bias Adjusted (1)(2)	
	47	87.68	87.85	67.46	66.45	65.45	58.78	69.10	64.10	72.45	72.84	86.87	67.52	<b>72.21</b>	<b>54.16</b>
48	60.97	52.68	54.35	53.47	56.56	56.47	45.83	65.66	61.99	63.59	73.71	55.78	<b>58.42</b>	<b>43.82</b>	
49	59.76	-	42.54	66.05	40.27	-	45.92	51.56	54.12	81.38	64.23	63.59	<b>56.94</b>	<b>42.71</b>	
50	63.62	-	51.83	71.35	52.12	49.70	53.06	60.64	63.58	76.25	47.87	77.11	<b>60.65</b>	<b>45.49</b>	
51	52.82	62.84	-	58.18	50.74	47.73	41.36	46.96	58.23	71.10	62.59	34.75	<b>53.39</b>	<b>40.04</b>	
52	52.50	45.29	51.05	48.42	42.61	47.60	35.84	48.03	47.06	63.95	51.14	46.26	<b>48.31</b>	<b>36.23</b>	
53	45.87	49.88	48.43	48.87	37.97	34.67	35.85	41.60	46.68	57.16	72.95	41.16	<b>46.76</b>	<b>35.07</b>	
54	56.29	49.69	46.75	60.99	44.87	53.61	44.49	50.29	50.91	66.78	56.38	52.51	<b>52.80</b>	<b>39.60</b>	
55	68.50	69.63	48.42	45.47	-	-	30.44	-	47.03	66.55	47.16	45.39	<b>52.06</b>	<b>39.05</b>	
56	35.12	35.51	57.66	50.88	-	-	-	36.18	56.75	85.84	65.76	55.51	<b>53.25</b>	<b>39.93</b>	
57	78.59	-	33.88	59.93	56.87	16.73	49.21	61.83	56.94	76.60	76.42	42.50	<b>55.41</b>	<b>41.56</b>	
58	85.58	52.24	35.62	34.82	22.79	-	36.75	-	41.20	41.30	36.66	44.41	<b>43.14</b>	<b>32.35</b>	

(1) See Appendix C for details on bias adjustment

(2) In accordance with paragraph 7.177 of TG(16) sites with less than 75% data capture have been annualised in using the procedure set out in box 7.9 of TG(16)

Table B.2 – Façade Corrected NO<sub>2</sub> Annual Diffusion Tube Results - 2015

Site ID	Site Name	Site Type	Bias Adjusted Annual Concentration (µg/m <sup>3</sup> )	Distance to Relevant Exposure (m) <sup>(1)</sup>	Distance to kerb of nearest road (m) <sup>(2)</sup>	Background NO <sub>2</sub> (µg/m <sup>3</sup> )	NO <sub>2</sub> at Façade of nearest receptor (µg/m <sup>3</sup> )
1	Dewsbury Bus Station (Dewsbury)	Other	45.34	N	0.8	30.62	N/A
2	Huddersfield Bus Station (Huddersfield Town Centre)	Other	46.74	N	4.1	25.29	N/A
3	Edgerton Rd / Blacker Rd, Lamp post No 26 (Edgerton)	Roadside	53.70	Y (2.0)	2.4	18.35	48.5
5	Queens St (Ravensthorpe)	Roadside	41.50	Y (1.6)	1.9	19.98	38.5
7	Byram Arcade, Westgate (Huddersfield Town Centre)	Urban Centre	44.81	Y (0.5)	0.5	25.29	N/A
10	Leeds Rd (Bradley)	Roadside	42.11	Y (3.2)	2.0	19.98	37.2
11	Chapel Hill (Huddersfield Ring Road)	Roadside	42.40	Y (0.1)	5.5	25.29	42.3
12	Leeds Rd (Bradley)	Roadside	42.57	Y (3.7)	1.8	19.98	36.8
13	Whitehall Rd (Birkenshaw)	Roadside	40.38	Y (2.1)	2.6	26.69	38.4
16	Roadside 4 (co location)	Co-location Study	40.09	N	3.0	26.69	N/A

Site ID	Site Name	Site Type	Bias Adjusted Annual Concentration ( $\mu\text{g}/\text{m}^3$ )	Distance to Relevant Exposure (m) <sup>(1)</sup>	Distance to kerb of nearest road (m) <sup>(2)</sup>	Background NO <sub>2</sub> ( $\mu\text{g}/\text{m}^3$ )	NO <sub>2</sub> at Façade of nearest receptor ( $\mu\text{g}/\text{m}^3$ )
18	Huddersfield Rd (Birstall)	Roadside	<b>45.40</b>	Y (4.2)	1.9	20.68	38.7
20	Leeds Rd (Eastborough)	Roadside	<b>40.68</b>	Y (9.5)	1.5	30.62	36.3
21	Castlegate Appartments (Huddersfield Ring Road)	Roadside	<b>44.92</b>	Y (6.9)	2.1	25.29	38.2
22	Colne Bridge Rd / Leeds Rd / Bradley Rd (Bradley)	Roadside	<b>43.36</b>	Y (3.2)	1.5	19.98	37.5
23	Huddersfield Rd (Mirfield)	Roadside	<b>42.63</b>	Y (14.1)	1.6	16.94	29.6
24	Lindley Moor Rd (Lindley)	Roadside	<b>50.48</b>	Y (15.4)	2.0	19.54	34.8
28	Southgate (Huddersfield Ring Road)	Roadside	<b>54.68</b>	Y (0.1)	3.3	25.29	<b>54.4</b>
32	Blacker Rd (Edgerton)	Roadside	<b>47.42</b>	Y (5.0)	2.6	18.34	39.6
36	Huddersfield Rd (Mirfield)	Kerbside	<b>42.49</b>	Y (2.9)	0.9	16.94	35.2
39	Bradford Rd (Batley)	Roadside	<b>40.40</b>	Y (1.7)	2.1	21.66	37.8
40	Leeds Rd (Eastborough)	Roadside	<b>60.39</b>	Y (1.2)	1.6	30.62	<b>56.7</b>
41	Chain Bar Roundabout	Roadside	<b>45.25</b>	Y (12.5)	3.4	26.44	37.5
42	Leeds Rd (Eastborough)	Roadside	<b>42.99</b>	Y (5.6)	1.9	22.01	36.3
43	Leeds Rd / John St (Eastborough)	Roadside	<b>43.97</b>	Y (6.0)	1.9	22.01	36.7
47	Round Ings Road (Outlane)	Other	<b>54.16</b>	Y (0)	14.4	15.53	<b>54.2</b>
48	Flush (Heckmondwike)	Roadside	<b>43.82</b>	Y (0)	2.6	21.78	<b>43.8</b>

Site ID	Site Name	Site Type	Bias Adjusted Annual Concentration ( $\mu\text{g}/\text{m}^3$ )	Distance to Relevant Exposure (m) <sup>(1)</sup>	Distance to kerb of nearest road (m) <sup>(2)</sup>	Background NO <sub>2</sub> ( $\mu\text{g}/\text{m}^3$ )	NO <sub>2</sub> at Façade of nearest receptor ( $\mu\text{g}/\text{m}^3$ )
49	Manchester Rd (Thornton Lodge)	Roadside	<b>42.71</b>	Y (3.5)	3.7	19.51	38.5
50	Manchester Rd (Thornton Lodge)	Roadside	<b>45.49</b>	Y (1.6)	2.5	19.88	<b>42.4</b>
51	High St (Heckmondwike)	Roadside	<b>40.04</b>	Y (4.9)	1.0	21.78	33.5
57	Cambridge Rd (Huddersfield Town Centre)	Planning	<b>41.56</b>	N	2.2	24.95	N/A



## Appendix C: Supporting Technical Information / Air Quality Monitoring Data QA/QC

Kirklees operates its own laboratory for the analysis of Palmes NO<sub>2</sub> diffusion tubes. The laboratory operates following the protocols set out in the AEAT document “Diffusion Tubes for Ambient NO<sub>2</sub> Monitoring: Practical Guidance”. The tubes are prepared using 50% tea: 50% acetone mix.

### C.1.1 Factor from Local Co-location Studies

Kirklees Council currently conduct 2 co-location studies with neighbouring authorities and participates in the Intercomparison scheme locating tubes at Marylebone Road

The bias adjustment factor derived from Kirklees participation in the Intercomparison scheme for 2015 is 0.75, with the precision being rated as good

### C.1.2 Diffusion Tube Bias Adjustment Factors

In addition to the Intercomparison scheme 3 Co-location studies are conducted at Kirklees Monitoring stations and with neighbouring authorities, but due to station failures, Roadside 4 did not have a data capture >75% and not valid.

Trailer 2 Co –location study generated a bias adjustment figure of 0.79 with a good precision between the 3 tubes.

Barnsley Council Co-location study generated a bias adjustment figure of 0.75, but does not have a precision because the study is carried out with a singular tube.

Bias adjustment data is fed into the national bias adjustment spreadsheet and available below;

[http://laqm.defra.gov.uk/documents/Database\\_Diffusion\\_Tube\\_Bias\\_Factors\\_v06\\_16-Final.xls](http://laqm.defra.gov.uk/documents/Database_Diffusion_Tube_Bias_Factors_v06_16-Final.xls)

### C.1.3 Discussion of Choice of Factor to Use

Of the 3 Co-location studies are conducted by Kirklees Council, 2 have generated the same value and the other is close to that. Therefore, Kirklees Council have used the Barnsley Council and Intercomparison scheme derived correction factor of 0.75

## C.2 PM Monitoring Adjustment

Kirklees Council currently have 3 types of PM<sub>10</sub> monitors across the 7 sites.

Trailers 2 collects data using a TEOM, therefore all data presented in this report have been corrected using the Volatile Correction Model using FDMS sites Leeds Centre AURN, Liverpool Speke AURN and an average of other nearby FDMS Sites

Roadsides 1 to 5 have FH 62 I-R PM<sub>10</sub> monitors which are not equivalence tested. Kirklees Council has sought advice on this issue with the LAQM Helpline who provided Kirklees Council with studies from Europe in which the FH 62 I-R were included. The conclusions of these studies found that the heated element affected volatiles and as a result under-predicted. The recommendation of the studies was that a 1.3 correction factor is applied to data collected. In accordance with advice from the LAQM Helpdesk and the guidance in TG(09)para1.56.

Roadside 6 is a Met-One BAM which is an equivalence tested monitor. Therefore the applicable correction factor of /1.2 has been applied to the data.

## C.3 QA/QC of Automatic Monitoring

Data ratification is carried out internally by one person (Senior Technical Officer) periodically, normally at monthly intervals. After ratification it is stored on an Excel files in the Kirklees air quality archive.

Data verification is carried out by two staff who have had their competency verified after internal training. Verification takes place twice per day on weekdays, and the of Friday p.m. to Monday a.m. on Monday morning.

### Trailer 2 – Back Ravens Street, Scout Hill

Station	Trailer 2 – Back Ravens Street, Scout Hill
Analyser Model	Horiba: APNA-360CE, APSA-360ACE, APOA-360, TEOM 1400AB
Logging system	Datalogger used for collecting and storing data from 5 analysers and the data routinely retrieved via modem communication twice per day.
Calibration Gas	NO, SO <sub>2</sub> , Scrubbed zero air.
Routine Calibration	Automatic calibration carried out every 72 hours
Daily zero and span Check	No
Air Conditioning	Yes
Service Contract	Horiba: 2 x 6 monthly service and breakdown/repair call out.

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**Roadside 1 – Dewsbury**

Station	Roadside 1 – Dewsbury
Analyser Model	Horiba: APNA-360CE, FH 62 I-R
Logging system	Each analyser has a data distribution board and communicates directly via modem for data download twice per day
Calibration Gas	NO, zero air.
Routine Calibration	Automatic calibration carried out every 72 hours
Daily zero and span Check	No
Air Conditioning	Yes
Service Contract	Horiba: 2 x 6 monthly service and breakdown/repair call out.

**Roadside 2 – Bradford Rd/Chain Bar**

Station	Roadside 2 – Bradford Rd/Chain Bar
Analyser Model	Horiba: APNA-360CE, FH 62 I-R
Logging system	Each analyser has a data distribution board and communicates directly via modem for data download twice per day.
Calibration Gas	NO, zero air.
Routine Calibration	Automatic calibration carried out every 72 hours
Daily zero and span Check	No
Air Conditioning	Yes
Service Contract	Horiba: 2 x 6 monthly service and breakdown/repair call out.

**Roadside 3 – Hunsworth Lane**

Station	Roadside 3 – Hunsworth Lane
Analyser Model	Horiba: APNA-360CE, FH 62 I-R
Logging system	Each analyser has a data distribution board and communicates directly via modem for data download twice per day
Calibration Gas	NO, zero air.
Routine Calibration	Automatic calibration carried out every 72 hours
Daily zero and span Check	No
Air Conditioning	Yes
Service Contract	Horiba: 2 x 6 monthly service and breakdown/repair call out.

**Roadside 4 – M62 road bridge, Birkenshaw**

Station	Roadside 4 – M62 road bridge, Birkenshaw
Analyser Model	Horiba: APNA-360CE, FH 62 I-R
Logging system	Each analyser has a data distribution board and communicates directly via modem for data download twice per day.
Calibration Gas	NO, zero air.
Routine Calibration	Automatic calibration carried out every 72 hours
Daily zero and span Check	No
Air Conditioning	Yes
Service Contract	Horiba: 2 x 6 monthly service and breakdown/repair call out.

**Roadside 5 – Ravensthorpe Gyrotory**

Station	Roadside 5 – Ravensthorpe Gyrotory
Analyser Model	Horiba: APNA-360CE, FH 62 I-R
Logging system	Each analyser has a data distribution board and communicates directly via modem for data download twice per day
Calibration Gas	NO, zero air.
Routine Calibration	Automatic calibration carried out every 72 hours
Daily zero and span Check	No
Air Conditioning	Yes
Service Contract	Horiba: 2 x 6 monthly service and breakdown/repair call out.

**Roadside 6– Ainley Top**

Station	Roadside 6 – Ainley Top
Analyser Model	Horiba: APNA-360CE, MET-One BAM
Logging system	Each analyser has a data distribution board and communicates directly via modem for data download twice per day
Calibration Gas	NO,
Routine Calibration	Automatic calibration carried out every 72 hours
Daily zero and span Check	No
Air Conditioning	Yes
Service Contract	Horiba: 2 x 6 monthly service and breakdown/repair call out.

## C.4 QA/QC of Diffusion Tube Monitoring

Kirklees operates its own laboratory for the analysis of Palmes NO<sub>2</sub> diffusion tubes. The laboratory operates following the protocols set out in the AEAT document “Diffusion Tubes for Ambient NO<sub>2</sub> Monitoring: Practical Guidance”. The tubes are prepared using 50% tea:50% acetone mix.

Kirklees participates in the following QC/QA schemes

- AIR-PT (Formerly WASP)
- Intercomparison Scheme.

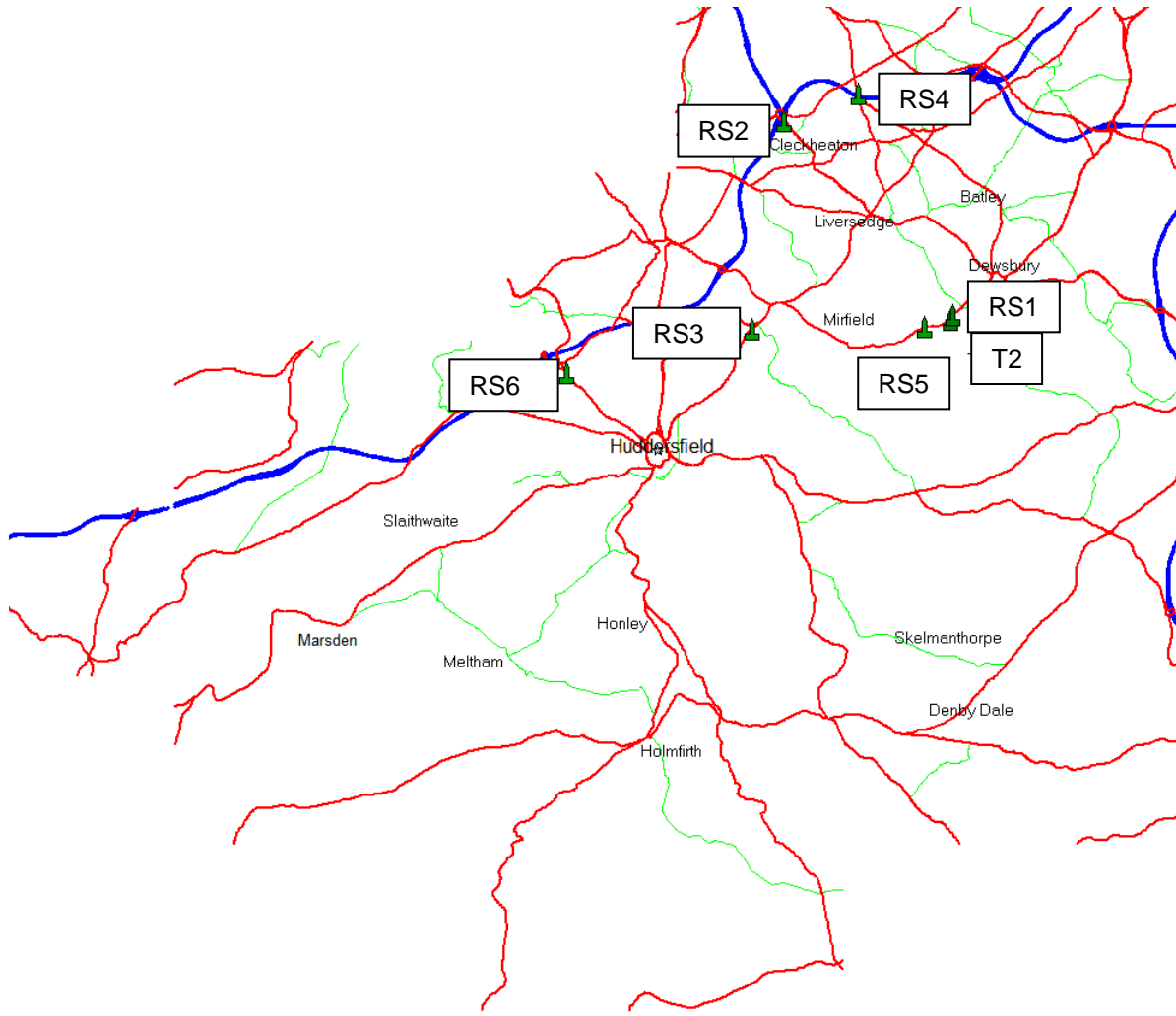
**LAQM-AIR-PT-Rounds-1-12:** for April 2014 to February 2016 Kirklees performance on the following web link-

[http://laqm.defra.gov.uk/documents/LAQM-AIR-PT-Rounds-1-12-\(April-2014-February-2016\)-NO2-report.pdf](http://laqm.defra.gov.uk/documents/LAQM-AIR-PT-Rounds-1-12-(April-2014-February-2016)-NO2-report.pdf)

## Appendix D: Map(s) of Monitoring Locations

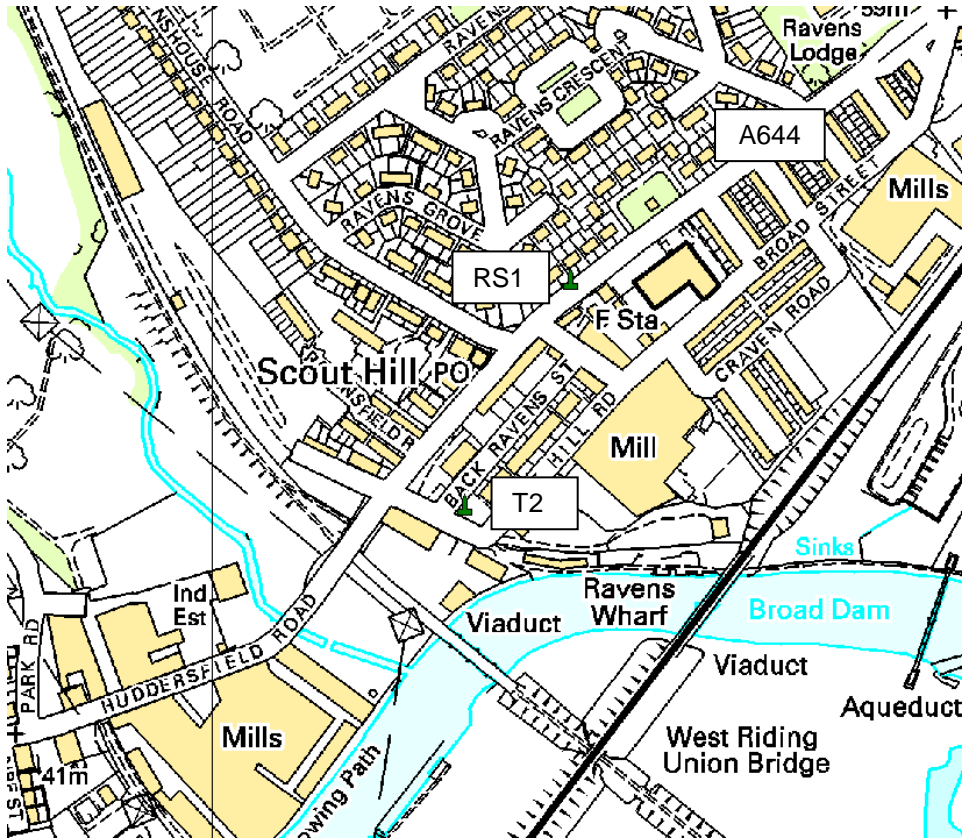
### D.1 Continuous Monitor Sites

#### Map 1.1 Automatic Monitoring Sites across district

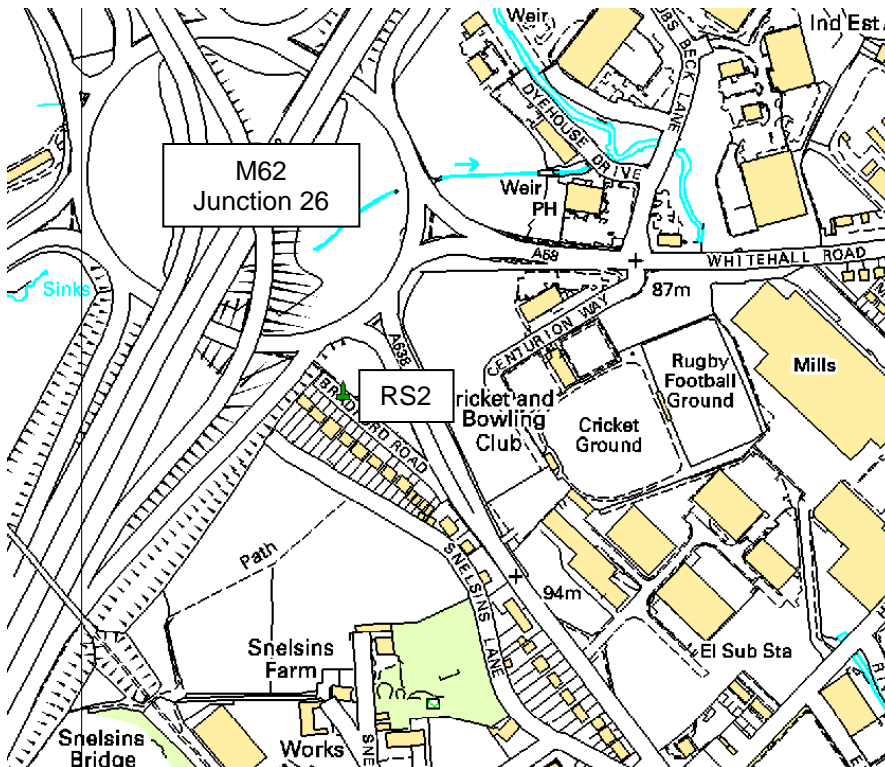


2016

**Map 1.2 Automatic Monitoring Site Trailer 2 Back Ravens Avenue & Roadside 1 Huddersfield Road**

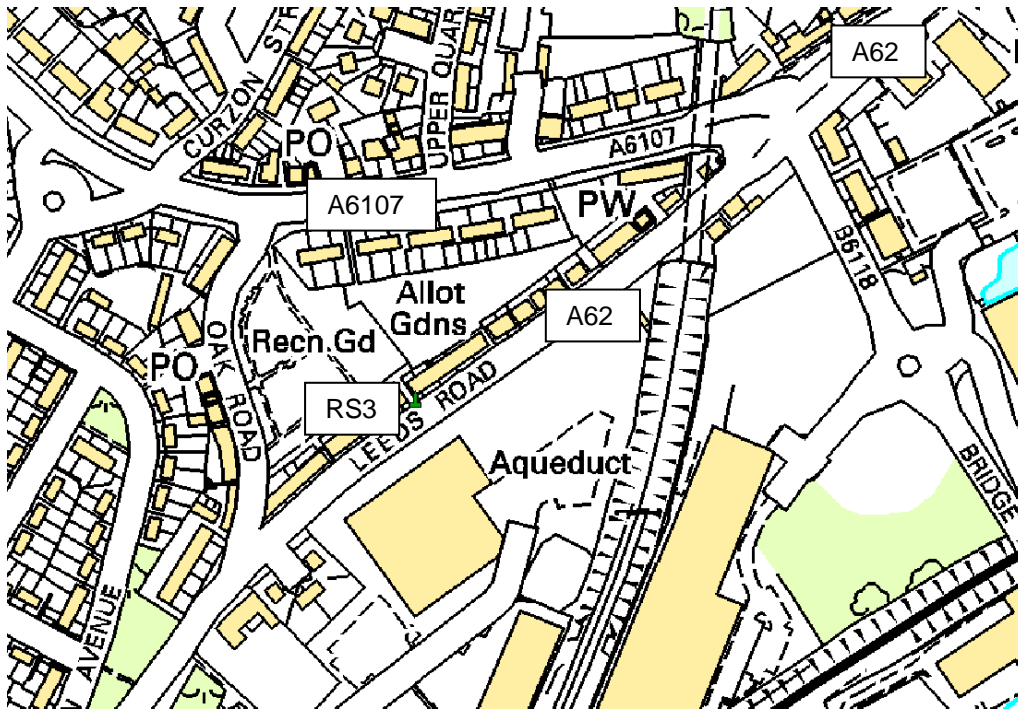


**Map 1.3 Automatic Monitoring Site Roadside 2**

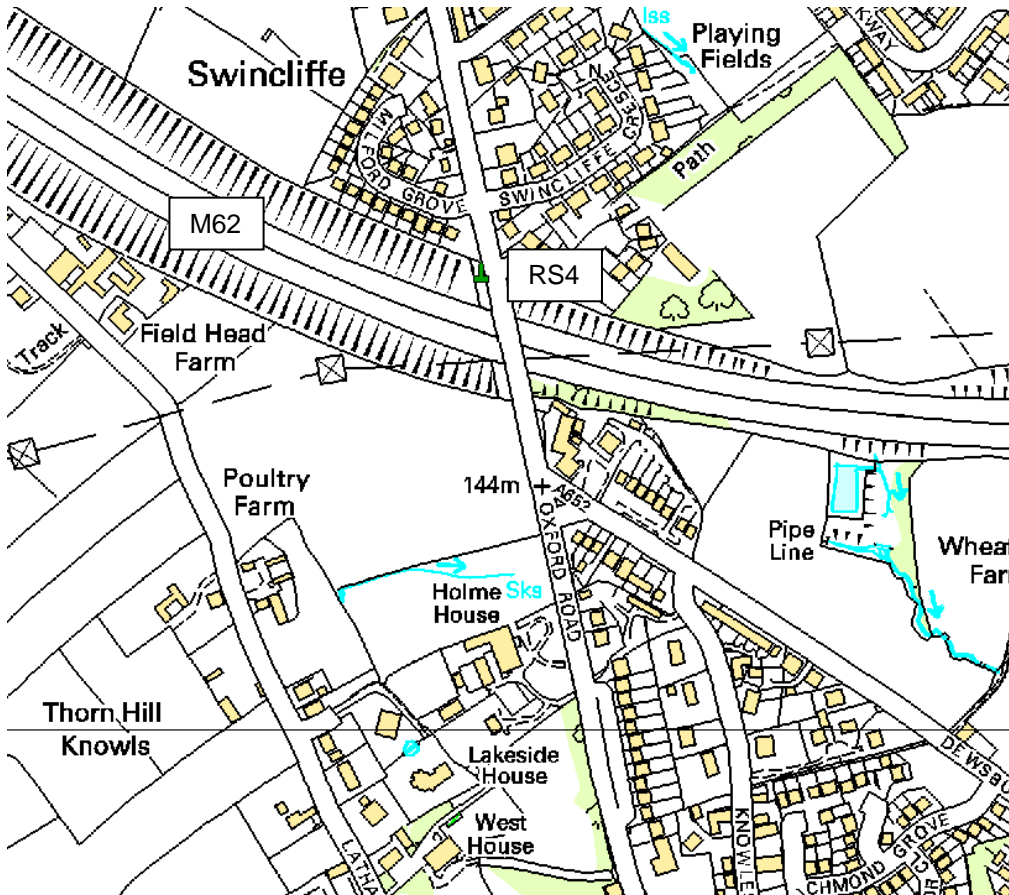


2016

Map 1.4 Automatic Monitoring Site New Roadside 3



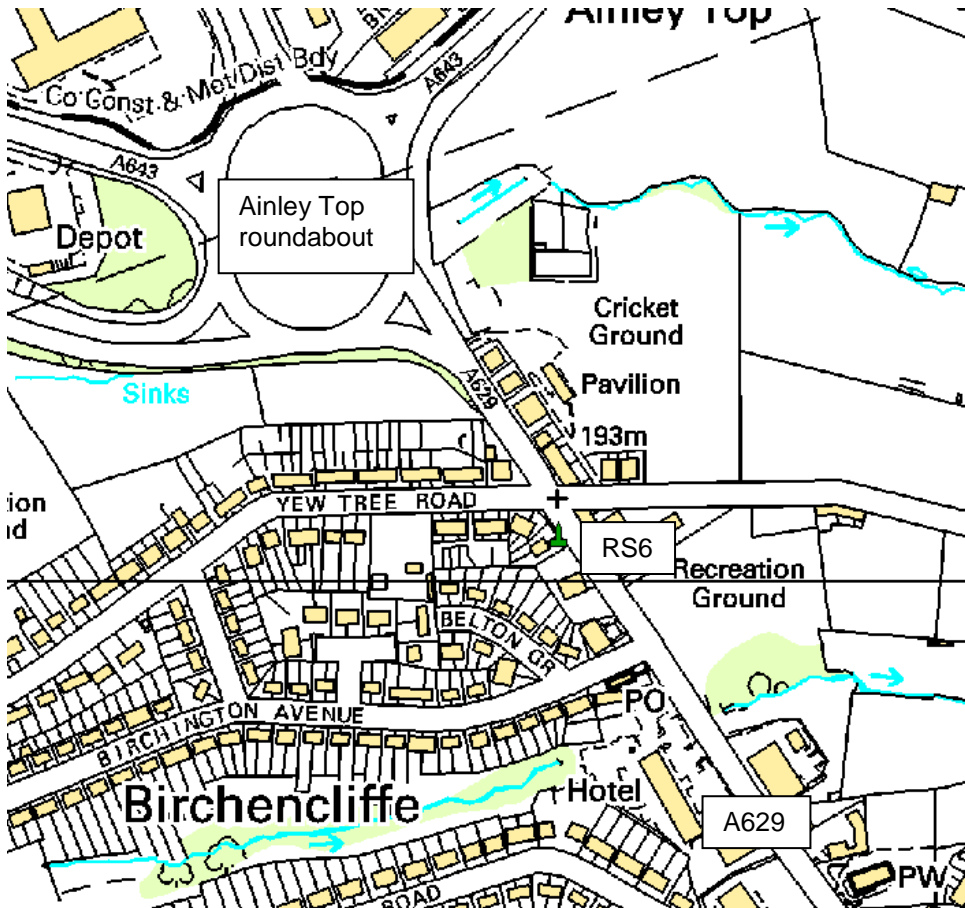
Map 1.5 Automatic Monitoring Site Roadside 4



Map 1.6 Automatic Monitoring Site Roadside 5



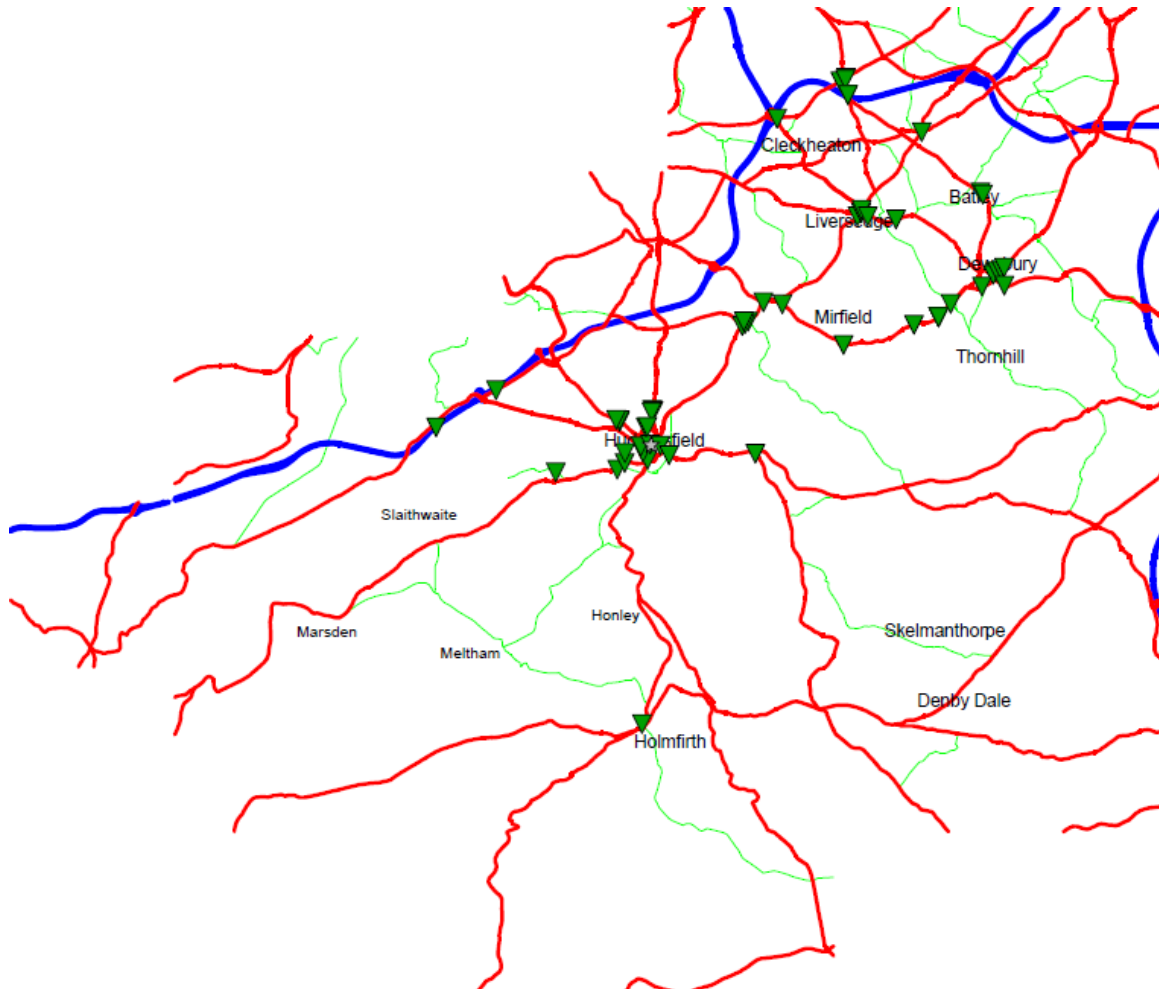
Map 1.7 Automatic Monitoring Site Roadside 6





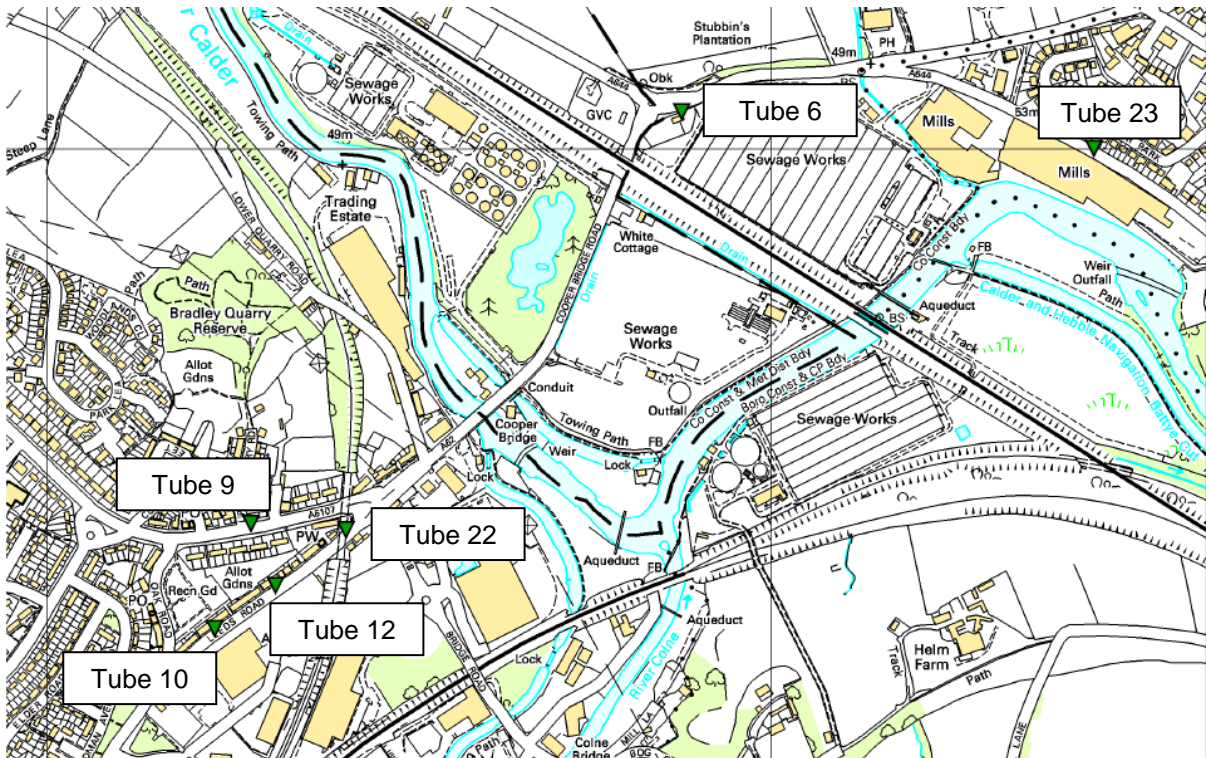
## D.2 Passive Monitor Sites

### Map 2.1 Non-Automatic Monitoring Sites across district

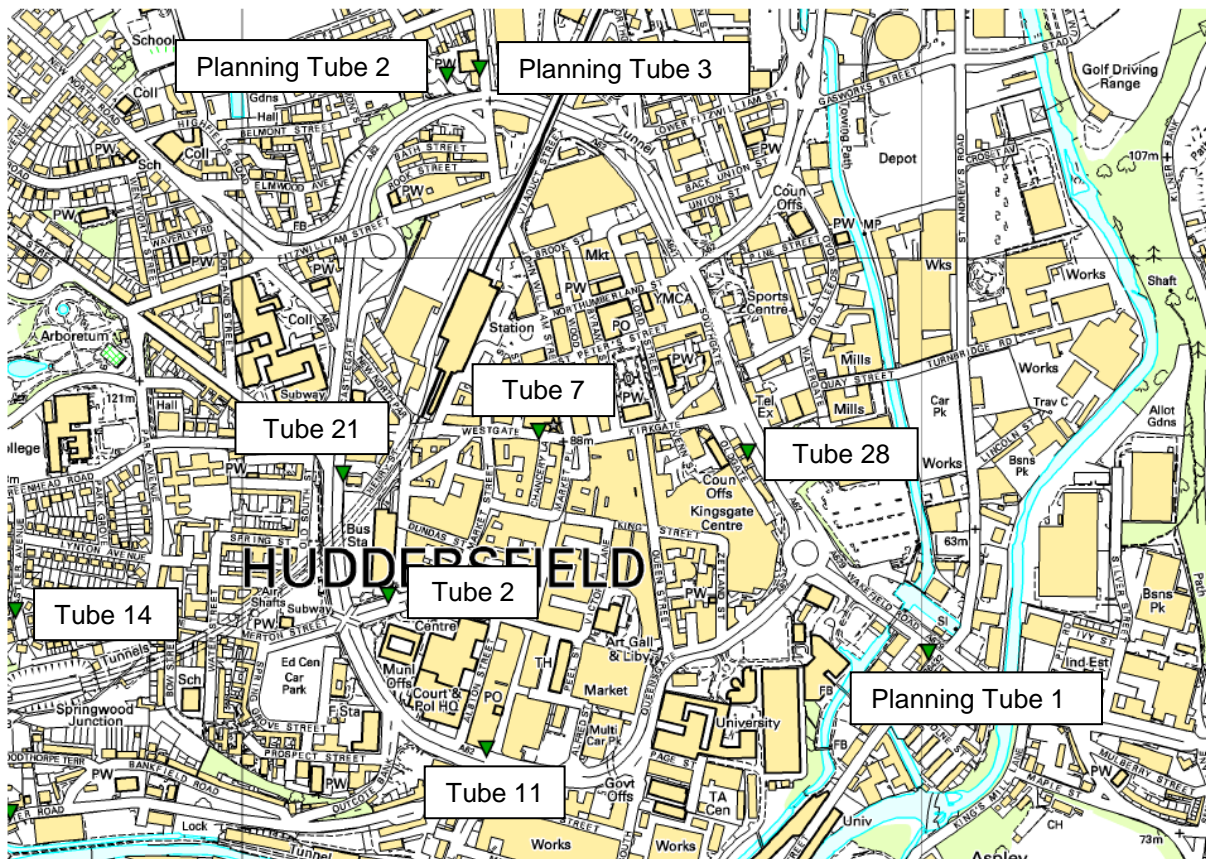


2016

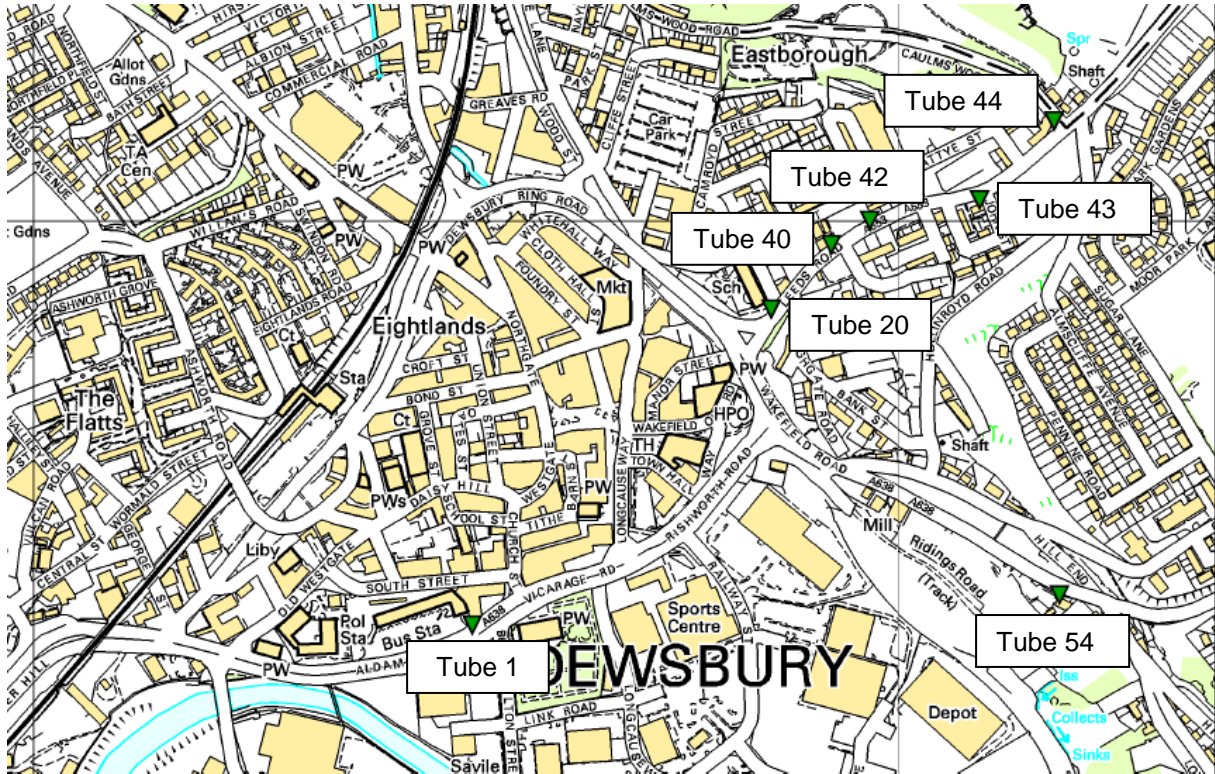
Map 2.2 AQMA 1 Bradley diffusion tubes



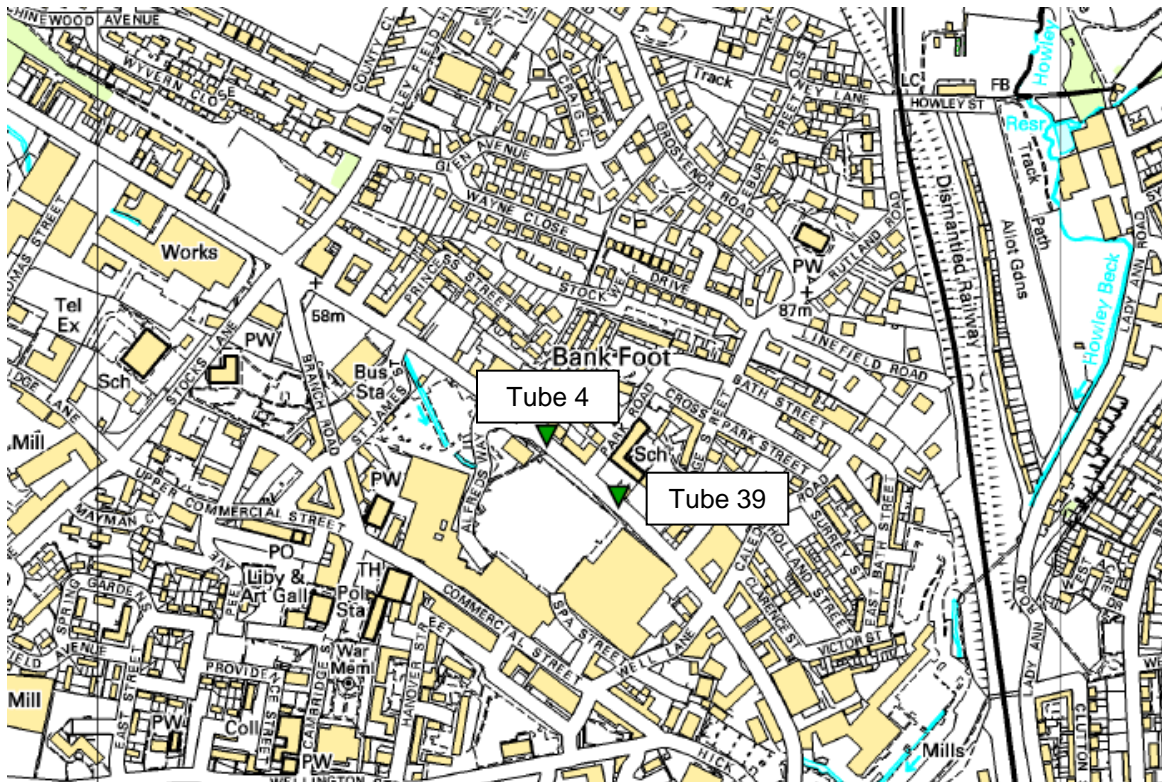
Map 2.3 Huddersfield town centre diffusion tubes



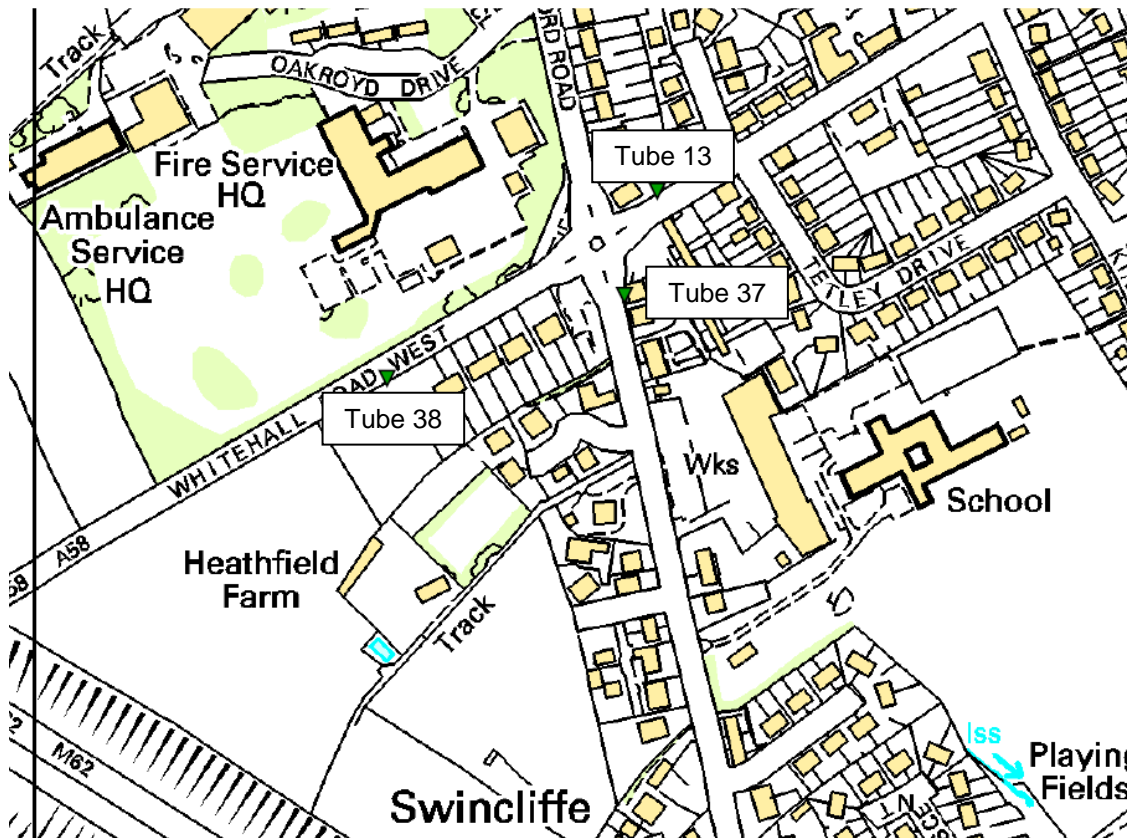
**Map 2.4 Dewsbury town centre & Eastborough diffusion tubes**



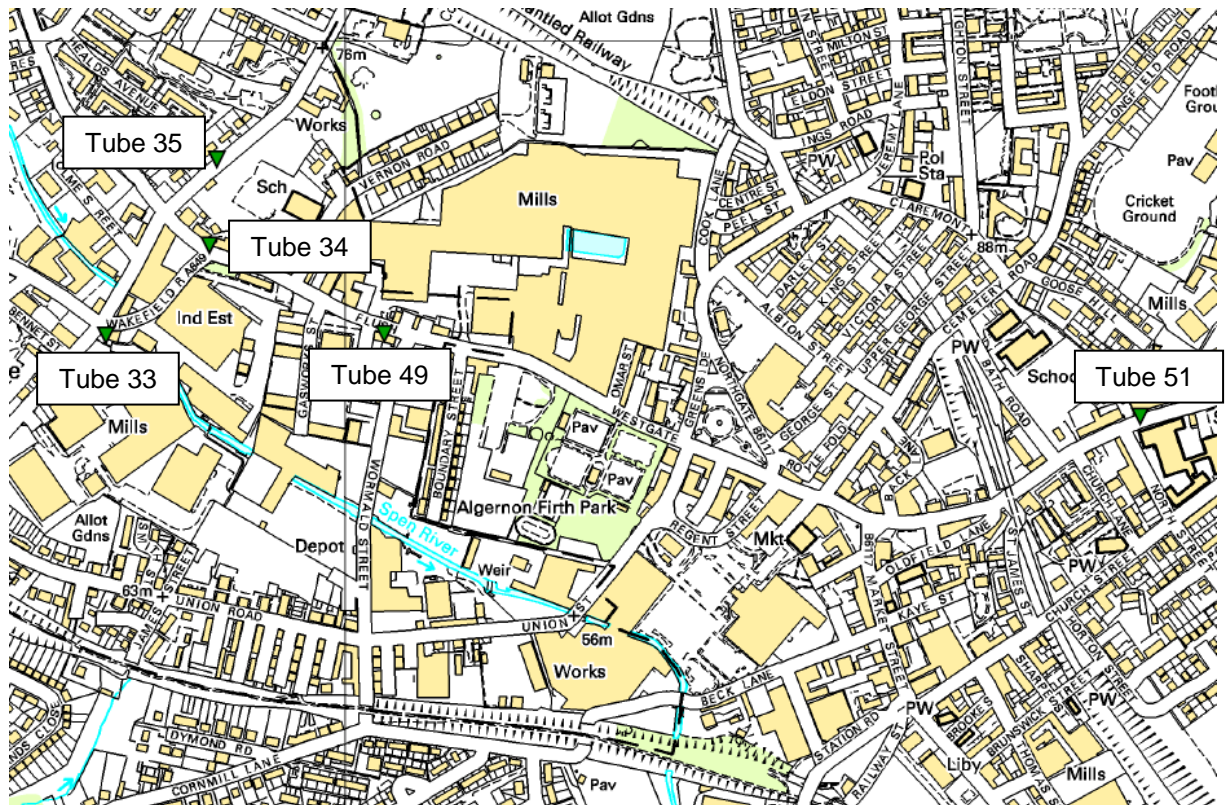
**Map 2.5 Batley diffusion tubes**



Map 2.6 Birkenshaw diffusion tubes



Map 2.7 Heckmondwike and Liversedge diffusion tubes

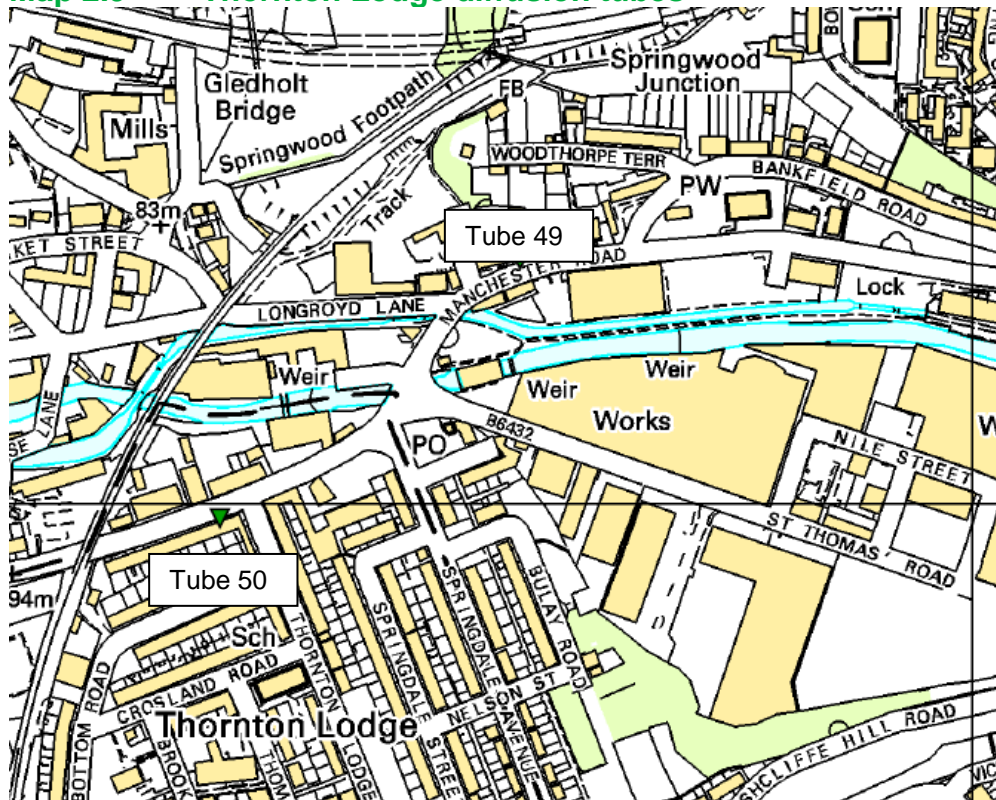


2016

Map 2.8 Edgerton diffusion tubes



Map 2.9 Thornton Lodge diffusion tubes



## Appendix E: Summary of Air Quality Objectives in England

Table E.2 – Air Quality Objectives in England

Pollutant	Air Quality Objective <sup>4</sup>	
	Concentration	Measured as
Nitrogen Dioxide (NO <sub>2</sub> )	200 µg/m <sup>3</sup> not to be exceeded more than 18 times a year	1-hour mean
	40 µg/m <sup>3</sup>	Annual mean
Particulate Matter (PM <sub>10</sub> )	50 µg/m <sup>3</sup> , not to be exceeded more than 35 times a year	24-hour mean
	40 µg/m <sup>3</sup>	Annual mean
Sulphur Dioxide (SO <sub>2</sub> )	350 µg/m <sup>3</sup> , not to be exceeded more than 24 times a year	1-hour mean
	125 µg/m <sup>3</sup> , not to be exceeded more than 3 times a year	24-hour mean
	266 µg/m <sup>3</sup> , not to be exceeded more than 35 times a year	15-minute mean

<sup>4</sup> The units are in microgrammes of pollutant per cubic metre of air (µg/m<sup>3</sup>).

## **Appendix F: Air Quality Management Areas 2016**

- F1.1      Ainley Top AQMA Assessment**
- F1.2      Birkenshaw AQMA Assessment**
- F1.3      Eastborough AQMA Assessment**
- F1.4      Edgerton AQMA Assessment**
- F1.5      Heckmondwike AQMA Assessment**
- F1.6      Huddersfield Town Centre AQMA Assessment**
- F1.7      Outlane AQMA Assessment**

## F.1 Ainley Top Detailed Assessment

Kirklees Council has modelled the annual mean NO<sub>x</sub> for 2014 in the area around Ainley Top Roundabout. This modelling was conducted to determine the boundaries of the AQMA.

Kirklees Council has used Atmospheric Dispersion Modelling System for Urban areas (ADMS Urban) to create this model and validated it against the 2014 automatic monitoring data.

Meteorological Data for the model has been taken from Huddersfield Civic 3 Weather Station. The weather data for 2004 has been selected as the weather patterns in that year are representative of the usual weather conditions in the district.

The Traffic Figures have been obtained from the Department of Transport for 2013 count points in close proximity to the assessment areas.

Traffic counts and average speeds were entered into the Emission Factor Toolkit 2014

Background figures for the model have been taken from the *2014 based background maps* (DEFRA).

The topography and road layout was obtained from Kirklees Council GIS data and ordinance survey records.

Kirklees conducted a statistical procedure as set out in TG(09) to determine the model uncertainty and performance. Table F.1.1 indicates the results at diffusion tube sites and the results of the statistical analysis are contained within Table F.1.2 and Figure F.1.1.

**Table F.1.1 Results of Run at diffusion tube sites and statistical analysis of model**

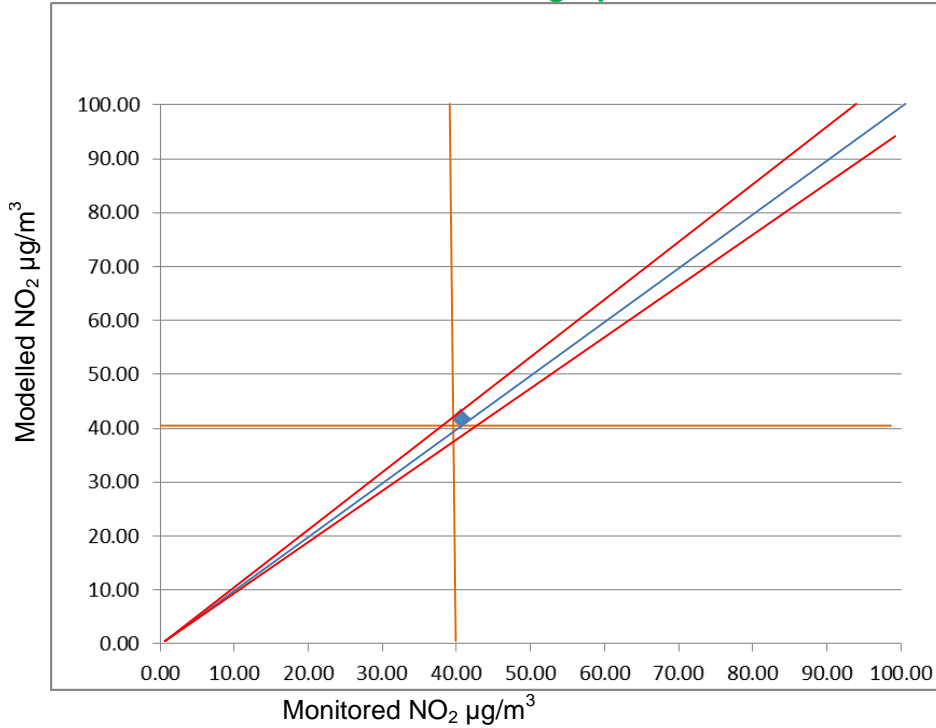
	Tube result ( $\mu\text{g}/\text{m}^3$ )	Modelled increment NO <sub>x</sub> ( $\mu\text{g}/\text{m}^3$ )	Calculated NO <sub>2</sub> from NO <sub>x</sub> ( $\mu\text{g}/\text{m}^3$ )	% Difference	Correction Factor
Roadside 6	<b>41.70</b>	29.99	40.61	-3	0.97

**Table F.1.2 Statistical analysis of the corrected data**

Ainley Top Run 2 - 2014	
RMSE	<b>1.09</b>
Fractional Bias	<b>0.03</b>



**Figure F.1.1 NO<sub>2</sub> Monitored / Modelled scatter graph**



The statistical analysis carried out at the validation stage shows that the model accuracy is good and the fractional bias indicates that the model is only slightly underestimating

Figure F.1.1 graphs the correlation between the monitored and modelled data. It is clear to see that trend line is close to the mid-point and all points fall well within the +/- 5% region

Map 3.1 was constructed using the correction factor of 0.97. The yellow and red areas indicate the areas of exceedance and how NO<sub>2</sub> diffuses around the Ainley Top Roundabout assessment area



## F.2 Birkenshaw Detailed Assessment

Kirklees Council has modelled the annual mean NO<sub>x</sub> for 2015 in the area of Birkenshaw. This modelling was conducted to determine the boundaries of the AQMA.

Kirklees Council has used Atmospheric Dispersion Modelling System for Urban areas (ADMS Urban) to create this model and validated it against the 2015 automatic monitoring data.

Meteorological Data for the model has been taken from Huddersfield Civic 3 Weather Station. The weather data for 2004 has been selected as the weather patterns in that year are representative of the usual weather conditions in the district.

The Traffic Figures have been obtained from the Department of Transport for 2015 count points in close proximity to the assessment areas.

Traffic counts and average speeds were entered into the Emission Factor Toolkit 2014

Background figures for the model have been taken from the *2015 based background maps* (DEFRA).

The topography and road layout was obtained from Kirklees Council GIS data and ordinance survey records.

Kirklees conducted a statistical procedure as set out in TG(09) to determine the model uncertainty and performance. Table F.2.1 indicates the results at diffusion tube sites and the results of the statistical analysis are contained within Table F.2.2 and Figure F.2.1.

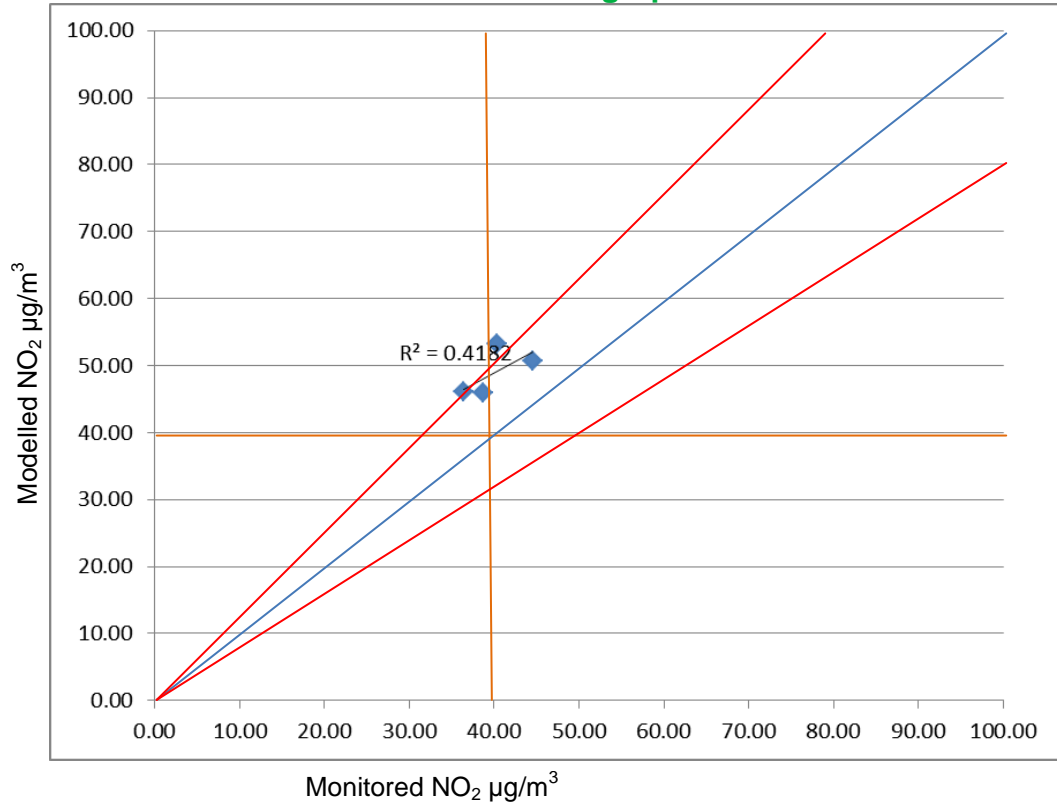
**Table F.2.1 Results of Run at diffusion tube sites and statistical analysis of model**

	Tube result ( $\mu\text{g}/\text{m}^3$ )	Modelled increment NO <sub>x</sub> ( $\mu\text{g}/\text{m}^3$ )	Calculated NO <sub>2</sub> from NO <sub>x</sub> ( $\mu\text{g}/\text{m}^3$ )	% Difference	Correction Factor
<b>RS4</b>	44.60	70.09	50.71	14	0.88
<b>Tube 13</b>	40.38	77.69	53.22	32	0.76
<b>Tube 37</b>	36.36	56.64	46.04	27	0.79
<b>Tube 38</b>	38.66	56.17	45.87	19	0.84

**Table F.2.2 Statistical analysis of the corrected data**

<b>Birkenshaw Run - 2015</b>	
<b>RMSE</b>	<b>7.05</b>
<b>Fractional Bias</b>	<b>-0.20</b>

**Figure F.2.1 NO2 Monitored / Modelled scatter graph**

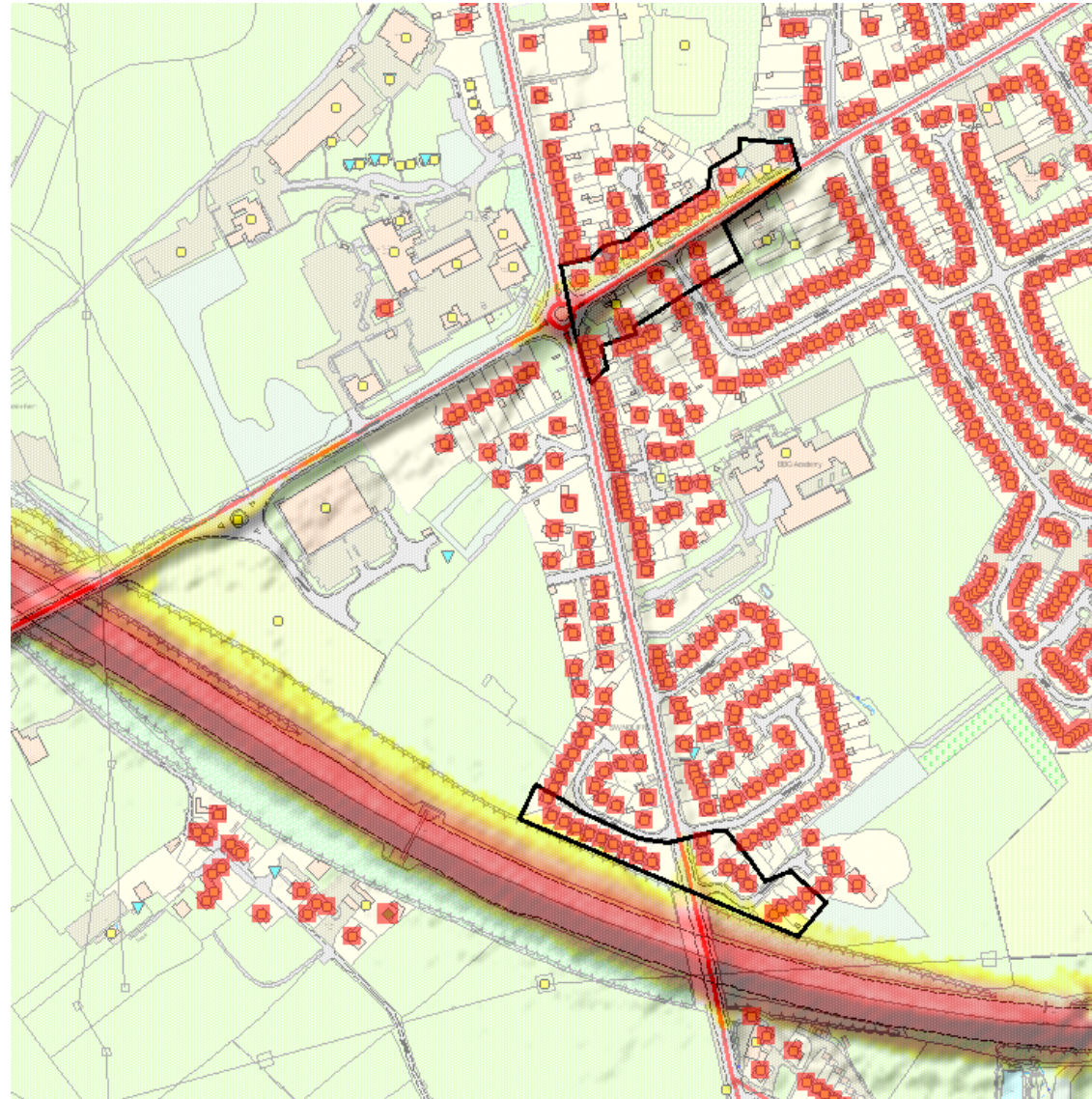


The statistical analysis carried out at the validation stage shows that the model accuracy is average and the fractional bias indicates that the model is over estimating

Figure F.2.1 graphs the correlation between the monitored and modelled data. It is clear to see that trend line falls within the +/- 20% region

Map 3.1 was constructed using the correction factor of 0.88. The yellow and red areas indicate the areas of exceedance and how NO<sub>2</sub> diffuses around the Ainley Top Roundabout assessment area

Map 3.2 Birkenshaw AQMA



**Key**

- Residential Property
- AQMA

**NO<sub>2</sub> Levels:**

- >60µg/m<sup>3</sup>
- 50 - 60µg/m<sup>3</sup>
- 45 - 50µg/m<sup>3</sup>
- 40 - 45µg/m<sup>3</sup>

### F.3 Eastborough Detailed Assessment

Kirklees Council has modelled the annual mean NO<sub>x</sub> for 2015 in the area of Eastborough. This modelling was conducted to determine the boundaries of the AQMA.

Kirklees Council has used Atmospheric Dispersion Modelling System for Urban areas (ADMS Urban) to create this model and validated it against the 2015 automatic monitoring data.

Meteorological Data for the model has been taken from Huddersfield Civic 3 Weather Station. The weather data for 2004 has been selected as the weather patterns in that year are representative of the usual weather conditions in the district.

The Traffic Figures have been obtained from the Department of Transport for 2015 count points in close proximity to the assessment areas.

Traffic counts and average speeds were entered into the Emission Factor Toolkit 2014

Background figures for the model have been taken from the *2015 based background maps* (DEFRA).

The topography and road layout was obtained from Kirklees Council GIS data and ordinance survey records.

Kirklees conducted a statistical procedure as set out in TG(09) to determine the model uncertainty and performance. Table F.3.1 indicates the results at diffusion tube sites and the results of the statistical analysis are contained within Table F.3.2 and Figure F.3.1.

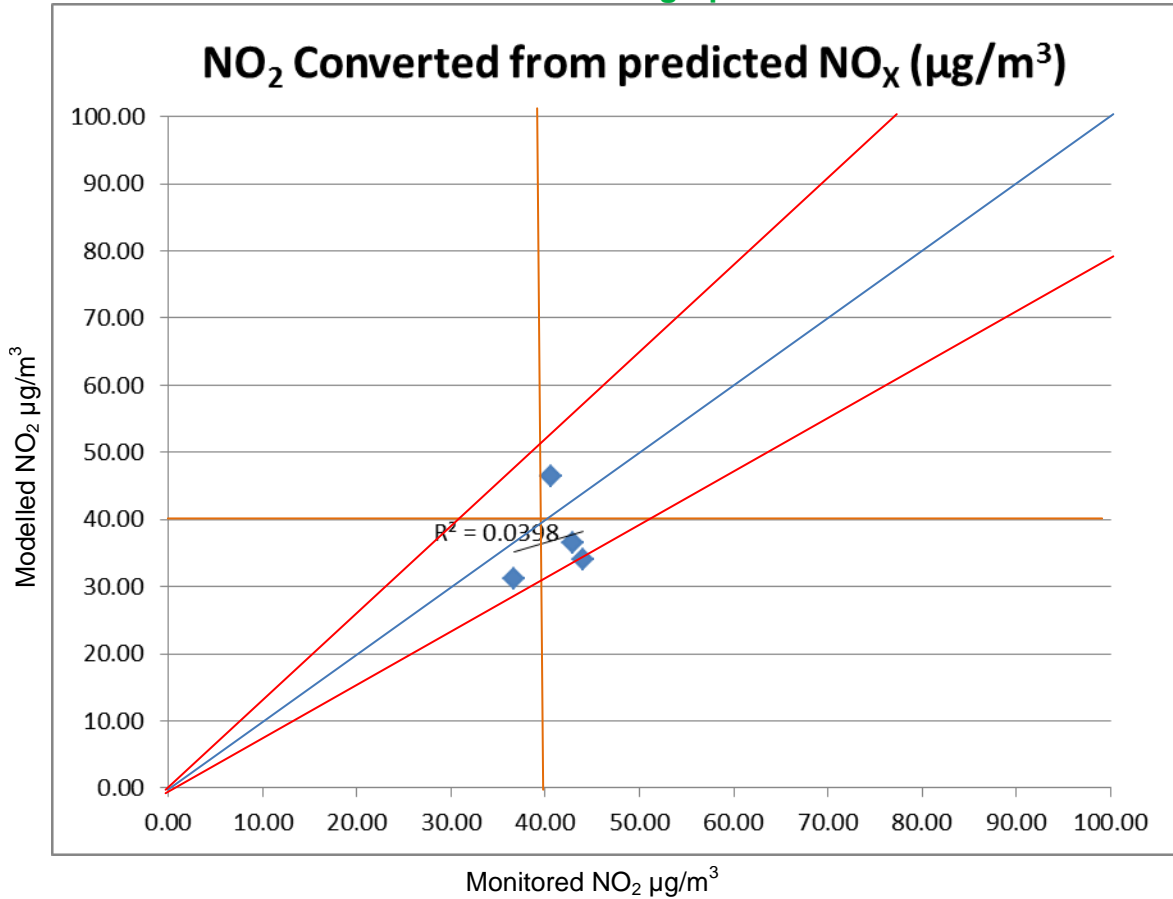
**Table F.3.1 Results of Run at diffusion tube sites and statistical analysis of model**

	Tube result (µg/m <sup>3</sup> )	Modelled increment NO <sub>x</sub> (µg/m <sup>3</sup> )	Calculated NO <sub>2</sub> from NO <sub>x</sub> (µg/m <sup>3</sup> )	% Difference	Correction Factor
<b>Tube 20</b>	40.68	100.15	46.39	14	0.88
<b>Tube 40</b>	60.39	86.89	41.48	-31	1.46
<b>Tube 42</b>	42.99	74.35	36.48	-15	1.18
<b>Tube 43</b>	43.97	68.74	34.12	-22	1.29
<b>Tube 44</b>	36.68	61.83	31.11	-15	1.18

**Table F.3.2 Statistical analysis of the corrected data**

Eastborough Run - 2015	
RMSE	8.95
Fractional Bias	0.17

Figure F.3.1 NO<sub>2</sub> Monitored / Modelled scatter graph

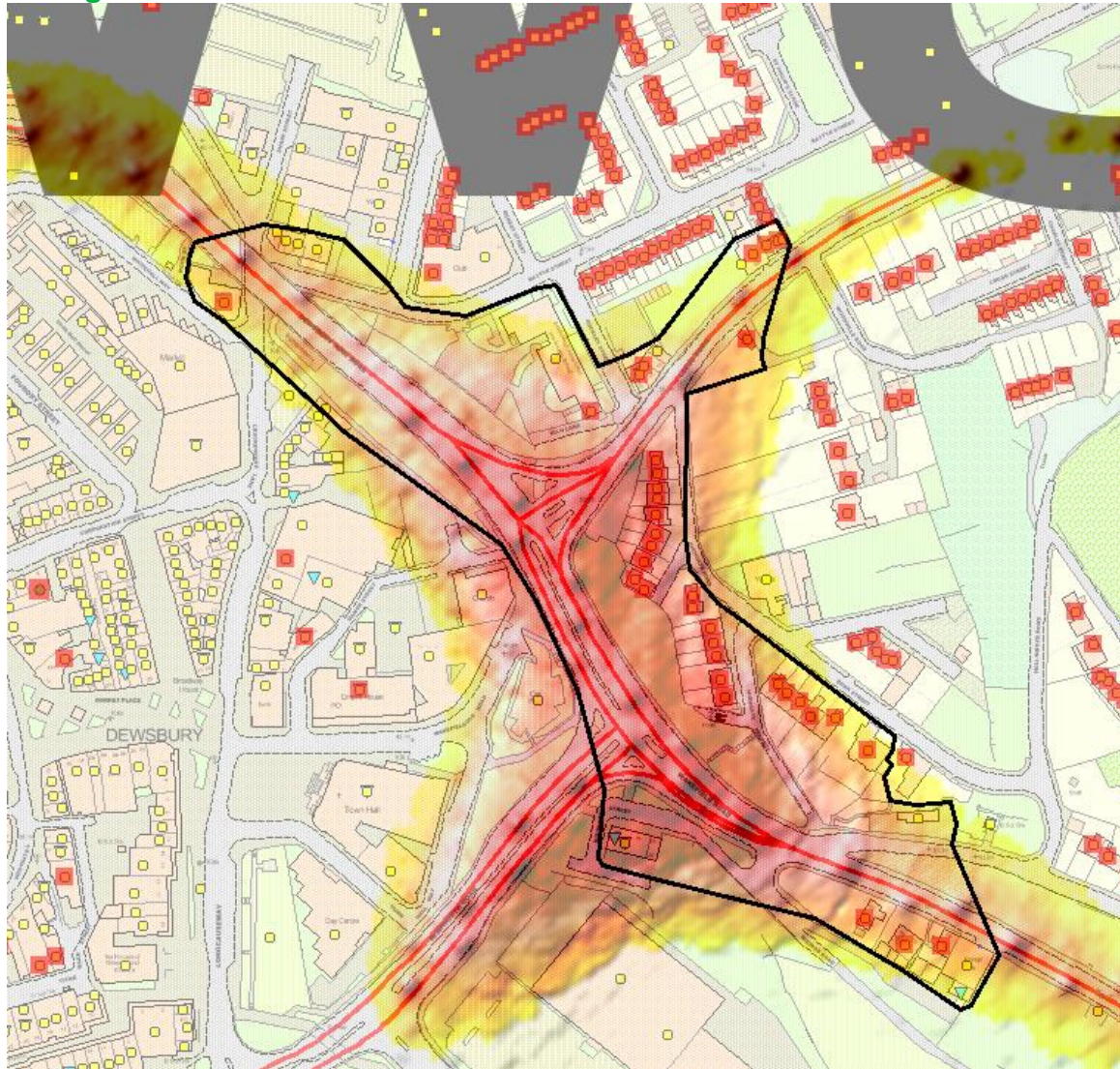


The statistical analysis carried out at the validation stage shows that the model accuracy is average and the fractional bias indicates that the model in the most part is underestimating.

Figure F.3.1 graphs the correlation between the monitored and modelled data. It is clear to see that trend line is close to the mid-point and all points fall within the +/- 20% region

Map 3.3 was constructed using the correction factor of 1.22. The yellow and red areas indicate the areas of exceedance and how NO<sub>2</sub> diffuses around the Eastborough assessment area

Map 3.3 Eastborough AQMA



**Key**

- Residential Property
- AQMA

**NO<sub>2</sub> Levels:**

- >60µg/m<sup>3</sup>
- 50 - 60µg/m<sup>3</sup>
- 45 - 50µg/m<sup>3</sup>
- 40 - 45µg/m<sup>3</sup>



## F.4 Edgerton Detailed Assessment

Kirklees Council has modelled the annual mean NO<sub>x</sub> for 2015 in the area of Edgerton. This modelling was conducted to determine the boundaries of the AQMA.

Kirklees Council has used Atmospheric Dispersion Modelling System for Urban areas (ADMS Urban) to create this model and validated it against the 2015 automatic monitoring data.

Meteorological Data for the model has been taken from Huddersfield Civic 3 Weather Station. The weather data for 2004 has been selected as the weather patterns in that year are representative of the usual weather conditions in the district.

The Traffic Figures have been obtained from the Department of Transport for 2015 count points in close proximity to the assessment areas.

Traffic counts and average speeds were entered into the Emission Factor Toolkit 2014

Background figures for the model have been taken from the *2015 based background maps* (DEFRA).

The topography and road layout was obtained from Kirklees Council GIS data and ordinance survey records.

Kirklees conducted a statistical procedure as set out in TG(09) to determine the model uncertainty and performance. Table F.4.1 indicates the results at diffusion tube sites and the results of the statistical analysis are contained within Table F.4.2 and Figure F4.1.

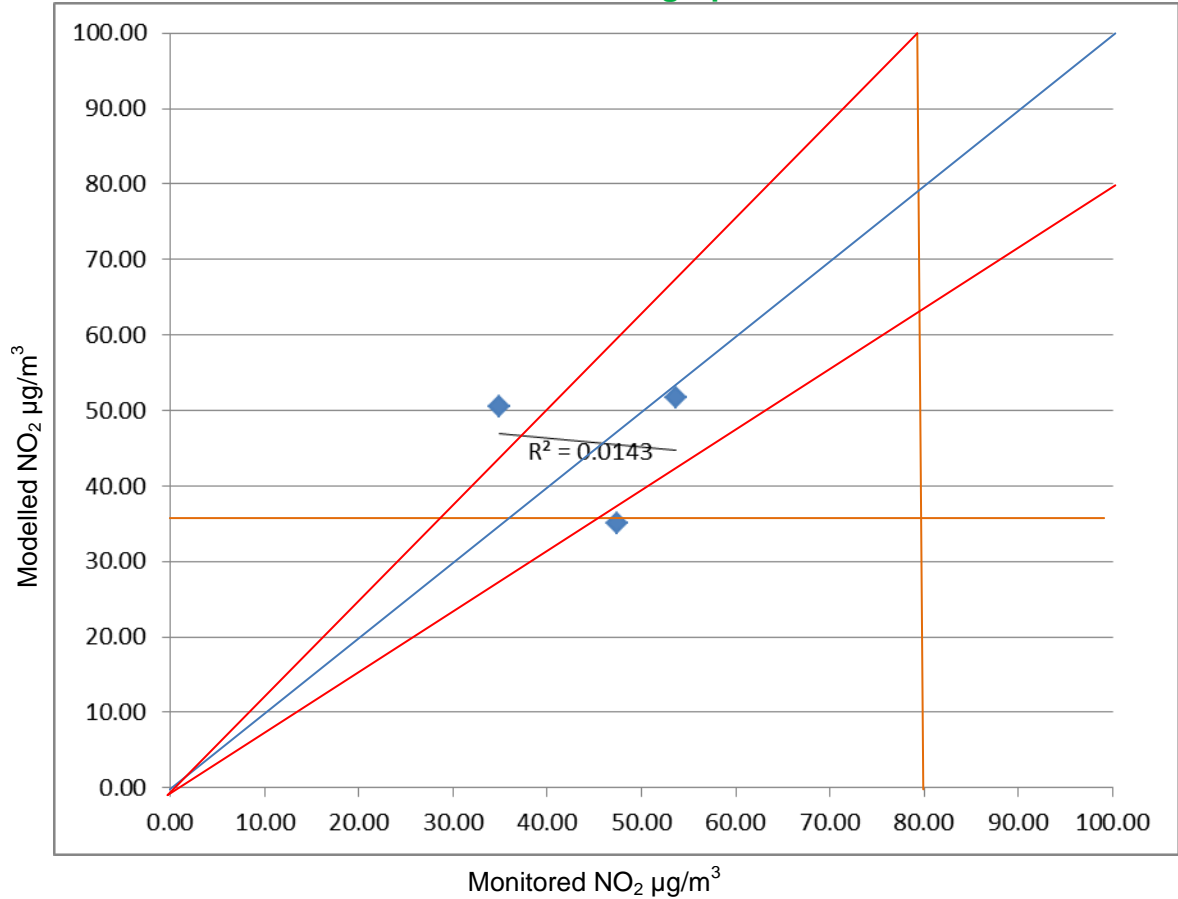
**Table F.4.1 Results of Run at diffusion tube sites and statistical analysis of model**

	Tube result ( $\mu\text{g}/\text{m}^3$ )	Modelled increment NO <sub>x</sub> ( $\mu\text{g}/\text{m}^3$ )	Calculated NO <sub>2</sub> from NO <sub>x</sub> ( $\mu\text{g}/\text{m}^3$ )	% Difference	Correction Factor
<b>Tube 3</b>	53.70	73.10	51.72	-4	1.04
<b>Tube 31</b>	34.96	69.30	50.45	44	0.69
<b>Tube 32</b>	47.42	28.39	35.04	-26	1.35

**Table F.4.2 Statistical analysis of the corrected data**

Edgerton Run - 2015	
RMSE	8.14
Fractional Bias	-0.01

**Figure F4.1 NO2 Monitored / Modelled scatter graph**

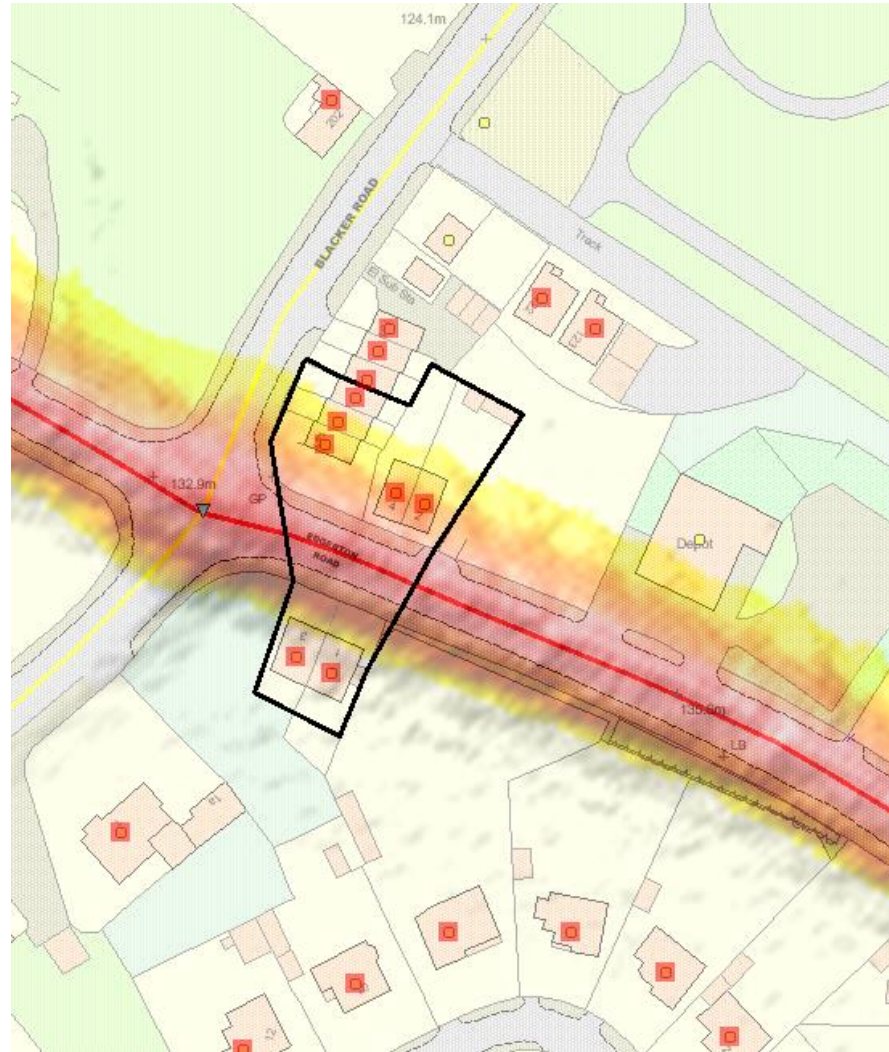


The statistical analysis carried out at the validation stage shows that the model accuracy is average and the fractional bias indicates that the model is overestimating.

Figure F.4.1 graphs the correlation between the monitored and modelled data. It is clear to see that trend line is close to the mid-point and all points fall within the +/- 20% region

Map 3.4 was constructed without a correction factor. The yellow and red areas indicate the areas of exceedance and how NO<sub>2</sub> diffuses around the Edgerton assessment area

Map 3.4 Edgerton AQMA



**Key**

- Residential Property
- AQMA

**NO<sub>2</sub> Levels:**

- >60µg/m<sup>3</sup>
- 50 - 60µg/m<sup>3</sup>
- 45 - 50µg/m<sup>3</sup>
- 40 - 45µg/m<sup>3</sup>

## F.5 Heckmondwike Detailed Assessment

Kirklees Council has modelled the annual mean NO<sub>x</sub> for 2015 in the area of Heckmondwike. This modelling was conducted to determine the boundaries of the AQMA.

Kirklees Council has used Atmospheric Dispersion Modelling System for Urban areas (ADMS Urban) to create this model and validated it against the 2015 automatic monitoring data.

Meteorological Data for the model has been taken from Huddersfield Civic 3 Weather Station. The weather data for 2004 has been selected as the weather patterns in that year are representative of the usual weather conditions in the district.

The Traffic Figures have been obtained from the Department of Transport for 2015 count points in close proximity to the assessment areas.

Traffic counts and average speeds were entered into the Emission Factor Toolkit 2014

Background figures for the model have been taken from the *2015 based background maps* (DEFRA).

The topography and road layout was obtained from Kirklees Council GIS data and ordinance survey records.

Kirklees conducted a statistical procedure as set out in TG(09) to determine the model uncertainty and performance. Table F.5.1 indicates the results at diffusion tube sites and the results of the statistical analysis are contained within Table F.5.2 and Figure F5.1.

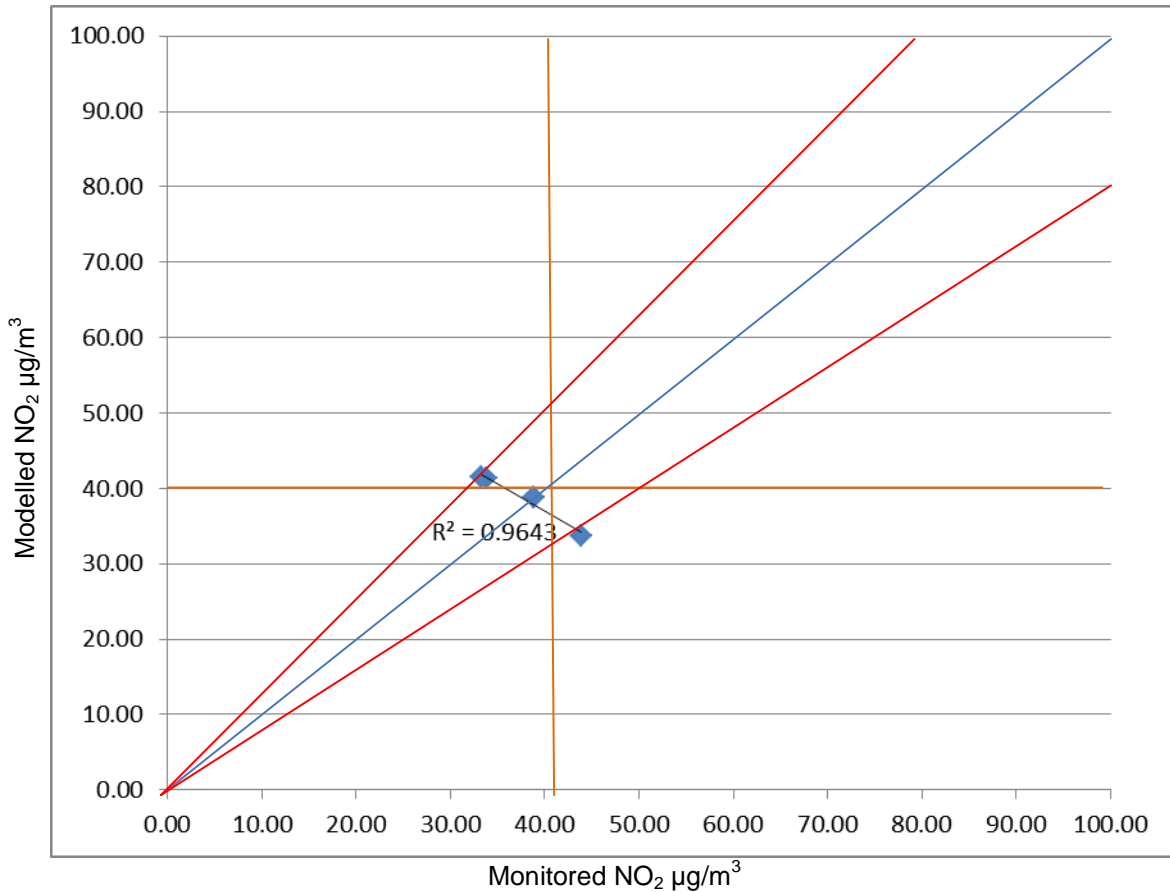
**Table F.5.1 Results of Run at diffusion tube sites and statistical analysis of model**

	Tube result (µg/m <sup>3</sup> )	Modelled increment NO <sub>x</sub> (µg/m <sup>3</sup> )	Calculated NO <sub>2</sub> from NO <sub>x</sub> (µg/m <sup>3</sup> )	% Difference	Correction Factor
<b>Tube 33</b>	33.75	44.12	41.38	23	0.82
<b>Tube 34</b>	33.21	44.64	41.58	25	0.80
<b>Tube 35</b>	38.86	37.67	38.85	0	1.00
<b>Tube 48</b>	43.82	25.33	33.74	-23	1.30

**Table F.5.2 Statistical analysis of the corrected data**

Heckmondwike Run - 2015	
RMSE	5.73
Fractional Bias	-0.04

**Figure F5.1 NO2 Monitored / Modelled scatter graph**

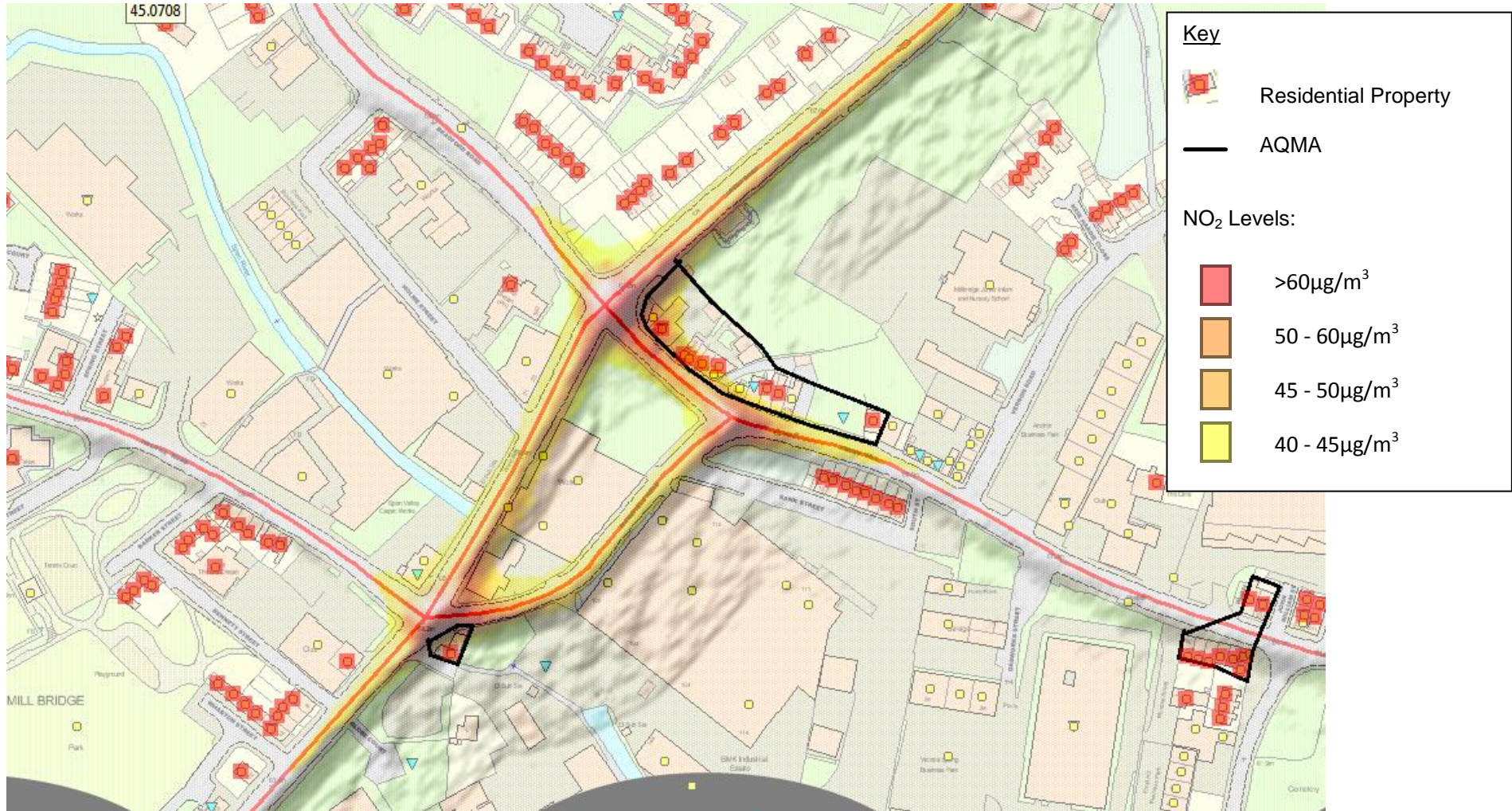


The statistical analysis carried out at the validation stage shows that the model accuracy is average and the fractional bias indicates that the model average distribution of results is similar to the monitoring results.

Figure F.5.1 graphs the correlation between the monitored and modelled data. It is clear to see that trend line is close to the mid-point and all points fall within the +/- 20% region

Map 3.5 was constructed using the correction factor of 0.98. The yellow and red areas indicate the areas of exceedance and how NO<sub>2</sub> diffuses around the Heckmondwike assessment area

Map 3.5 Heckmondwike AQMA



## F.6 Huddersfield Town Centre Detailed Assessment

Kirklees Council has modelled the annual mean NO<sub>x</sub> for 2015 in the area of Heckmondwike. This modelling was conducted to determine the boundaries of the AQMA.

Kirklees Council has used Atmospheric Dispersion Modelling System for Urban areas (ADMS Urban) to create this model and validated it against the 2015 automatic monitoring data.

Meteorological Data for the model has been taken from Huddersfield Civic 3 Weather Station. The weather data for 2004 has been selected as the weather patterns in that year are representative of the usual weather conditions in the district.

The Traffic Figures have been obtained from the Department of Transport for 2015 count points in close proximity to the assessment areas.

Traffic counts and average speeds were entered into the Emission Factor Toolkit 2014

Background figures for the model have been taken from the *2015 based background maps* (DEFRA).

The topography and road layout was obtained from Kirklees Council GIS data and ordinance survey records.

Kirklees conducted a statistical procedure as set out in TG(09) to determine the model uncertainty and performance. Table F.6.1 indicates the results at diffusion tube sites and the results of the statistical analysis are contained within Table F.6.2 and Figure F.6.1.

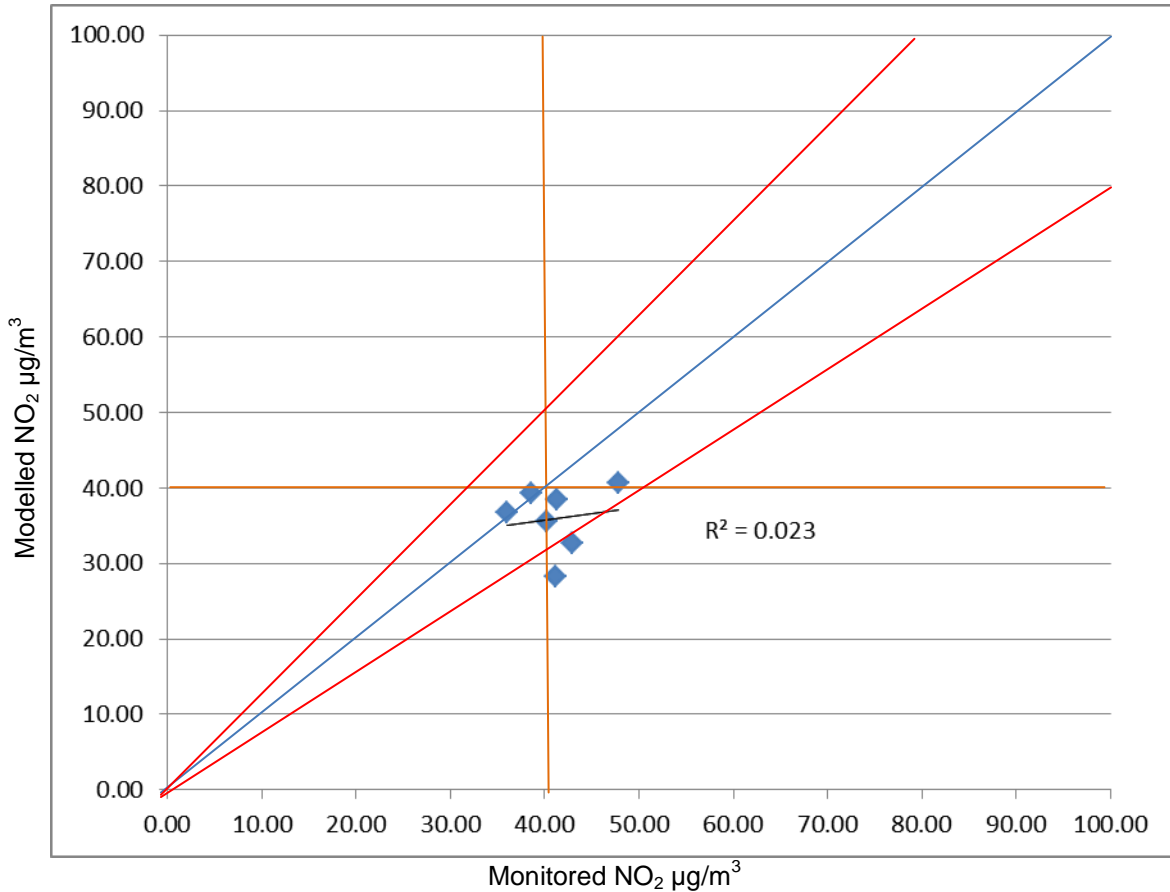
**Table F.6.1 Results of Run at diffusion tube sites and statistical analysis of model**

	Tube result ( $\mu\text{g}/\text{m}^3$ )	Modelled increment NO <sub>x</sub> ( $\mu\text{g}/\text{m}^3$ )	Calculated NO <sub>2</sub> from NO <sub>x</sub> ( $\mu\text{g}/\text{m}^3$ )	% Difference	Correction Factor
<b>Roadside 3</b>	36.00	32.31	36.68	2	0.98
<b>Tube 16</b>	41.19	12.92	28.22	-31	1.46
<b>Tube 17</b>	41.25	36.70	38.46	-7	1.07
<b>Tube 20</b>	40.17	29.79	35.63	-11	1.13
<b>Tube 33</b>	47.85	42.46	40.74	-15	1.17
<b>Tube 13</b>	38.64	38.74	39.28	2	0.98
<b>Tube 54</b>	42.90	22.85	32.67	-24	1.31

**Table F.6.2 Statistical analysis of the corrected data**

Town Centre Run - 2015	
RMSE	7.10
Fractional Bias	0.13

**Figure F.6.1 NO<sub>2</sub> Monitored / Modelled scatter graph**



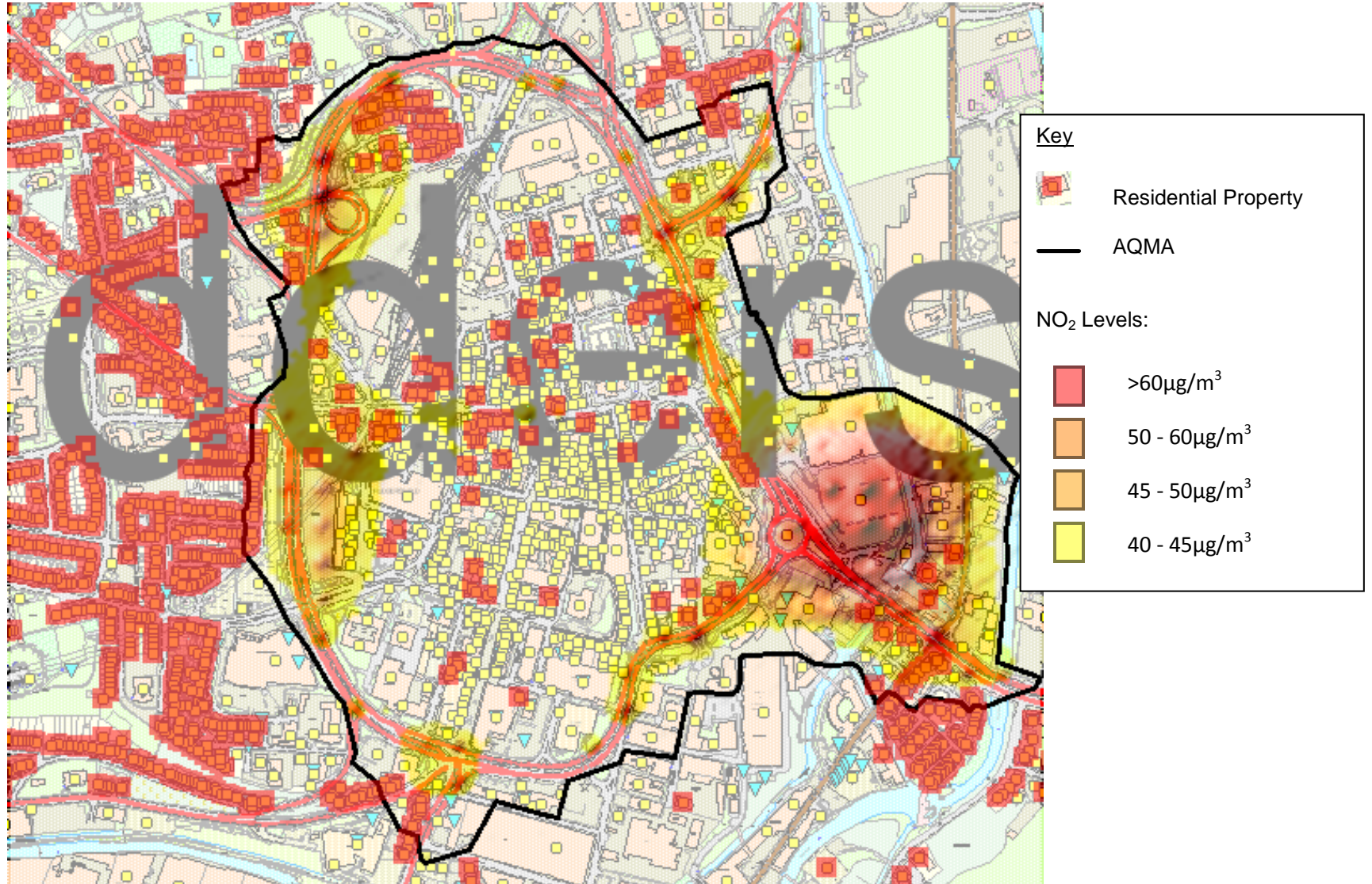
The statistical analysis carried out at the validation stage shows that the model accuracy is average and the fractional bias indicates that the model average distribution of results is similar to the monitoring results.

Figure F.6.1 graphs the correlation between the monitored and modelled data. It is clear to see that trend line is close to the mid-point and all points fall within the +/- 20% region

Map 3.6 was constructed using the correction factor of 0.95. The yellow and red areas indicate the areas of exceedance and how NO<sub>2</sub> diffuses around the Huddersfield Town Centre assessment area



Map 3.6 Huddersfield Town Centre AQMA



## F.7 Outlane Detailed Assessment

Kirklees Council has modelled the annual mean NO<sub>x</sub> for 2015 in the area of Outlane. This modelling was conducted to determine the boundaries of the AQMA.

Kirklees Council has used Atmospheric Dispersion Modelling System for Urban areas (ADMS Urban) to create this model and validated it against the 2015 automatic monitoring data.

Meteorological Data for the model has been taken from Huddersfield Civic 3 Weather Station. The weather data for 2004 has been selected as the weather patterns in that year are representative of the usual weather conditions in the district.

The Traffic Figures have been obtained from the Department of Transport for 2015 count points in close proximity to the assessment areas.

Traffic counts and average speeds were entered into the Emission Factor Toolkit 2014

Background figures for the model have been taken from the *2015 based background maps* (DEFRA).

The topography and road layout was obtained from Kirklees Council GIS data and ordinance survey records.

Kirklees conducted a statistical procedure as set out in TG(09) to determine the model uncertainty and performance. Table F.7.1 indicates the results at diffusion tube sites and the results of the statistical analysis are contained within Table F.7.2 and Figure F.7.1.

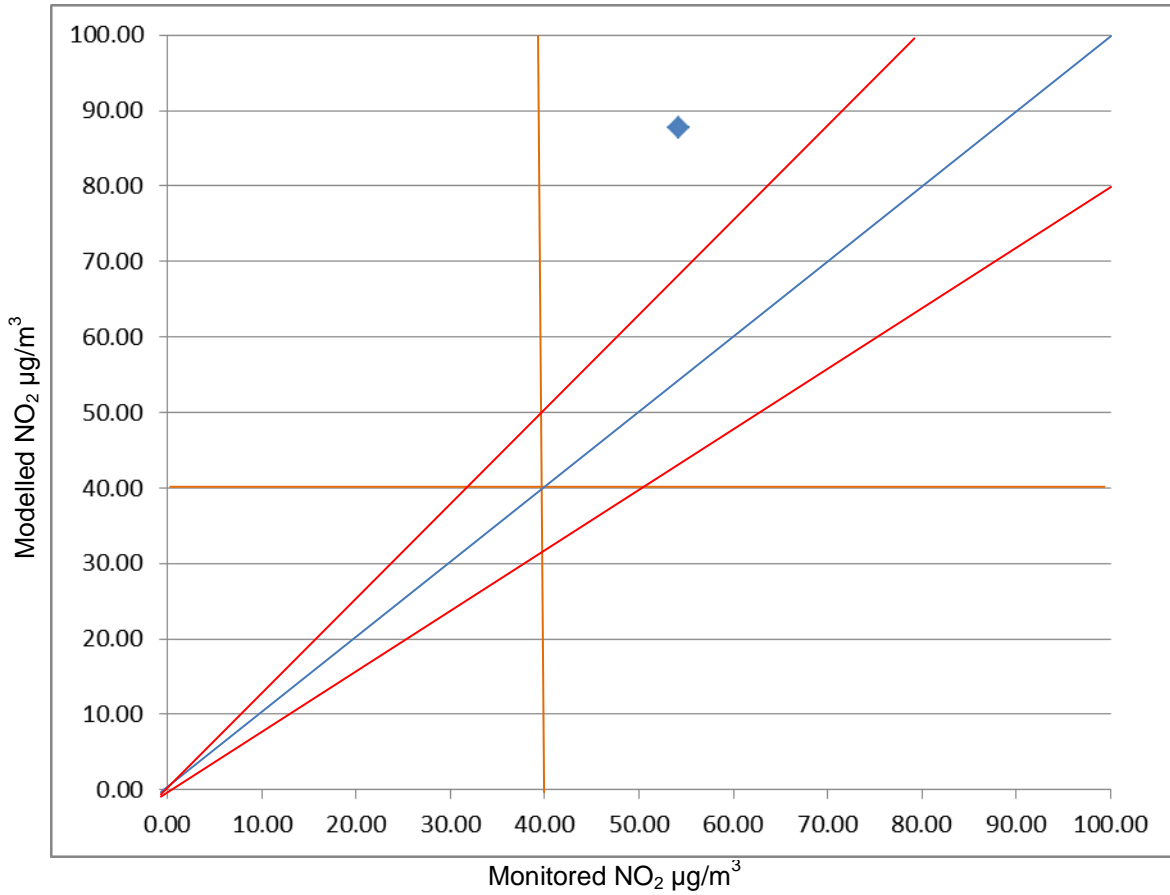
**Table F.7.1 Results of Run at diffusion tube sites and statistical analysis of model**

	Tube result (µg/m <sup>3</sup> )	Modelled increment NO <sub>x</sub> (µg/m <sup>3</sup> )	Calculated NO <sub>2</sub> from NO <sub>x</sub> (µg/m <sup>3</sup> )	% Difference	Correction Factor
<b>Tube 47</b>	54.16	226.83	87.75	62	0.62

**Table F.7.2 Statistical analysis of the corrected data**

Outlane Run - 2015	
RMSE	16.80
Fractional Bias	-0.47

**Figure F.7.1 NO2 Monitored / Modelled scatter graph**

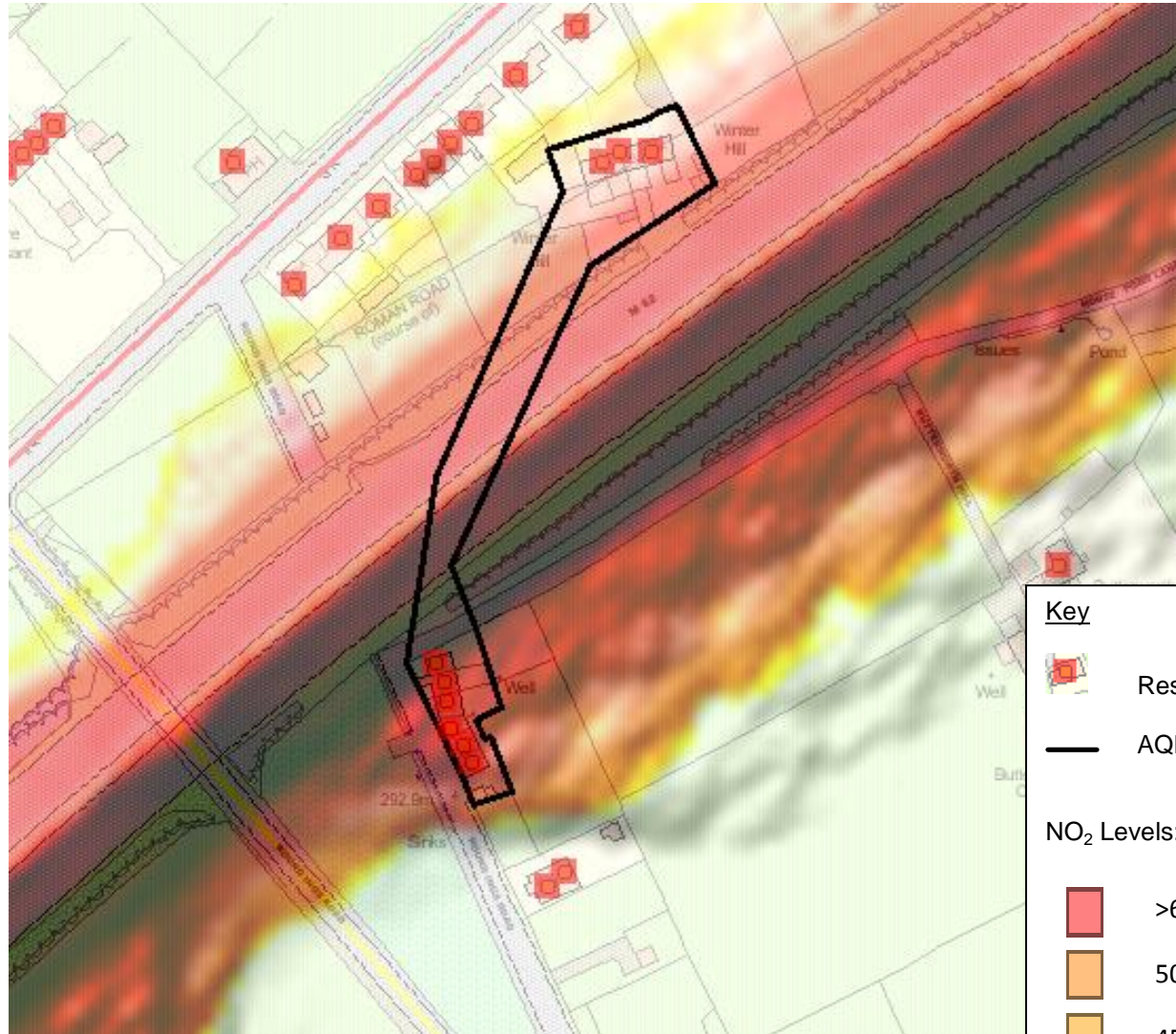


The statistical analysis carried out at the validation stage shows that the model is over predicting.

Figure F.7.1 graphs the correlation between the monitored and modelled data.

Map 3.7 was constructed using the correction factor of 0.62. The yellow and red areas indicate the areas of exceedance and how NO<sub>2</sub> diffuses around the Huddersfield Town Centre assessment area

Map 3.7 Outlane AQMA



**Key**

- Residential Property
- AQMA

**NO<sub>2</sub> Levels:**

- >60µg/m<sup>3</sup>
- 50 - 60µg/m<sup>3</sup>
- 45 - 50µg/m<sup>3</sup>
- 40 - 45µg/m<sup>3</sup>

## F.8 AQMA1 Detailed Assessment

Kirklees Council has modelled the annual mean NO<sub>x</sub> for 2015 in the area of Outlane. This modelling was conducted to determine the boundaries of the AQMA.

Kirklees Council has used Atmospheric Dispersion Modelling System for Urban areas (ADMS Urban) to create this model and validated it against the 2015 automatic monitoring data.

Meteorological Data for the model has been taken from Huddersfield Civic 3 Weather Station. The weather data for 2004 has been selected as the weather patterns in that year are representative of the usual weather conditions in the district.

The Traffic Figures have been obtained from the Department of Transport for 2015 count points in close proximity to the assessment areas.

Traffic counts and average speeds were entered into the Emission Factor Toolkit 2014

Background figures for the model have been taken from the *2015 based background maps* (DEFRA).

The topography and road layout was obtained from Kirklees Council GIS data and ordinance survey records.

Kirklees conducted a statistical procedure as set out in TG(09) to determine the model uncertainty and performance. Table F.8.1 indicates the results at diffusion tube sites and the results of the statistical analysis are contained within Table F.8.2 and Figure F.8.1.

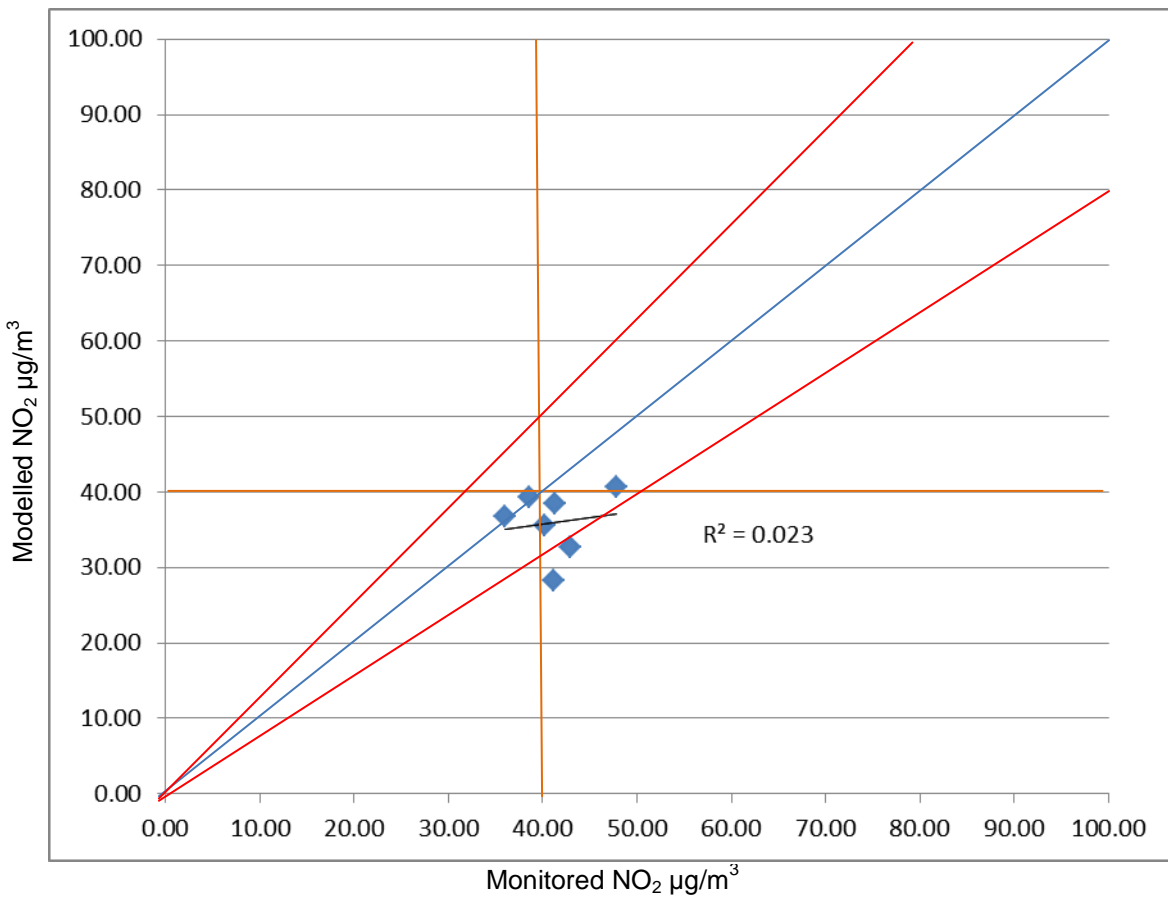
**Table F.8.1 Results of Run at diffusion tube sites and statistical analysis of model**

	Tube result ( $\mu\text{g}/\text{m}^3$ )	Modelled increment NO <sub>x</sub> ( $\mu\text{g}/\text{m}^3$ )	Calculated NO <sub>2</sub> from NO <sub>x</sub> ( $\mu\text{g}/\text{m}^3$ )	% Difference	Correction Factor
<b>Roadside 3</b>	36.00	32.31	36.68	2	0.98
<b>Tube 16</b>	41.19	12.92	28.22	-31	1.46
<b>Tube 17</b>	41.25	36.70	38.46	-7	1.07
<b>Tube 20</b>	40.17	29.79	35.63	-11	1.13
<b>Tube 33</b>	47.85	42.46	40.74	-15	1.17
<b>Tube 13</b>	38.64	38.74	39.28	2	0.98
<b>Tube 54</b>	42.90	22.85	32.67	-24	1.31

**Table F.8.2 Statistical analysis of the corrected data**

AQMA 1 Run - 2015	
RMSE	7.10
Fractional Bias	0.13

**Figure F.8.1 NO2 Monitored / Modelled scatter graph**

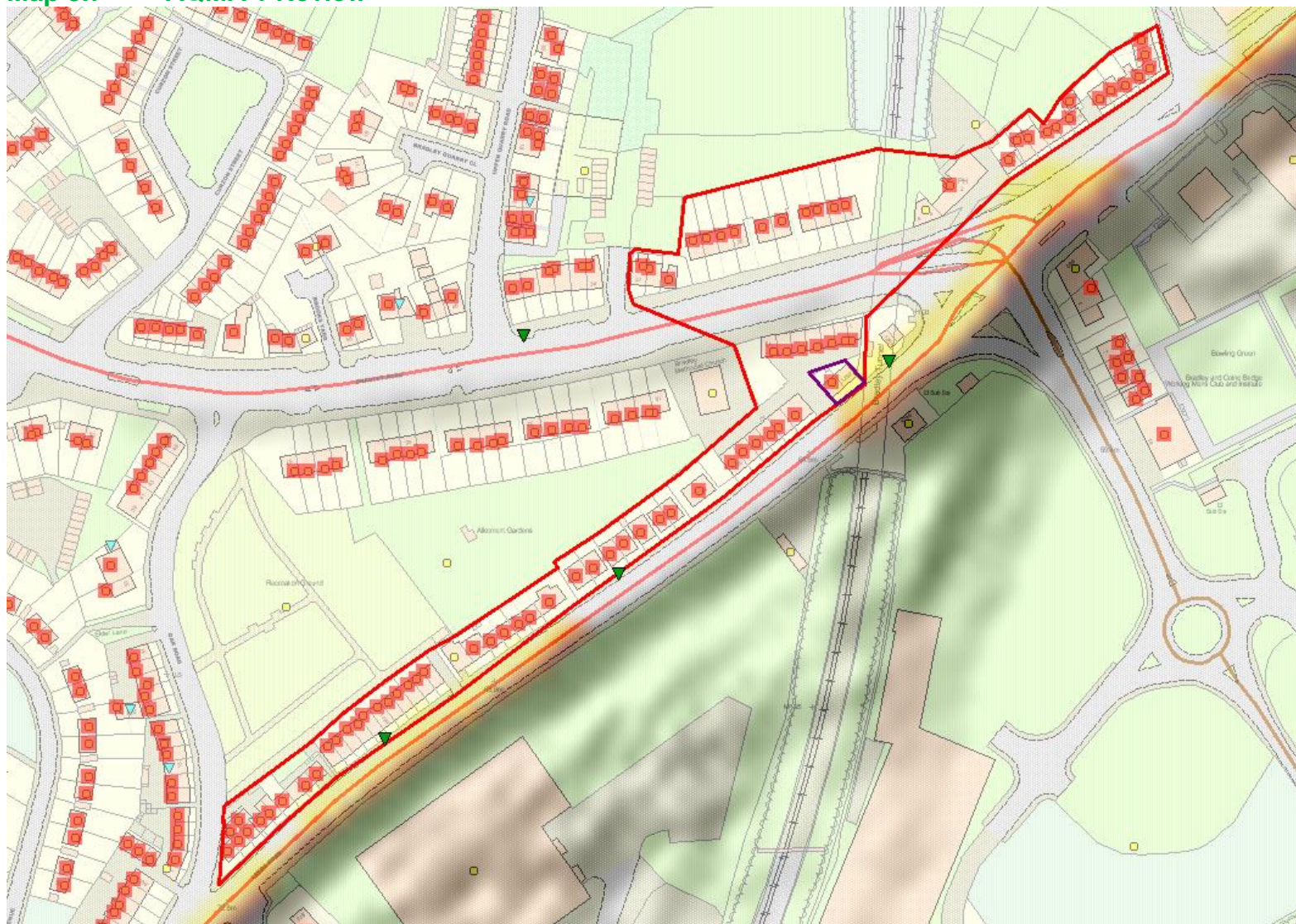


The statistical analysis carried out at the validation stage shows that the model accuracy is good and the fractional bias indicates that the model average distribution of results is similar to the monitoring results.




Figure F.8.1 graphs the correlation between the monitored and modelled data. It is clear to see that trend line is close to the mid-point and all points fall within the +/- 20% region

Map 3.8 was constructed using the correction factor of 0.98. The Red line denotes the previous AQMA and the purple line indicates the new AQMA proposal in accordance with recent modelling study.





Map 3.7 AQMA 1 Review



**Key**

-  Residential Property
-  Proposed AQMA
-  Old AQMA Boundary

**NO<sub>2</sub> Levels:**

-  >60µg/m<sup>3</sup>
-  50 - 60µg/m<sup>3</sup>
-  45 - 50µg/m<sup>3</sup>
-  40 - 45µg/m<sup>3</sup>





## Glossary of Terms

Abbreviation	Description
AQAP	Air Quality Action Plan - A detailed description of measures, outcomes, achievement dates and implementation methods, showing how the local authority intends to achieve air quality limit values'
AQMA	Air Quality Management Area – An area where air pollutant concentrations exceed / are likely to exceed the relevant air quality objectives. AQMAs are declared for specific pollutants and objectives
ASR	Air quality Annual Status Report
Defra	Department for Environment, Food and Rural Affairs
DMRB	Design Manual for Roads and Bridges – Air quality screening tool produced by Highways England
EU	European Union
FDMS	Filter Dynamics Measurement System
LAQM	Local Air Quality Management
NO <sub>2</sub>	Nitrogen Dioxide
NO <sub>x</sub>	Nitrogen Oxides
PM <sub>10</sub>	Airborne particulate matter with an aerodynamic diameter of 10µm (micrometres or microns) or less
PM <sub>2.5</sub>	Airborne particulate matter with an aerodynamic diameter of 2.5µm or less
QA/QC	Quality Assurance and Quality Control
SO <sub>2</sub>	Sulphur Dioxide
...	...

## References

*Part IV Environment Act 1995*. (c.25) London: HMSO

*Local Air Quality Management Technical Guidance LAQM TG (16)* DEFRA 2016

*Air Quality (England) Regulations 2000*. SI 2000/928, London: HMSO

*Air Quality (England) (Amendment) Regulations 2002*. SI 2002/3043, London: HMSO

Paul Bailey - Environmental Health Officer for Air Quality  
(Kirklees Environmental Health)

Alex Garry – Environmental Health Officer for PPC  
(Kirklees Environmental Health)

Health and Safety Laboratories  
(WASP Tubes)

National Physical Laboratories Management Ltd  
(Intercomparison Scheme)



**Name of meeting:** Cabinet

**Date:** 22nd August 2017

**Title of report:** Consultation about services for children and families, including people with disabilities.

**Purpose of report:** To seek Cabinet approval to carry out public consultation and engagement about proposed changes to services that support children and their families:

- In the Early Years for children with Special Educational Needs and Disabilities
- To access short breaks for Carers of Disabled Children
- Social care funded transport for disabled children, young people, working age adults and older people to access services within their community
- Home to School Transport for compulsory school-aged children (5-16 years)

<b>Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?</b>	Yes  Saving of £250k or more, potential to have a significant effect on two or more electoral wards
<b>Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports)</a>?</b>	Yes
<b>The Decision - Is it eligible for "call in" by Scrutiny?</b>	Yes
<b>Date signed off by Director &amp; name</b>	Richard Parry – Strategic Director – Adults & Health Steve Walker – Director for Children's Services
<b>Is it also signed off by the Service Director for Financial Management, IT, Risk and Performance?</b>	Yes – Debbie Hogg – 10 <sup>th</sup> August 2017
<b>Is it also signed off by the Service Director – Legal, Governance and Commissioning?</b>	Yes – Julie Muscroft - 11 <sup>th</sup> August 2017
<b>Cabinet member portfolio</b>	Cllr Viv Kendrick Cllr Cathy Scott Cllr Erin Hill Cllr Masood Ahmed

**Electoral wards affected:** All

**Ward councillors consulted:** Not applicable

**Public or private:** Public

## **1. Summary**

A key council priority is to support people who have to rely more than most, on targeted and specialist services to enable them to make the changes in their lives to become more independent.

The aim is to ensure that every child has the best possible start in life and that individuals and families have the same opportunities, life chances and potential to lead safe, healthy, happy and fulfilled lives.

In 2016, following consultation with stakeholders, the way in which the Council works to support people with a disability was realigned to form an All Age Disability Service with the intention to create a more coordinated and cohesive offer for people with disabilities and their families.

An overarching policy framework for All Age Disability has been developed and is available [on the Council's website](#) and in Appendix D.

This framework sets out the principles that the Council will work to when working with disabled people and, in line with the Council's wider vision, explains that the All Age Disability Service will:

- Adopt a whole family and a life-long approach
- Value the capacity and strengths of people with a disability
- Work with people with a disability and their families to reshape disability support
- Provide the best start in life and focus on early intervention to promote greater independence and prevent family breakdown
- Improve the experience of people with disabilities as they transition into adulthood
- Work in local areas and build strong relationships with people to meet their needs and manage risk
- Make all our processes personalised, flexible, transparent and cost effective
- Work more closely with our partners, and integrate commissioning where it makes sense.
- Promote equal access to community opportunities and the whole range of universal services.

There are opportunities to change the way Kirklees Council delivers its services by applying the principles of the All Age Disability Framework in new ways. The feedback from a consultation will inform the proposals which will be put forward for your consideration at a later date. The aim of these proposals will be to deliver services as effectively and efficiently as possible for the benefit of service-users and the wider Kirklees public. Cabinet are asked to approve a consultation and engagement programme relating to:

- Support in the Early Years for Children with Special Educational Needs and Disabilities
- The policy and approach for Home to School Transport for compulsory school aged children (5-16 years)<sup>1</sup>

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<sup>1</sup> It should be noted that whilst Home to School Transport does not fall under the scope of the All Age Disability Policy Framework, there are correlations between the proposed change to that policy and those that do fall under All Age Disability, and it is important the full range of proposed changes are able to be considered holistically.

- The policy and approach for social care funded transport for disabled children, young people, working age adults and older people to access services within their community

Approval is also sought from Cabinet members to include questions on Short Breaks in the same Consultation for convenience and efficiency. This would otherwise be conducted as a separate consultation in parallel to fulfil the Council's statutory obligation to consult on Short Breaks annually.

Any future proposals to changes in approach and policy would align with the All Age Disability policy framework, and would support the Council to deliver services in the most effective and equitable way, for its citizens, customers and communities having regard to the Kirklees Outcomes where;

- Children have the best start in life
- People in Kirklees live independently and have control over their lives

The services in the proposed consultation have been identified in the Council's Medium Term Financial Plan (MTFP) as requiring reviews of their current offers so they can meet needs more efficiently.

To develop and deliver in line with the vision for All Age Disability, strengthen the policy framework and achieve financial savings, approval is being sought from Cabinet members to run simultaneous consultation exercises on the four areas of service outlined above to ensure that people are able to understand and comment on the services they receive, so that their feedback will inform the proposed changes which will be submitted for Cabinet approval at a later date.

## **2. Information required to take a decision**

The Council is considering changes to three areas:

- The Support provided to children with Special Educational Needs and Disabilities in their Early Years. Any future proposal to change what services are delivered, to whom and how, will be informed by the feedback the Council receives. This could include reducing the Access funding provided in line with the hours of national free entitlement to childcare
- Home to School Transport for compulsory school-aged children (5-16 years) – the Council is considering changing its policy and approach, including the potential for transport arrangements to be provided in line with its statutory duty
- Social care funded transport for disabled children, young people, working-age adults and older people, to support them in accessing services within their communities. The Council is considering developing a new approach and policy

In addition, the Council has a statutory duty to conduct annual reviews of its Short Breaks offer to ensure it meets the needs of Kirklees' eligible service-users. The previous review involved a Consultation on Short Breaks which was conducted in September and October 2016. Work to refine the Short Breaks offer is currently underway, based on the feedback received in last year's Consultation, so further consultation to make these changes is not required.

Although the Council has consulted, approval is sought from Cabinet members to include some further questions on Short Breaks in the same Consultation as Social Care Transport and the provision for children with Special Educational Needs and Disabilities in their Early Years. This is

proposed because it will be more efficient for the public and the Council to use consolidated rather than separate questionnaires; the individuals who would want to share their views on Short Breaks will often be the same people as those who would want to share their views on Social Care Transport and the support provided to children with Special Educational Needs and Disabilities in their Early Years. Including the Short Breaks questions in this questionnaire, rather than consulting separately is likely to:

- Improve overall response rates
- To ensure that people are able to understand and comment on any wider changes
- Reduce the administrative burden on the public (posting, and filling in the About You section)
- Reduce the administrative burden on the Council (printing, posting, promoting and collating responses)

Further information about each of these areas is outlined below.

## **2.1. Support in the Early Years for children with Special Educational Needs and Disabilities**

This relates to access to childcare and learning support for 0-4 year olds with special educational needs or disabilities, and for school-age children with special educational needs or disabilities in out-of-school childcare.

The element of this service which we are considering changing is the Access Fund. This is a fund which provides financial support to Childcare providers such as nurseries, playgroups and childminders to help them meet the needs of a child with Special Educational Needs and Disabilities.

### **What must the Council do to fulfil its legal requirement?**

Current national childcare eligibility is 15 hours per week of free early education and childcare for all children aged 3 and 4 years, plus eligible<sup>2</sup> 2-year olds. At present, some parents take up their free 15 hours and pay for additional hours themselves. From September 2017, working parents will see an increased entitlement to access 30 hours of free early education and childcare.

Families will be eligible for the extra 15 hours where:

- Both parents are working (or the sole parent is working in a lone parent family)
- Each parent earns, on average, a weekly minimum equivalent to 16 hours at minimum or living wage
- Each parent earns less than £100,000 per year

The Children and Families Act 2014 requires local authorities to remove barriers that prevent children accessing early education. To meet this requirement currently, the Council funds, where necessary, additional support for all the hours a child attends the setting, including both free entitlement and paid-for hours from the Kirklees Access Fund. This meets the statutory requirement for SEN inclusion fund in the Kirklees Early Years Funding Formula.

A number of other local authorities interpret the requirements of the Children and Families Act 2014 differently, meaning that their equivalent of the Access Fund only supports children during the hours of free entitlement.

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<sup>2</sup> Eligible 2 Year olds refers to the government's definition of "vulnerable" see Appendix B for this definition.

## Other relevant legislation

### **The Early Years National Funding Formula Operational Guide (2016)**

This states:

*58. Local authorities must consult with early years providers, parents and SEN specialists on how the SEN inclusion fund will be allocated, as part of the preparation and review of their 'Local Offer'.*

*59. Under this 'Local Offer', local authorities must publish details on how they are using their SEN inclusion fund to support their early years SEN cohort. These details must include the eligibility criteria for the fund, the planned value of the fund at the start of the year, and the process for allocating the fund to providers.*

### **Children & Families Act 2014 Part 3 Code of Practice SEND 2014:**

This states:

*5.8 Local authorities must ensure that all providers they fund in the maintained, private, voluntary and independent sectors are aware of the requirement on them to have regard to the SEN Code of Practice and to meet the needs of children with SEN and disabilities. When securing funded early education for two, three and four year olds local authorities should promote equality and inclusion for children with disabilities or SEN. This includes removing barriers that prevent children accessing early education and working with parents to give each child support to fulfil their potential.*

*5.9 Where assessment indicates that support from specialist services is required, it is important that children receive it as quickly as possible. Joint commissioning arrangements should seek to ensure that there are sufficient services to meet the likely need in an area (Chapter 3, Working together across Education, Health and Care for joint outcomes). The Local Offer should set out clearly what support is available from different services, including early years and how it can be accessed;*

*5.13 Some children need support for SEN and disabilities at home or in formal settings before, as well as, the support they receive from an early years provider. Provision for children who need such support should form part of the local joint commissioning arrangements and be included in the local offer.*

*5.55 To fulfil their role in identifying and planning for the needs of children with SEN, local authorities should ensure that there is sufficient expertise and experience amongst local early years providers to support children with SEN. Local authorities often make use of Area SENCOs to provide advice and guidance to early years providers on the development of inclusive early learning environments. The Area SENCO helps make the links between education, health and social care to facilitate appropriate early provision for children with SEN and their transition to compulsory schooling.*

In Kirklees, Early Years Special Educational Needs practitioners fulfil the role of 'Area SENCO'.

### **The Childcare Act 2006, Section 6**

Local authorities are required to make sure there is enough childcare in their area for parents who wish to work or study in relation to work. Local authorities must take into account parents needs for 'the provision of childcare which is suitable for disabled children' and this applies up to the age of 18.

## **Children Act 1989, Section 18**

Local authorities must ensure provision is in place for children 'in need' who are aged 5 or under and aren't going to school yet, this includes children with SEND.

## **Early Education and Childcare Statutory Guidance for Local Authorities 2014<sup>3</sup>**

The local authority is required to secure the sufficiency of provision for disadvantaged 2 year olds given evidence that high quality early education at aged 2 for vulnerable children brings benefits to learning and development and has lasting benefits. The local authority has a duty to secure sufficient childcare for working parents of children with SEND, and all providers should be inclusive.

## **Why are we requesting approval to consult about support in the Early Years for children with Special Educational Needs and Disabilities?**

The support in the Early Years for Children with Special Educational Needs and Disabilities has often focused on the support provided by particular services rather than what children and their families need in the round. As a consequence, some families might not receive support that would best work for them or duplication may arise. In addition, expenditure on support is greater than the available budget.

As part of this offer, the Council are considering changes to the Access fund so that its support would only be provided for the hours of national free entitlement to early education and childcare, in line with many other local authorities.

The feedback we receive in this consultation will inform any future Council proposal.

## **Benefits**

- Ability to maintain a focus on eligible children and families
- A more flexible or creative approach is taken
- Spend in this area is contained

## **Key risks, issues and mitigation**

- There is potential for the Council to change its offer so that funding from the Access Fund will not be made available to settings for children aged 0-1, and 2-year-olds who do not meet the government's definition of vulnerable. Cabinet members will be asked to approve a future proposal to change the service, before any changes are made to it
- A different approach to where and how support is provided may result in better use of resources, reduction in duplication, greater concentration of skilled support and better critical mass
- A future proposal may recommend that settings' entitlement to support should be capped in line with the national entitlement to free childcare
- Regardless of whether the service is changed, childcare settings will still be required to be inclusive under government legislation, including the Equalities Act 2010<sup>4</sup>

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<sup>3</sup> This is being replaced by the Early Education and Childcare Statutory Guidance for Local Authorities March 2017 which comes into effect on 1<sup>st</sup> September 2017

<sup>4</sup> *All childcare providers are expected under the Equality Act 2010 (which replaces the Disability Discrimination Act 1995) to make 'reasonable adjustments' to meet the needs of disabled children. They must not treat disabled children 'less favourably' than someone else for a reason related to their disability.*



- Following the consultation, the outcomes would be reported back to Kirklees Council Cabinet with the feedback informing a proposed way forward.

## **2.2. Home to School Transport for compulsory school-aged children and young people**

There are circumstances when children and young people are able to qualify for support for getting to school. If they are eligible, the offer may be free to the service user in some circumstances.

Kirklees Council's current Home to School Transport policy can be found on the Kirklees website, <https://www.kirklees.gov.uk/beta/schools/pdf/home-to-school-transport.pdf>

### **What must the Council do to fulfil its legal requirement?**

The Education Act 1996 places clear legal duties on the Council in respect of a child's eligibility for free travel arrangements to and from school.

Legislation sets out four possible circumstances in which children of compulsory school age (5-16) in an authority's area can be eligible for free travel arrangements:

1. Walking distances
2. Special Educational Needs, a disability or mobility problems
3. Unsafe walking routes
4. Extended rights

The Council may choose to discharge their duty to provide free school transport in a variety of ways to meet the whole family's needs, e.g. a mileage allowance, independent travel training or transport pooling.

More information and detail on the statutory eligibility, including specific criteria for eligibility in each circumstance, can be found at <https://www.gov.uk/free-school-transport>.

### **Why are we requesting approval to consult on Home to School Transport?**

Kirklees Council currently provides discretionary home to school transport to some children that are not eligible under the eligibility criteria at 1-4 above. This costs the Council much more than the current budget it has available and the council spent more than the budget allowed in the 2016/17 financial year.

The purpose of the proposed consultation on its home to school transport policy is to determine the response to the Council returning to a provision based on only providing transport arrangements in line with its statutory duty.

Any changes to the Home-to-School Transport policy proposed following the Consultation could be phased in over a number of years, depending on factors including impact, the age of the child and their natural transition point. Cabinet approval will be sought for any proposals to change the policy following Consultation.

### **Examples of children who would no longer receive free transport**

Children who have received free transport support because of a medical condition or disability, would no longer receive it if their condition or development has improved sufficiently so that they are now able to walk to school.

For those children who currently receive free school transport and may no longer be eligible under the new policy, we will look to understand the wider circumstances of their family and what support could be made available.

### **Benefits**

- The Council will have a clear, transparent, fair and legally compliant offer
- It will bring Kirklees Council's policy in line with many neighbouring authorities
- Parents / carers will have a clear understanding of the longer term transport offer which will help them to choose the right school for their child.
- Understanding of the true volume options available will take the whole family's needs into consideration

### **Key risks, issues and mitigation**

- Proposals to reduce this service are likely to impact on some parents and carers
- Some parents may need to consider the new transport policy when deciding which school to send their children to
- Transitional arrangements will be put in place to support families through any changes, for example independent travel training
- A strong communications strategy would be adopted throughout so that parents and carers are fully informed of decisions that may potentially affect them in advance, e.g. school transition points
- Independent travel could be used for those transitioning out of eligibility

### **2.3. Social Care funded transport for disabled children, young people, working age adults and older people**

Kirklees Council is developing modern, flexible approaches to social care that will support individuals and their carers to be as independent as possible, enabling them to lead fulfilling lives. This includes seeking to ensure that as many people as possible live and travel independently and safely within their own communities.

Kirklees Council currently supports a significant number of disabled children and young people, as well as adults and older people with their transport/travel arrangements to access services within their community as well as enabling them to access services that have been identified as meeting an assessed need under the [Care Act 2014](#) or the [Children and Families Act 2014](#). This includes services such as short breaks, respite provision and day opportunities.

### **What must the Council do to fulfil its legal requirement?**

Kirklees Council has a duty to meet assessed need for disabled children, young people, adults and older people. The Council does not have a specific statutory duty to provide social care transport. The Council has a duty to ensure that arrangements are in place to enable people to access services. The Council may choose to discharge this duty in a variety of ways including a mileage allowance, independent travel training or transport pooling.

The Council does not currently have a sufficiently clear social care transport policy that provides an approach to transport in a way that is consistent with the Council's strategic aims and outcomes; some existing arrangements are inefficient and do not promote independence.

**Why are we requesting approval to consult on the provision of social care funded transport?**

The Council is looking to develop a Social Care Transport policy that is transparent, equitable and enables more personalised provision of transport support. This will enable the Council to deliver its transport arrangement support within the finances available. The feedback received from the proposed Consultation, including what is and isn't valuable to our service-users, will be used to inform the development of this policy.

As part of the Consultation, Kirklees Council would like to seek users and their carers view on whether welfare benefits and similar (e.g. access to a vehicle, discounted travel concessions) that an individual is entitled to, and that relates to their disability are taken into account when assessing how best to support access to services and the transport required. A number of other local authorities use this principle in their social care transport policies and Kirklees Council is keen to understand the impact of this approach before deciding whether to propose it to Cabinet at a later date.

**Benefits**

- The Council will have a sufficiently clear, transparent, fair and legally compliant offer that actively encourages and promotes independence wherever possible
- The transport offer will meet the needs of a growing population of disabled children, working-age adults and older people in a more equitable way, while reducing duplication of services and providing support more efficiently

**Key risks, issues and mitigation**

- If, following the Consultation, the Council decides to propose a new policy, then that policy could involve ceasing or reducing some of the transport support we provide. Cabinet approval will be sought for a new proposed policy
- If a new policy is proposed, approved and adopted, the Council will need to ensure that all individuals have their needs reviewed in line with the new policy, before any services are changed or reduced
- In the future, the Council plans to work more holistically with families to support them around family life, caring for children and family members, while taking assets into account when meeting needs

**3. Implications for the Council**

**3.1 Early Intervention and Prevention (EIP)**

- All of the areas outlined as part of this consultation proposal impact on Early Intervention and Prevention. Key risks and issues have been outlined in each section above
- Any future proposals for changes in approach and policy for Social Care Transport, Home to School Transport, and the support made available from the Access Fund, would aim to give

people the right support at the right time, whilst making the best use of resources and preventing the need for expensive care and unnecessary support in the future

### **3.2 Economic Resilience (ER)**

- Kirklees Council would work with families to ensure that parents and carers are supported to remain in work
- Maintaining independence for children would support future employment and increase opportunities
- There are opportunities to shape the independent sector market and improve the capacity of the community to provide support

### **3.3 Improving outcomes for children**

- Any future proposals for changes in approach and policy for Social Care Transport, Home to School Transport, and the support made available from the Access Fund, would aim to deliver a transparent, equitable and consistent offer, within available resources and legislative requirements
- Future proposals would aim to encourage support that promotes independence
- The Council will continue to support the most vulnerable children and their families

### **3.4 Meeting needs more efficiently**

- Any future proposals for changes in approach and policy for Social Care Transport, Home to School Transport, and the support made available from the Access Fund, would aim to meet needs more efficiently, including in innovative ways which consider the whole family

### **3.5 Equalities implications**

- The Public Sector Equality Duty (PSED) means that the Council must have due regard to the need to “eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Act; advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it; foster good relations between people who share a relevant protected characteristic and those who do not share it.”
- The protected characteristics covered by the PSED are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership (only in respect of eliminating unlawful discrimination).
- The Council has therefore carried out an Equality Impact Assessment (EIA) to help it take due regard of its public sector equality duties, and to support Cabinet’s decision whether or not to proceed to consultation in September 2017 (see Appendix C ).
- The EIA takes into account a number of previous consultations and other sources of data and intelligence.
- The EIA will be updated after the consultation. This revised EIA will support Cabinet’s decision on any changes to the services.
- Key findings of the EIA to date:

- There is the potential for a negative impact on residents with certain protected characteristics. The consultation will help us to find out more about the impact on these residents.
- It is possible that the proposals may have a negative impact on staff with certain protected characteristics (for example, the workforce in some areas is predominantly female). The public consultation is unlikely to help us to understand the impact on staff. However, full consultation will take place in due course with any staff whose jobs are affected by the changes.

### **3.6 Financial implications**

- The proposed consultation exercise directly relates to expected savings in the Medium Term Financial Plan. The feedback received will help inform the development of proposals to changes in approaches and policies, which may reduce budget overspends by meeting needs more efficiently

### **3.7 Legal Implications**

The report makes reference to the various statutory duties and/or powers the Council has to carry out, current activities and/or support vulnerable adults and children. The consultation envisaged here encompass a number of different things but which overlap because they serve a number of individuals/families and it therefore is important they are done together to give the Council a wider perspective in order to make important decisions about the way it supports children and vulnerable adults in future.

In making decisions about other changes it is also obliged to take account of:

- Any statutory duties to consult in relevant legislation;
- The Public Sector Equality duty in section 149 Equalities Act 2010;
- Common Law duty where fairness requires consultation, and in particular where a legitimate expectation has been established (eg by the making of promise or past practice) and/or
- Duty to consult (section 3 Local Government Act 1999) (as appropriate)

An earlier part of section 4 (implications for the Council) of this report considers the PSED and it's relationship to the EIA

The consultations proposed in this report have been prepared with these obligations in mind. It is necessary for the Council to carry out the consultations and have due regard to the outcomes/results of the consultation in order to make any future decisions in relation to changes to the way that it carries out services in the areas covered by the consultations.

## **4. Consultees and their opinions**

It is proposed that a 7 week consultation exercise will be undertaken to understand the public's views on the existing service provision. The responses received will be reported to members, and used to inform forthcoming proposals on changes to the Council's approaches and policies in the relevant areas in December 2017.

The Council will use a wide range of consultation methods including an online survey which can easily be completed on computer, tablet or smartphone. The survey will also be available in Easy

Read format, and paper copies will be available on request for anyone unable to complete the online survey.

The survey will be widely publicised including in local press and social media. There will be two public drop-in information sessions (in north and south Kirklees venues). Local voluntary sector partners will help us to engage directly with groups such as parents and carers of children and adults with disabilities. The Kirklees Youth Councillors will help us to capture the voice of the child.

A detailed communications plan is being developed. See appendix E.

## 5. Next steps

Subject to decisions made by Cabinet, the indicative timeline for the next stages of the statutory processes are set out below;

Activity	Dates * These dates are indicative and may change; they are also subject to Cabinet approval
Cabinet Report seeking permission to begin consultation	22 August 2017
*7 week consultation exercise	4 <sup>th</sup> September - 22 <sup>nd</sup> October 2017
*Cabinet report detailing the findings of the consultation, with proposals for changes to the approaches and policies of the related areas.	19 December 2017

## 6. Officer recommendations and reasons

That Members agree having had due regard to the information contained in this report including the content of the EIA's:

- to commence the consultations as set out in this report.
- delegate authority to Service Directors, Early Help & Learning, Integration, Commercial, Regulatory and Operational Services in consultation with Portfolio Holders to finalise the detail of the consultations and the time line of the consultations and
- note that the outcome of the consultation will be shared with Cabinet in due course in order to inform any further decisions made in relation to changes to the services.

## 7. Cabinet portfolio holder recommendation

Cabinet Portfolio Holders note the report and are content for this to proceed to Cabinet for permission to consult

## 8. Contact officer

Sue Richards  
Jo-Anne Sanders  
Joanne Bartholomew

## **9. Background Papers and History of Decisions**

<http://www.kirklees.gov.uk/beta/special-education/pdf/eligibility-criteria-social-care-services-disabled-children.pdf>

## **10. Service Director responsible**

Sue Richards

Jo-Anne Sanders

Joanne Bartholomew

## **Appendix A**

Further information about the service can be found on the Local Offer;

<http://www.kirklees.gov.uk/beta/special-education/early-years-special-education.aspx>

### **Access Fund**

Local authorities must ensure that all providers delivering funded early education places meet the needs of children with SEN and disabled children (SEN Code of practice). In order to do this Kirklees Council makes sure that funding arrangements for early education reflect the need to provide suitable support for these children. Early years providers consider how best to use their resources to support the progress of children with SEN.

### **Service Activity Information (Sept 2016- July 2017);**

Access Fund- 229 requests in 2016 /17. To date for 2017/18 is 191.



## **Appendix B**

### **Government definition of eligible 2 year olds**

Families can get free early education and childcare for 2 year-olds if they are in receipt of one of the following:

- Income Support
- income-based Jobseeker's Allowance (JSA)
- income-related Employment and Support Allowance (ESA)
- Universal Credit
- tax credits and you have an annual income of under £16,190 before tax
- the guaranteed element of State Pension Credit
- support through part 6 of the Immigration and Asylum Act
- the Working Tax Credit 4-week run on (the payment you get when you stop qualifying for Working Tax Credit)

A child can also get free early education and childcare if any of the following apply:

- they're looked after by a local council
- they have a current statement of [special education needs \(SEN\)](#) or an education, health and care (EHC) plan
- they get [Disability Living Allowance](#)
- they've left care under a special guardianship order, child arrangements order or adoption order

## **Appendix C(i) – EIA Screening Tool**

<b>A guide to equality Impact Assessments (EIAs)</b>
<b>What are Equality Impact Assessments (EIAs)?</b>
· EIAs are a <b>tool to help you analyse and make more considered decisions</b> about changes to service delivery, policy and practice. An EIA will help you to identify how specific communities of interest may be affected by decisions and to consider any potential discriminatory impact on people with <b>protected characteristics</b> .
· EIAs can also help to improve or promote equality by encouraging you to <b>identify ways to remove barriers and improve participation</b> for people with a protected characteristic.
<b>Why do we need to do Equality Impact Assessments (EIAs)?</b>
· Although not a mandatory requirement, EIAs provide important <b>evidence</b> of how we have considered the implications of service and policy changes and demonstrate how we have met our legal Public Sector Equality Duty (Equality Act 2010).
· The three main elements of the <b>Public Sector Equality Duty</b> are:
ü Eliminating discrimination
ü Promoting equality of opportunity
ü Fostering good relations
· In fulfilling our Public Sector Equality Duty we must ensure that we demonstrate that we have followed a number of key <b>principles</b> (based on previous case law):
ü Knowledge
ü Timeliness
ü Real consideration
ü Sufficient information
ü No delegation
ü Review
ü Proper record keeping
· We need to provide evidence that we have given <b>due regard to any potential discriminatory impact on people with protected characteristics</b> in shaping policy, in delivering and making changes to services, and in relation to our own employees.
· We must always consider whether a service change, decision or policy could have a discriminatory impact on people with protected characteristics, not just any impact that is the same as it would be for everyone else.
· The EIA tool allows us to <b>capture, demonstrate and publish our rationale</b> of how we have considered our communities and legal responsibilities under the Public Sector Equality Duty and is our main way of providing the evidence needed.
· <b>But above all, EIAs are about understanding and meeting the needs of local people and supporting us to deliver our vision for Kirklees.</b>
<b>When do we need to do Equality Impact Assessments (EIAs)?</b>
· Whenever you plan to <b>change, introduce or remove</b> a service, activity or policy.

· At the <b>VERY BEGINNING</b> of any process of:
ü Budget setting
ü Service review (including changes to employment practice)
ü Planning new projects and work programmes
ü Policy development and review
ü Procurement or commissioning activity
<b>Who should do it?</b>
· Overall responsibility for EIAs lies at a <b>service</b> level. A lead officer should be appointed from the service area that is making a proposal and all decisions should be approved by the senior management team in that service.
· Those directly affected (partners, stakeholders, voluntary groups, communities, equality groups etc) should be engaged with as part of the process.
<b>How should we do it?</b>
· Our EIA process has two stages:
Stage 1 - initial screening assessment
Stage 2 - further assessment and evidence

<b>EIA STAGE 1 – SCREENING TOOL (initial assessment)</b>			
The purpose of this screening tool is to help you consider the potential impact of your proposal at an early stage.			
Please give details of your service/lead officer then complete sections 1-3:			
1) What is your proposal?			
2) What level of impact do you think your proposal will have?			
3) How are you using advice and evidence/intelligence to help you?			
You will then receive your stage 1 assessment score and advice on what to do what next.			
<b>Directorate:</b>	<b>Senior Officer responsible for policy/service:</b>		
N/a	Sue Richards, Service Director – Integration Jo-Anne Sanders, Service Director – Learning and Early Support Joanne Bartholomew, Service Director - Commercial, Regulatory & Operational Services		
<b>Service:</b>	<b>Lead Officer responsible for EIA:</b>		
All Age Disability	Michelle Cross, Head of Service - All Age Disability and Mental Health		
<b>Specific Service Area/Policy:</b>	<b>Date of EIA (Stage 1):</b>		

Early Years SEN- Access fund Social Care Transport Policy Home-School Transport Short Breaks for children with a disability	07-Jun-17									

**Go back**

**Move to next section**

<b>1) WHAT IS YOUR PROPOSAL?</b>	<b>Please select YES or NO</b>
To <b>introduce</b> a service, activity or policy (i.e. <b>start</b> doing something)	YES
To <b>remove</b> a service, activity or policy (i.e. <b>stop</b> doing something)	YES
To <b>reduce</b> a service or activity (i.e. <b>do less</b> of something)	YES
To <b>increase</b> a service or activity (i.e. <b>do more</b> of something)	NO
To <b>change</b> a service, activity or policy (i.e. <b>redesign</b> it)	YES
To <b>start charging</b> for (or increase the charge for) a service or activity (i.e. ask people to <b>pay</b> for or to pay more for something)	YES
<b>Please briefly outline your proposal and the overall aims/purpose of making this change:</b>	
<p>This EIA relates to four service areas which we are planning to make changes to, subject to a public consultation in autumn 2017. These are:</p> <ul style="list-style-type: none"> <li>• Early Years SEN – Access Fund</li> <li>• Social Care Transport Policy</li> <li>• Home-School Transport</li> </ul>	

2) WHAT LEVEL OF IMPACT DO YOU THINK YOUR PROPOSAL WILL HAVE ON...		Level of Impact
Kirklees <b>employees</b> within this service/directorate? (overall)		Please select from drop down
Kirklees <b>residents</b> living in a specific ward/local area?		Neutral
Please tell us which area/ward will be affected:		
<b>Residents</b> across Kirklees? (i.e. most/all local people)		Neutral
Existing <b>service users</b> ?		Negative
Each of the following <b>protected characteristic groups</b> ?		Please select from drop down
<i>(Think about how your proposal might affect, either positively or negatively, any individuals/communities. Please consider the impact for both employees and residents - within these protected characteristic groups).</i>		
...age	What impact is there on Kirklees <b>employees</b> /internal working practices?	Neutral
	What impact is there on Kirklees <b>residents</b> /external service delivery?	Negative
...disability	What impact is there on Kirklees <b>employees</b> /internal working practices?	Neutral
	What impact is there on Kirklees <b>residents</b> /external service delivery?	Negative
...gender reassignment	What impact is there on Kirklees <b>employees</b> /internal working practices?	Neutral
	What impact is there on Kirklees <b>residents</b> /external service delivery?	Neutral
...marriage/civil partnership	What impact is there on Kirklees <b>employees</b> /internal working practices?	Neutral
	What impact is there on Kirklees <b>residents</b> /external service delivery?	Neutral
...pregnancy & maternity	What impact is there on Kirklees <b>employees</b> /internal working practices?	Neutral
	What impact is there on Kirklees <b>residents</b> /external service delivery?	Neutral
...race	What impact is there on Kirklees <b>employees</b> /internal working practices?	Neutral
	What impact is there on Kirklees <b>residents</b> /external service delivery?	Neutral

	...religion & belief	What impact is there on Kirklees <b>employees</b> /internal working practices?	Neutral
		What impact is there on Kirklees <b>residents</b> /external service delivery?	Neutral
	...sex	What impact is there on Kirklees <b>employees</b> /internal working practices?	Neutral
		What impact is there on Kirklees <b>residents</b> /external service delivery?	Neutral
	...sexual orientation	What impact is there on Kirklees <b>employees</b> /internal working practices?	Neutral
		What impact is there on Kirklees <b>residents</b> /external service delivery?	Neutral
		<b>Go back</b>	<b>Move to next section</b>

<b>3) HOW ARE YOU USING ADVICE AND EVIDENCE/INTELLIGENCE TO HELP YOU?</b>		Please select YES or NO
Have you taken any <b>specialist advice</b> linked to your proposal? (Legal, HR etc)?		YES
Do you have any <b>evidence/intelligence</b> to support your assessment (in section 2) of the impact of your proposal on...	...employees?	YES
	...Kirklees residents?	YES
	...service users?	YES
	...any protected characteristic groups?	YES

Please list your evidence/intelligence here [you can include hyperlinks to files/research/websites]:

Kirklees Joint Strategic Assessment (KJSA) <http://observatory.kirklees.gov.uk/jsna>

Department of Education - Parents' View and Demand for 30 Hours Childcare  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/586231/Parents\\_views\\_and\\_demand\\_for\\_30\\_hour\\_s\\_free\\_childcare\\_-\\_RR611.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/586231/Parents_views_and_demand_for_30_hour_s_free_childcare_-_RR611.pdf)

Kirklees Childcare Sufficiency Assessment 2016:  
<http://www.kirklees.gov.uk/beta/working-with-children/childcare-sufficiency.aspx>

Kirklees Short Breaks Survey 2016:  
<https://www.kirklees.gov.uk/involve/entry.aspx?id=852>

All Age Disability Survey 2015:  
<http://healthwatchkirklees.co.uk/wp-content/uploads/2015/07/FINAL-report-AADS-2.pdf>

Day to day experiences of young people with SEND 2016:  
<https://kirkleesyc.org.uk/wp-content/uploads/2016/11/My-Journey-day-to-day-experiences-of-yp-with-SEND.pdf>

Kirklees Schools Survey 2014:  
<https://www.kirklees.gov.uk/involve/entry.aspx?id=749>

Early Help Engagement 2016:  
<https://www.kirklees.gov.uk/involve/entry.aspx?id=842>

Early Years Funding - Provider Consultation on the Kirklees Local Formula 2016 (not published)

Please select from drop down

To what extent do you feel you are able to mitigate any potential negative impact of your proposal on the different groups of people outlined in section 2?

TO SOME EXTENT

To what extent do you feel you have considered your Public Sector Equality Duty?

TO SOME EXTENT

**Go back**

**Move to next section**

<b>STAGE 1 ASSESSMENT</b>	
<b>IMPACT</b>	<b>RISK</b>
Based on scoring of	Based on scoring of

1) and 2)	2) and 3)
-9	7
SCORE (calculated)	SCORE (calculated)
Max = - / + 32	Max risk = - / + 40
You need to move on to complete a Stage 2 assessment if:	
The final Impact score is negative <u>and or</u> the Risk score is negative.	
	<div style="border: 1px solid black; background-color: #c0c0c0; padding: 5px; display: inline-block;">Go back</div>



## EIA STAGE 2 – FURTHER ASSESSMENT AND ACTION PLAN

- ✓ The purpose of this further assessment is to help you consider how you will:
  - avoid, reduce or minimise negative impact
  - promote equality of opportunity
  - foster good relations between people who share a protected characteristic and those who do not

for proposals/activities that have been assessed as potentially having a negative impact on communities/protected characteristic groups.

- ✓ Considering what you will do to help address the above is your responsibility as a service and the Stage 2 EIA will help you to think this through. If you need expert advice (e.g. from Legal or HR) then this is available, but this process is ultimately about empowering you as a service to better understand and meet the needs of local people.
- ✓ Please provide the reference to your stage 1 assessment, to then complete sections
  - A) Further evidence and consultation with key stakeholders
  - B) Action planning
  - C) Publishing your EIA

<b>Directorate:</b>	<b>Senior officer responsible for service/policy:</b>
N/a	Sue Richards, Service Director – Integration Jo-Anne Sanders, Service Director – Learning and Early Support Joanne Bartholomew, Service Director - Commercial, Regulatory & Operational Services
<b>Service:</b>	<b>Lead officer responsible for this EIA:</b>
Various	Michelle Cross, Head of Service - All Age Disability and Mental Health
<b>Specific service area/policy:</b>	<b>Date of EIA (Stage 1):</b>
Early Years SEN- Access fund Social Care Transport Policy Home-School Transport	7 June 2017
<b>EIA (Stage 1) reference number:</b>	<b>Date of EIA (Stage 2):</b>
	14 June 2017

## A) Further evidence and consultation with employees, residents and any other stakeholders

As part of your Stage 1 EIA you identified evidence/intelligence you had available to support your assessment of the impact of your proposal on different groups.

**Stage 2 is different to Stage 1. It is a live process that needs to be your companion throughout the whole of the proposal considerations.**

At Stage 2 you need to document the evidence you **already have** to show you have undertaken consultation. You also need to document what you are **planning to do too**. This section needs to be regularly updated when you have completed a piece of consultation activity. This helps to support the work you are doing to understand the impact of your proposals.

CONSULTATION WITH KEY STAKEHOLDERS				COMPLETE THIS DETAIL WHEN YOU HAVE DONE YOUR CONSULTATION	
REF No.	Which key stakeholders have you/are you consulted/ing with?	Why have you/are you consulted/ing them (or not?) and what were you/are you looking to find out?	How did you/are you planning to consult them? Date and method of planned consultation	Actual Date of Consultation	Outcome of consultation What have you learned? Do you have actions to complete that will help mitigate any unnecessary negative impact on groups? [move to section B if you do]
1	Adults with a disability	We consulted with users of short breaks / respite (also includes groups in ref no's 2, 3 and 5)	<a href="https://www.kirklees.gov.uk/involve/entry.aspx?id=852">https://www.kirklees.gov.uk/involve/entry.aspx?id=852</a>	September – October 2016	We need further evidence of the types of activities which children, young people and adults with disabilities would like.
2	Carers and families of adults with a disability	To find out what people think about the idea of having an All Age Disability Service in Kirklees (also includes groups in ref no's 1, 3 and 5)	<a href="http://healthwatchkirklees.co.uk/wp-content/uploads/2015/07/FINAL-report-AADS-2.pdf">http://healthwatchkirklees.co.uk/wp-content/uploads/2015/07/FINAL-report-AADS-2.pdf</a>	November – December 2015	This information has helped us to shape the All Age Disability Service to date; we now need to consult people about specific service areas.

3	Children and young people with special educational needs or a disability	We conducted an exercise children and young people with SEND to allow them to share their thoughts and feelings about the issues they face daily (both in and out of school), the services that are provided to support them and their aspirations for the future.	<a href="https://kirkleesyc.org.uk/wp-content/uploads/2016/11/My-Journey-day-to-day-experiences-of-yp-with-SEND.pdf">https://kirkleesyc.org.uk/wp-content/uploads/2016/11/My-Journey-day-to-day-experiences-of-yp-with-SEND.pdf</a>	June 2016	This information provides us with useful background information about the issues faced by children and young people with SEND; we now need to consult people about specific service areas.
4	Children and young people of school age	To find out about the health, well-being and resilience of year 7, 9 and 12 students in mainstream secondary schools and colleges across Kirklees	<a href="https://www.kirklees.gov.uk/involve/entry.aspx?id=749">https://www.kirklees.gov.uk/involve/entry.aspx?id=749</a>	2014	This information provides us with brief data on children and young people's views about transport; we now need to consult people about specific service areas.
5	Parents of children and young people with special educational needs or a disability	To seek people's views on new ways to provide support to children, young people and families - Early Help (includes all groups in ref no's 1 – 6).	<a href="https://www.kirklees.gov.uk/involve/entry.aspx?id=842">https://www.kirklees.gov.uk/involve/entry.aspx?id=842</a>	July – August 2016	This information provides us with some general background; we now need to consult people about specific service areas.
6	Parents of school age children	To seek people's views on removing free transport to children attending schools based on religion or belief.	<a href="https://www.kirklees.gov.uk/involve/entry.aspx?id=739">https://www.kirklees.gov.uk/involve/entry.aspx?id=739</a>	February – March 2015	This consultation gives us an insight into the impact of removing free transport from families.  We now need to seek parents' views on wider Home to School Transport.

7	Parents of pre-school age children	The Department of Education sought the views of parents with pre-school children about the 30 hours free childcare extended entitlement for working parents of three- and four- year olds	<a href="https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/586231/Parents_views_and_demand_for_30_hour_s_free_childcare_-_RR611.pdf">https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/586231/Parents_views_and_demand_for_30_hour_s_free_childcare - RR611.pdf</a>	March – April 2016	This consultation helps us to estimate potential demand for the Access Fund.
8	General public	We need to seek people’s views on the service areas affected	September – October 2017 (subject to approval)		
9	Key partners and agencies	We need to consult a number of relevant partners and agencies, e.g. schools, including special schools	September – October 2017 (subject to approval)		

**B) Action planning**

If you identified that you needed to take further action after you consultation activity in section A, you need to now complete this action plan.

It needs to include: a list of actions that you will take, what you think will be the projected outcome from doing this, record what you ended up doing, when you did this and what the actual outcome was.

Actions need to cover your next steps AND specific actions that you will need to take to help mitigate the impact against protected groups that is being identified through your consultation.

THIS IS A LIVE PLAN – YOU WILL NEED TO REVIEW & CONTINUE TO UPDATE IT

EIA - ACTION PLAN			Complete this section when you have actually carried out some actions		
REF.No [from section A]	What actions are you going to do as a result of carrying out your consultation?	What do you think these actions will achieve? Will they mitigate any adverse impact on protected groups? Will they foster	What did you actually do?	When did you do this?	What was the actual outcome? Have you mitigated any negative impact? Have you ensured good relations exist? Have you promoted

		good relations between people? Will they promote equality of opportunity?			equality of opportunity?

**C) Publishing Your EIA**

ALL Equality Impact Assessments must be published. They are public documents. As you update your EIA, you will need to re-publish this to show the changes you are making. This will allow stakeholders in your proposal to be more informed and talk to you in a more knowledgeable way about your proposal.

## **Appendix D – Communication Plan**

<b>General public</b>	<ul style="list-style-type: none"><li>• Social media campaign, press statement</li><li>• News item on Council website</li><li>• Drop in sessions at Dewsbury and Hudds Cust Service Centres</li></ul>
<b>Parents</b>	<ul style="list-style-type: none"><li>• Mail to families currently getting home-school transport</li><li>• Link on schools admissions web page - 1 September</li><li>• Ask schools to promote online survey via text and social media</li></ul>
<b>Children and young people with SEND and their parents / carers</b>	<ul style="list-style-type: none"><li>• Engagement with special schools / specialist provision</li><li>• PCAN to promote via their networks and meetings</li><li>• Email parents on additional needs register</li></ul>
<b>Older people and their carers</b>	<ul style="list-style-type: none"><li>• Information &amp; survey link to Older People's Partnership Board, providers of day services and carers' groups</li><li>• Promotional leaflets in libraries and customer service centres</li></ul>
<b>Adults with disabilities and their parents / carers</b>	<ul style="list-style-type: none"><li>• Information and survey link via Healthwatch networks</li><li>• Small focus groups with adults facilitated by KIN</li><li>• Attend Learning Disability Partnership Board meeting</li></ul>
<b>Schools and settings</b>	<ul style="list-style-type: none"><li>• News item in Heads Up (all head teachers)</li><li>• Ask schools to promote online survey via text and social media</li><li>• Attend SENCo Network meeting</li><li>• Information and survey link to PVI Managers Network</li></ul>
<b>Partners and professionals</b>	<ul style="list-style-type: none"><li>• Attend Early Years SENCo Network / send info + survey link</li><li>• Information and survey link to Pre School Learning Alliance, National Assoc Day Nurseries, Prof Assoc Childcare &amp; Early Yrs</li><li>• Attend health professionals network meeting</li></ul>
<b>Ward councillors</b>	<ul style="list-style-type: none"><li>• Items in Chief Executive's newsletter</li></ul>

**Appendix E – All Age Disability Service’s Overarching Policy Framework 2017**

# Overarching Policy Framework

# 2017



All Age Disability Service





## **All Age Disability (AAD) Service – Overarching Policy Framework**

This document sets out the purpose of the All Age Disability Service including its principles and our offer to the community. This overarching approach, under which a range of policies will sit, reflects New Council principles and clarifies how the partnership with parents, carers and families will work and what the public can expect from the services we provide and commission. It also gives some context about the population we serve and an overview of the future direction for the provision of affordable care and support for individuals and their parents, carers and families.

Our All Age Disability Policy Framework aligns to the vision for New Council of;

- supporting communities to do more for themselves and each other
- keeping vulnerable people safe and helping them to stay in control of their lives
- providing services – but focusing on the things that only the council can do

Our approach to AAD is about making sure everyone knows it's everyone's responsibility. As well as being for disabled people, this document is for family, carers, friends, neighbours, employers, educators, decision-makers, funders and planners.

## **People with a disability in Kirklees – the population we serve**

The All Age Disability service currently provides support for 1724 people with disabilities (excludes Physical Disability). The rates of disability within the general population are expected to increase – largely due to a growing number of older people living longer with a disability. There is a growing population of children with a disability; children with the most complex needs are living longer and reaching adulthood. Several factors are also expected to have an impact on the future numbers of children born with a disability – for example, rising maternal age, improving survival rate of pre term-babies, improvement of ante-natal screening, the future prevalence of smoking, drinking and drug use during pregnancy. Increasing levels of awareness of learning disabilities and behavioural needs are also expected to raise demand. These are just some of the factors that make it reasonable to predict a future increase in the level of demand for this service, with pinch points at both extremes of the age range.

The All Age Disability service reflects the new thinking and direction that is required to establish a framework within sustainable resources, which values the capacity and strengths of people with a disability to assist in the solutions needed. The economic context is that all local authorities have to manage with significantly reduced budgets; Clinical Commissioning Groups also face severe financial challenges. In Kirklees we aim to ensure the funding we do have is spent on the most appropriate services that achieve the best outcomes and prepares children with a disability for adulthood. With significantly less funding in future years the council and key partners can no longer carry on doing the same things; we have to do things differently as we move towards New Council.

## Demographics

There are 98,770 children and young people under 18 living in Kirklees, of which an estimated 2,500 children and young people aged 0 to 18 will have a learning and/or physical disability

Kirklees Council working in partnership with Kirklees Clinical Commissioning Groups aims to support individuals and communities to support each other and try to ensure everyone stays healthy and well and receive the care and support they need, when they need it.

Safeguarding is a priority for Kirklees Council and our partners, we will ensure children with a disability are kept safe and help them in the most appropriate way

Around 7,000 children are identified as having some form of special educational needs

- around 2,370 have a special educational need statement or education health and care plan
- around 757 people with a statement of special needs or education health and care plan are 16 and over.
- there are around 475 children with a disability currently accessing funded care and support services
- 168 children with special educational needs are educated out of area
- around 150 children with a disability and or special educational needs turn 18 and enter adulthood every year

There are 6396 people aged 18-64 that are known to have a learning disability in Kirklees

- it is estimated that there are 1516 that have a learning disability aged 65
- 1267 adults with a learning disability known to the local authority
- just under 1000 receiving funded ASC support

Currently nearly two thirds of the learning disability budget is spent on supporting people to live in a care or nursing home or their own home via commissioned services (e.g. supported living, community support, day care) and direct payments.

## **Legal Framework**

There are many pieces of legislation and policy relating to disability, equality and improving the quality of life for disabled people. We have picked out some of the most recent developments and changes that will underpin the AAD Service and enable us to effect faster and wide-reaching change.

## **Key Legislation and Guidance**

- Children and Families Act 2014
- Care Act 2014
- Equality Act 2010
- Public Services (Social Value) Act 2012
- Children's Act 1989 & Children Act 2004
- Health & Social Care Act 2008
- Mental Capacity Act 2005
- The Breaks for Carers of Disabled Children" Regulations 2011
- Autism Act 2009
- Carers (Recognition and Services) Act 1995
- Housing Grants, Construction and Regeneration Act 1996 (Disabled Facilities Grant)

See appendix A, for a summary of each piece of legislation detailed above

## **The All Age Disability Service Offer**

The All Age Disability service represents a shift in thinking that takes into account the drivers listed above and offers a more personalised approach to care, the individual needs of the person and the impact of those needs on the opportunities for that person to lead a fully inclusive life. It focuses on the strengths of individuals rather than what they cannot do. It does not consign people to responses based on their "label" rather than their personal needs and choices. It is about what is good for the individual **not** what is easy for the organisation. It is also important to recognise that it needs to be affordable and within available resources.

## **Criteria for accessing social care services**

### **For people aged up to 18 years old**

The Kirklees Council Disabled Children’s Criteria for accessing social care services is currently under review. This criteria will reflect any National legislation that impacts on this.

The Children’s Act 1989 states;

Provision of services for children in need, their families and others;

- (1) It shall be the general duty of every local authority (in addition to the other duties imposed on them by this Part)— (a)to safeguard and promote the welfare of children within their area who are in need; and (b)so far as is consistent with that duty, to promote the upbringing of such children by their families

### Section 10

For the purposes of this Part a child shall be taken to be in need if— (a) he is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him of services by a local authority under this Part; (b) his health or development is likely to be significantly impaired, or further impaired, without the provision for him of such services; or (c) he is disabled, and “family”, in relation to such a child, includes any person who has parental responsibility for the child and any other person with whom he has been living.

### Section 11

For the purposes of this Part, a child is disabled if he is blind, deaf or dumb or suffers from mental disorder of any kind or is substantially and permanently handicapped by illness, injury or congenital deformity or such other disability as may be prescribed; and in this Part— “development” means physical, intellectual, emotional, social or behavioural development; and “health” means physical or mental health.

## **For people aged 18 years old and over**

The Care Act 2014 introduces a national eligibility threshold, which consists of three criteria, all of which must be met for a person's needs to be eligible. The eligibility threshold is based on identifying:

- whether a person's needs are due to a physical or mental impairment or illness
- to what extent a person's needs affect their ability to achieve two or more specified outcomes
- and whether and to what extent this impacts on their wellbeing

### **Care Act- National eligibility threshold (governed by Care and Support regulations 2015)**

Firstly, in considering whether a person's needs are eligible for care and support, local authorities must consider whether the person's needs are due to a physical or mental impairment or illness. This includes conditions such as physical, mental, sensory, learning or cognitive disabilities or illnesses, brain injuries and substance misuse.

If they do have needs caused by physical or mental impairment or illness, the local authority must consider whether the effect of the adult's needs is that they are unable to achieve two or more of the following specified outcomes;

- managing and maintaining nutrition
- maintaining personal hygiene
- managing toilet needs
- being appropriately clothed
- being able to make use of the adult's home safely
- maintaining a habitable home environment
- developing and maintaining family or other personal relationships
- accessing and engaging in work, training, education or volunteering
- making use of necessary facilities or services in the local community including public transport and recreational facilities or services
- carrying out any caring responsibilities the adult has for a child

Local authorities must consider whether, as a consequence of the person being unable to achieve two or more of the specified outcomes there is, or is likely to be, a significant impact on the person's wellbeing. Local authorities should determine whether:

- the adult's needs impact on an area of wellbeing in a significant way; or
- the cumulative effect of the impact on a number of the areas of wellbeing mean that they have a significant impact on the adult's overall wellbeing

## How we will work using our principles

Please note, where we use “**must**” this implies statutory duty

### Reshaping of disability support with a commitment to co-production by enabling a strong voice for people with disabilities and their families

- we **must** consider the views, wishes and feelings of the child, young person and their carers
- we **must**, where possible, actively promote participation in providing interventions that are co-produced with individuals, families, friends, carers and the community
- we will work in a commissioning led way to ensure we have a picture of the whole market and continue to identify any gaps and work across all sectors, with people with disabilities and their families to shape and develop the market further to ensure there is sufficiency
- we will continue to consult and engage with fora that represent our disabled communities ensuring we gather the views of a wide and diverse range of people and their families that use our services
- we will ensure intelligence and feedback is used to feedback to decision making bodies
- we will continue to develop tools to improve access, information and advice using tools such as the local offer and connect to support

## Integrated commissioning and choice and control to ensure people with disabilities are supported to live fulfilling lives

- we **must** make any necessary arrangements to meet the needs of chronically sick disabled people by providing a range of services
- we **must** provide a range of short breaks for disabled children, young people and their families
- we **must** promote wellbeing when carrying out any care and support in respect of a person
- we **must** promote diversity and quality in provision of care and support services and ensure that a person has a variety of providers to choose from.
- we **must** facilitate markets to offer continuously improving, high quality, appropriate and innovative services, including fostering a workforce which underpins the market.
- we **must** prevent, reduce and delay local needs for care and support coupled with a joint working/integration requirement with health where this benefits the service users
- we must provide services which take into account affordability and available resources
- we will continue to shape the market by ensuring access to transparent and equitable personal budgets and direct payments to promote choice and control in a person centred way and ensuring appropriate and fair use of council resources
- we will continue to work with partners including local health and education services and ensure commissioning is evidence based and outcome focussed with robust policies and criteria to support this
- we will ensure that the overarching policy framework does not conflict with other Council policies, for example the Kirklees Home to School transport policy.



### **Best start in life, early help and support for families and carers**

- we **must** carry out a needs assessment and have a duty to meet any eligible needs
- we **must** support people to live as independently as possible for as long as possible
- we **must** consider during assessments whether the people concerned would benefit from some type of preventive service or intervention
- we will endeavour to identify SEND as early as possible
- we will identify appropriate support and ensure it is implemented
- we will ensure young children with SEND have appropriate support to start school
- we will take into account the rights and responsibilities of parents/carers. We will work in partnership to support parents/carers in their parenting/carer role.
- we must provide information about local provision for Children and young people with SEND that is accessible to all (Known as the Local offer)

We will continue to ensure children, young people and their families have the tools and resources they need to help themselves and remain resilient using strengths based, enabling approach with a focus on peoples aspirations

## Adopting a whole family and a life-long approach

- we **must** involve the child, young person and their parents in decisions that affect them
- we **must** give the child, young person and their parents the information and support they need to be involved in decision making
- we **must** support the child young person and their parents to achieve the best possible outcomes
- we **must** focus on delaying and preventing care and support needs and support people to live as independently as possible for as long as possible
- we will take into account the assets a family have when arranging services
- we will use a whole family approach in all our assessments and consider the short, medium and long term outcomes for the individual and their family to reduce long-term dependency. The whole family approach is based on the principle of lifelong planning and working in partnership with individuals and their families/carers to fulfil their assessed outcomes.
- we will ensure resources are used effectively by offering support when it is needed most and working towards clear pathways in and out of our service
- we will continue to support carers of disabled people and value their contribution in their caring role

## Better prevention and early intervention to promote independence and prevent family breakdown

- we **must** safeguard and promote the welfare of children
- we **must** identify and provide appropriate early/timely intervention
- we **must** establish and maintain a service for providing people with information and advice relating to care and support
- we **must** recognise and respond to the specific requirements that carers have for both general and personal information and advice
- we **must** ensure information and advice is accessible to all
- we will provide support and guidance as early as possible to nurture confidence and resilience in families to manage challenges and reduce crises and dependency on our services
- we will work closely with universal and targeted community support services to ensure a range of early support for all age groups is available
- through the assessment process we will offer support at universal, targeted and specialist levels depending on your individual needs

### **Locality and relationship based approach to meeting need and managing risk**

- we **must** consider the importance of identifying services, facilities and resources that are already available in area, which could support people to prevent, reduce or delay needs
- we will use locality based commissioning intelligence and data to inform market development within local communities, using resources flexibly depending on the needs of different communities
- we will continue to develop strong partnership with community and voluntary sector groups
- we will encourage people to make use of natural support networks and find creative ways of using personal budgets together with other families in local communities

### **Improve the experience of people with disabilities at transition into adulthood**

- we will ensure the service is seamless with smooth transition points at key life stages
- we will create long term pathways through the service via a single holistic assessment and support plan
- we will prepare school leavers with education health care plans to be active members of the community through equipping them with life and vocational skills, so they can live as independently as possible

## More partnership working with all relevant stakeholders

- we **must** work with partners to care for and improve the wellbeing of the child or young person
- we **must** work together in how we design, deliver and buy services for children and young people
- we **must** work with partners and make the person the starting point for planning, rather than what services are provided by a particular agency
- we **must** carry out our care and support responsibilities with the aim of promoting greater integration with NHS and other health related services
- we will further develop relationships based on trust between statutory services and the people they serve
- we will ensure we work co-productively with relevant stakeholders

## **Make all our processes personalised, flexible, transparent and cost effective**

- we will ensure our services are designed to be personalised, flexible, transparent and cost effective
- we will develop a transparent and shared decision making and resource allocation tool
- we will enable as many people as possible to manage their own personal budget
- we will continue to develop the marketplace for people to purchase personalised services
- we must calculate a budget for people with social care needs and their carers
- we will provide structured, open and honest information at the first point of contact
- we will focus resource (time, effort, money) on those with the most complex needs and promote Early Intervention & Prevention which keeps individuals independent for as long as possible
- we will meet the overall financial targets set for Adult Social Care through transformation activity, while continuing to meet statutory requirements
- we will use a targeted approach to deliver services – stratify and segment user base and focus resources where they will have the most impact
- we will work with other public bodies and drive efficiency through joint working

### **Promote equal access to community opportunities and the whole range of universal services**

- we will work with other statutory agencies including planning and transport to ensure they consider the needs of disabled people
- we will continue to promote community inclusion with all partners
- we will improve our data collection and ensure this is analysed appropriately to support and develop future services

### **To enable all people with disabilities to live safer lives and protect the most vulnerable**

- we **must** make enquiries, or ensure others do so, if it is believed that an adult is, or is at risk of, abuse or neglect. Such enquiries should establish whether any action needs to be stop or prevent abuse and if so by whom.
- we will support communities and service providers to recognise and report hate crime
- we will promote the use of advocacy services
- safeguarding will be at the heart of our service, however we will encourage positive risk taking.
- we will actively support the use of 'safe places' in local areas

## Key Legislation and Guidance- Appendix A

### Summary of legislation

#### Children & Families Act 2014

Part 3 of this Act reforms the statutory framework for identifying children and young people with special educational needs (SEN), assessing their needs and making provision for them. They require local authorities to keep local provision for children and young people with SEN and disabilities under review, to co-operate with their partners to plan and commission provision for those children and young people and publish clear information on services they expect to be available.

One of the key features of The Children and Families Act 2014 was the extension of the age range of those children and young adults with special educational needs and disabilities (SEND) who must be assessed and supported by education, health and care up to 25 years of age.

Statements and Learning Difficulty Assessments for those with the highest needs have been replaced by an Education, Health and Care Plan (EHCP). EHCPs have the child's (or young person's) voice at the very centre, along with that of their parents (or carers), and include contributions from the family, school/college, health, care and other relevant agencies.

The Children and Families Act 2014 also formally recognises the contribution young carers make to their families (and extended families), and the impact that being a carer may have on a young person.

The Act requires the needs of the whole family to be considered in the future when a child is identified as a young carer; young carers have the same legal entitlement to assessment and support from local authorities as adult carers. The role of young and adult carers has been recognised in the past by the Government

#### The Care Act 2014

The Care Act 2014 sets out the general responsibilities of local authorities for the provision of adult social care. It enables the Council to build on existing foundations and establish more personalised services for carers. The Act also gives us the opportunity to commission services that not only support carers but actively seek out 'hidden' carers.

The Care Act 2014 made a number of significant changes to how local authorities assess for, commission and deliver a more holistic and personalised range of adult social care services.



## The Equality Act 2010

The Equality Act 2010 is a major piece of legislation that brings together and strengthens the various existing pieces of anti-discrimination legislation that have been passed since the 1970s. The Act places a general duty on the Council to have regard to the need to (a) eliminate unlawful discrimination and (b) advance equality of opportunity and (c) foster good relations between people with protected characteristics and those without it. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

## The Public Services (Social Value) Act 2012

The Public Services (Social Value) Act requires us to consider the collective benefit to the local community of any services that we commission or procure and by spending more money can build stronger communities, improving health and improve the environment.

## The Children Act 1989 & 2004

The Children Act 1989 allocates duties to local authorities, courts, parents and other agencies in the United Kingdom, to ensure children are safeguarded and their welfare is promoted. The Act requires the Council to safeguard and promote the welfare of children who are in need – this includes children with disabilities.

The Children Act 2004 provides the legal basis for how social services and other agencies deal with issues relating to children

## Health & Social Care Act 2015

An Act to make provision about the safety of health and social care services in England;

- to make provision about the integration of information relating to users of health and social care services in England
- to make provision about the sharing of information relating to an individual for the purposes of providing that individual with health or social care services in England
- to make provision for removing individuals convicted of certain offences from the registers kept by the regulatory bodies for health and social care professions
- to make provision about the objectives of the regulatory bodies for health and social care professions and the Professional Standards Authority for Health and Social Care
- to make provision about the disposal of cases concerning a person's fitness to practise a health or social care profession and for connected purposes

## Mental Capacity Act 2005

The Mental Capacity Act (MCA) 2005 applies to everyone involved in the care, treatment and support of people aged 16 and over living in England and Wales who are unable to make all or some decisions for themselves. The MCA is designed to protect and restore power to those vulnerable people who lack capacity

## The Breaks for Carers of Disabled Children” Regulations 2011

The Regulations provide further detail on how local authorities must perform their duty in the Children Act 1989 (“the 1989 Act”) to provide, as part of the range of services they provide for families, breaks from caring for carers of disabled children to support them to continue to care for their children at home and to allow them to do so more effectively. In summary, the Short Breaks Regulations require local authorities to do three things:

- to ensure that, when making short break provision, they have regard to the needs of different types of carers, not just those who would be unable to continue to provide care without a break
- to provide a range of breaks, as appropriate, during the day, night, at weekends and during the school holidays; and
- to provide parents with a short breaks services statement detailing the range of available breaks and any eligibility criteria attached to them.

## Working Together To Safeguard Children 2015 (Guidance)

Local authorities have overarching responsibility for safeguarding and promoting the welfare of all children and young people in their area. They have a number of statutory functions under the 1989 and 2004 Children Acts which make this clear, and this guidance sets these out in detail. This includes specific duties in relation to children in need and children suffering, or likely to suffer, significant harm, regardless of where they are found, under sections 17 and 47 of the Children Act 1989.

The Director of Children's Services and Lead Member for Children's Services in local authorities are the key points of professional and political accountability, with responsibility for the effective delivery of these functions.

Whilst local authorities play a lead role, safeguarding children and protecting them from harm is everyone's responsibility. Everyone who comes into contact with children and families has a role to play.

Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes

Local agencies, including the police and health services, also have a duty under section 11 of the Children Act 2004 to ensure that they consider the need to safeguard and promote the welfare of children when carrying out their functions.

Under section 10 of the same Act, a similar range of agencies are required to cooperate with local authorities to promote the well-being of children in each local authority area (see chapter 1). This cooperation should exist and be effective at all levels of the organisation, from strategic level through to operational delivery.

Professionals working in agencies with these duties are responsible for ensuring that they fulfil their role and responsibilities in a manner consistent with the statutory duties of their employer.

## Special Educational Needs and Disability – SEND Code of Practice 2014 (Guidance)

This guidance refers to Part 3 of the Children and Families Act 2014 and associated regulations. The regulations associated with the Children and Families Act 2014 are:

- The Special Educational Needs and Disability Regulations 2014
- The Special Educational Needs (personal budgets) regulations 2014
- The Special Educational Needs and Disability (detained persons) regulations 2015
- The Children and Families Act 2014 (transitional and saving provisions)(no 2) order 2014

Local authorities must consult children with SEN or disabilities, their parents, and young people with SEN or disabilities in reviewing educational and training provision and social care provision and in preparing and reviewing the Local Offer.

## Autism Act 2009

The Autism Act 2009 committed the Government to publishing an adult autism strategy to transform services for adults with autism. And this commitment was met on 3rd March 2010 with the publication of the first ever strategy for improving the lives of adults with autism in England.

The strategy set out a number of key actions and recommendations for central Government as well as for local authorities, the NHS and Jobcentre Plus, focusing on five key areas:

- increasing awareness and understanding of autism
- developing a clear and consistent pathway for diagnosis
- improving access to the services and support people need to live independently within the community
- employment
- enabling local partners to develop relevant services to meet identified needs and priorities.

## Carers (Recognition of Services) Act 1995

The Carers (Recognition and Services) Act 1995, which came into effect on 1st April 1996 was the first piece of legislation to recognise fully the crucial role played by carers. The Act contains two main elements for carers:

- a carer's right to ask for an assessment of their ability to care
- local authorities duty to take into account the results of this assessment when looking at what support to provide to the person cared for (the service user)
- the act covers three groups of carers:
  - adults (people aged 18 or over) who care for other adults
  - adults who care for ill or disabled children (under the age of 18)
  - young carers under the age of 18 who care for a relative

To be eligible for an assessment carers must be:

- providing, or intending to provide, a substantial amount of care on a regular basis
- under this act an assessment is available on request when a local authority carries out an assessment of the person cared for in respect of services under:
  - The NHS & Community Care Act 1990
  - The Children Act 1989
  - The Chronically Sick & Disabled Persons Act 1970

## Housing Grants, Construction and Regeneration Act 1996 (Disabled Facilities Grant)

Mandatory Disabled Facilities Grants are available from local authorities in England and Wales, subject to a means test, for essential adaptations to give disabled people better freedom of movement into and around their homes and to give access to essential facilities within the home.

## All Age Disability Service





**Name of meeting:** Cabinet  
**Date:** 22 August 2017  
**Title of report:** Food Safety Development Plan 2017- 2019

**Purpose of report**

For Members to approve the Food Safety Development Plan produced in accordance with the expectations of the Food Standards Agency

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a>	
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by Strategic Director & name	Naz Parkar - 10.08.17
Is it also signed off by the Service Director - Finance, IT and Transactional Services?	Debbie Hogg - 11.08.17
Is it also signed off by the Service Director - Legal Governance and Commissioning?	Julie Muscroft - 11.08.17
Cabinet member <a href="#">portfolio</a>	Cllr M Khan and Cllr G Turner - Corporate Cllr N Mather and Cllr Peter McBride - Economy

**Electoral wards affected:** All

**Ward councillors consulted:** No

**Public or private:** Public

## 1. **Summary**

The Food Standards Agency (FSA/Agency) has a key role overseeing local authority activities concerning food safety enforcement. As a result, the FSA is proactive in setting and monitoring standards and auditing local authorities' enforcement activities in order to ensure enforcement is effective and undertaken on a more consistent basis nationwide. Powers to enable the FSA to monitor and audit local authorities are contained in the Food Standards Act 1999.

Food Safety Development Plans are seen by the Agency as an important part of the process to ensure that national priorities and standards are addressed and delivered locally. Development plans will also:

- focus debate on key service delivery issues;
- provide an essential link with financial planning;
- set objectives for the future, and identify major issues that cross service boundaries; and
- provide a means of managing performance and making performance comparisons.

Guidance issued by the Food Standards Agency provides local authorities with a service plan template which is designed to ensure that local authorities include in their service plans:

- information about the services they provide
- the means by which they will provide those services
- the means by which they will meet any relevant performance targets or performance standards set out under, for example, National Indicators (NI)

## 2. **Information required to take a decision**

In developing the plan, consideration has been given to a balance of enforcement measures depending on prevailing circumstances, level of risk, stakeholder engagement, and other external influences.

The Food Safety Development Plan for 2017/2019 is attached. No plan was produced for 2015/2016 due to significant changes within the team which required focus on continuity of service and ensuring ongoing compliance with regulatory requirements.

The 2017-2019 plan will summarise main actions/issues/outcomes to date (using the 2016 Local Authority Returns Data) as well as providing an outline of future work priorities and direction.

Since the last development plan was completed (2015), the Food Safety team has undergone significant personnel changes – the team now has two new Senior EHOs and a new Team Manager who was appointed in January 2016. Staffing levels have stabilised but remain under pressure relative to the work given wider Council financial stresses.

The rationale for a two year plan is mainly driven by potential changes on a national level as a result of 'Regulating our Future', which is an initiative driven by the FSA that



aims to change and re-organise Food Safety priorities. The timeframe for the revised system is anticipated to be around 2020, although this is subject to change/delay.

Given the above, a two year plan, taking Kirklees to 2019 will allow for a better understanding of the regulatory landscape nearer the time and allow for relevant considerations to be made and, where necessary, incorporated into future plans and work streams. The two year plan also aims to allow for a period of stability and consolidation given the structural and managerial changes that have taken place within the food team as well as the Service and wider Council.

Since the 2015 Development Plan Kirklees Food Safety has also taken part in two FSA organised 'national consistency exercise' which aimed to gauge Food Hygiene Rating Score assessments by individual authorities. The exercises required authorities to consider a food business and then allocate a Food Hygiene Rating Score. Although there was significant regional and national variation, Kirklees Food Safety accurately rated both exercises, showing that officers were correctly applying guidance and regulatory requirements in a consistent manner.

### **3. Implications for the Council**

#### **3.1 Early Intervention and Prevention (EIP)**

The Food Safety function directly links to both the Economic Strategy and the Joint Health and Wellbeing Strategy. Particularly in relation to 'enhancing skills', 'growth and new business', and 'business resilience'. In addition, the Joint Strategic Needs Assessment identifies Food and Nutrition as one of its priorities. Furthermore, the link between unsafe food and public health is clear, and therefore, it is important to ensure that food processed, produced and sold in Kirklees is safe and fit for human consumption.

Timely, programmed and risk based interventions will ensure that food businesses are inspected, and where necessary, proportionate enforcement action is taken. This approach will aim ensure that problem premises are dealt with before their practices and procedures can have a detrimental impact on public health.

#### **3.2 Economic Resilience (ER)**

The food safety team recognises the importance of engaging with business and how successful business can impact and increase local and council wide economic development. A consistent approach to food safety ensures a fair playing field, with compliant businesses receiving recognition (through higher Food Hygiene Rating Scores) and failing businesses requiring proportionate enforcement action to secure compliance.

Given the increase in awareness of food safety, and Food Hygiene Rating Scores, it is anticipated that customers to compliant businesses will increase and make the businesses more resilient. Similarly, it is anticipated that a consistent approach to enforcement will, in the longer term, ensure greater compliance and reduce the need for enforcement action.

### 3.3 Improving Outcomes for Children

See 3.1

### 3.4 Reducing demand of services

A large amount of food safety information is available on the Kirklees website. Currently, information available includes registration forms, requests for re-visits as well as links to national and European guidance. In addition, information relating to structural and procedural requirements for food businesses is also available. Moving forward, we will continue to add more information and guidance and will, where possible, refer customers and businesses to the website.

### 3.5 Legal/Financial or Human Resources

Section 5 of Food Law Code of Practice, 2017, expects development plans to be submitted to the relevant member forum for approval to ensure local transparency and accountability. Cabinet has previously considered the Food Safety Development Plan on an annual basis.

Kirklees, along with all Local Authorities signed up to a framework agreement with the Food Standards Agency for the regulation of food premises. In accordance with this agreement, the Local Authority has a duty to appoint a sufficient number of authorised officers to carry out the functions required by the Food Law Code of Practice (England).

In cases where local authority failure is identified (i.e. failure either to discharge functions adequately or failure to meet statutory obligations to apply the law), the agency has legal powers of intervention of direction and default.

Despite the pressure on resources, the team continues to perform well. In 2015/16 we achieved 75% of the interventions detailed in our programme. Furthermore, our performance indicator which is a factor of Output (number and appropriateness of Interventions) and the % of broadly compliant premises showed that we achieved 85%.

As of April 2016, the Food Safety team had a staffing level of 9.66 FTE which is similar to the levels reported in the 2014/2015 plan.

Using national data from 2015 showing officer and food business ratios:-

- Average number of food premises to Full Time Equivalent officers (FTEs):  
Nationally: 333:1, Kirklees: 544:1
- If we were to operate at the national average we would require 15.2 FTEs. Up to the year 2016, we operated with 9.66 FTE.

## 4. Consultees and their opinions

None

5. **Next steps**

This Development Plan will be reviewed in Spring 2019.

6. **Officer recommendations and reasons**

That the Food Safety Development Plan for 2017/2019 be approved.

7. **Cabinet portfolio holder's recommendations**

The portfolio holders for Economy - Cllr Naheed Mather and Cllr Peter McBride were briefed on the 31 July 2017 on the content of this report and were in agreement with the approval of the Food Safety Development Plan for 2017/19 and would ask that Cabinet do the same.

The portfolio holders for Corporate - Cllr Graham Turner and Cllr Musarrat Khan were briefed on the 7 August 2017 on the content of this report and were in agreement with the approval of the Food Safety Development Plan for 2017/19 and would ask that Cabinet do the same.

8. **Contact officer**

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9. **Background Papers and History of Decisions**

Food Standards Agency Service Plan Template  
Kirklees Factsheet 2015  
Food Law Code of Practice 2017

10. **Director responsible**

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01484 221000



**FOOD SAFETY DEVELOPMENT PLAN**  
**2017 - 2019**

# FOOD SAFETY DEVELOPMENT PLAN 2017-2019

## 1 Service Aims and Objectives

### 1.1 Aims and objectives

- To seek to ensure that all food prepared, offered or exposed for sale is what it says it is and that it is safe and will not cause ill health
- To promote healthy eating
- To improve access to healthy food in order to improve the diets of Kirklees residents

### 1.2 Links to corporate objectives and plans

The Council's key Economic Strategy and the Joint Health and Wellbeing Strategy complement each other and have been used to develop options to deliver a new model for the Council concentrating on three areas of:

- **Early intervention and prevention & Economic Resilience**

The Food Safety function directly links to both the Economic Resilience and Health and Wellbeing strands. In particular, in relation to 'enhancing skills', 'growth and new business', 'business resilience'. In addition the Joint Strategic Needs Assessment identifies Food and Nutrition as one of its priorities, recognising that failure to address either safety or poor diet can, both in the short term (food poisoning related illnesses/public health risk) as well as in the longer term (obesity) have a significant impact on residents and therefore the Council in terms of access to service and reputational damage.

The Service works closely with Public Health England and undertakes a food sampling programme that focusses on national/international food safety concerns and trends. We continue to work with colleagues from the Public Health Team (formerly NHS Kirklees) as partners in delivering the FINE Project.

The key aims of the FINE project are to develop a healthy eating culture by training, sign posting and supporting key professionals and key volunteer coordinators who work with community groups in targeted localities. To date 261 community staff and volunteers have qualified as cook and eat tutors and a further 1,950 have been trained in Key Healthy Eating Messages.

The Healthy Choice Award was introduced to encourage food business to provide healthy alternatives and this was recognised/demonstrated through receipt of Gold/Silver or Bronze Awards. As of April 2017, the Healthy Choice Award has been placed on hold for 12 months with a view to re-brand and re-launch a new healthy eating accreditation scheme in April 2018. In addition, the FINE project also has the following priorities:

- Ravensthorpe Pilot – Increasing nutrition literacy\*\*
- Nutrition literacy in the under 5 setting
- Nutrition literacy in older people

**\*\*The Ravensthorpe Pilot Project aims to concentrate resources in a deprived area where there are a large number of fast food outlets. The rationale is that focusing resources, working with local community groups/schools and Kirklees Public Health will result in making a more meaningful impact on the health and wellbeing of the residents.**

Links have also been maintained with the Consultant in Public Health Medicine in infectious disease control, particularly in connection with food poisoning cases and surveillance, including monthly review meetings as well as quarterly strategic meetings which aims to identify and adopt solutions to larger, more regional issues.

## **2 Background**

### **2.1 Profile of the local authority**

Kirklees is the third largest Metropolitan District with an area of 157 square miles (40,860 Hectares) and measured in population terms is the eleventh largest local authority with a population currently estimated to be in excess of 434,000. (Kirklees Fact sheet 2015)

Kirklees is an area of diverse communities, topography, settlement and industrial development. The 2011 ONS Mid-Year Estimates suggest that 22% of the total population are from minority ethnic groups (compared to 19.5% nationally), the largest group being Asian or British Asian (16% of total population).

Under the political structures, the principal executive decision-making body of the Council is a cabinet of councillors, which includes the Leader, and the Lead Members for the Service groupings.

The council employs approximately 11,873 Full-time Equivalent (FTE) staff (as of 31/08/16).

Kirklees is a very large food authority and currently supports over 5,200 food premises, the fourth largest food authority outside London.

### **2.2 Organisational structure**

The Food Safety and Advice team sits in the Commercial, Regulatory and Operational Service.

In accordance with the Food Law Code of Practice (England) we have appointed the Public Health England Laboratory in York as our food examiner and West Yorkshire Analytical Services as our food analyst, both of whom are suitably qualified.

### **2.3 Scope of the food service**

The food safety and advice function is dedicated wholly to food related activities and sits alongside the other core environmental health functions of pollution and noise control and health and safety.

The food safety and advice team is responsible for undertaking the following work activities:

- programmed food hygiene interventions
- provision of advice to food businesses
- food sampling (including milk and dairy products)
- investigation of food complaints
- investigation of food poisoning and outbreak control
- responding to Food Standards Agency food alerts
- inspection of food
- monitoring licensed/approved premises
- imported food control
- FINE (Food Initiatives & Nutrition Education) project
- Providing food and wellbeing advice to target groups
- inspection of farms and small holdings
- Inspection of primary production premises
- investigation of animal welfare complaints
- attendance at livestock markets and inspection of associated record keeping
- Undertaking projects linked to corporate priorities

West Yorkshire Joint Services are responsible for all food standards enforcement in the Kirklees area.

#### 2.4 Demands on the food service

As of May 2016, there were 5,267 food business registered with the Food Safety Team, breakdown in the table below:

Producers and farms	853
Manufacturers and Packers	120
Importers and Exporters	5
Distributors and Transporters	99
Retailers	929
Restaurants/Caterers	3279
<b>Total</b>	<b>5,267</b>





<b>Intervention Type</b>	<b>Number Undertaken</b>
Inspection or Audit	1267
Verification or Surveillance	514
Sampling	132
Advice or Education	32
Information/intelligence gathering	130

### 3.1 Food Premises Inspections

During 2015/2016 all inspections were undertaken by Environmental Health staff. This is because we work to very tight targets compared to most local authorities and as a result we are able to achieve an excellent output given the resources available.

Staff resources are organised on an East/West district basis. In addition, some staff have responsibility for specialist areas of work including Animal Health, Advice/Education, communicable diseases, meat and dairy products.

We continue to operate the national 'Food Hygiene Rating Scheme' (FHRS). The scheme is supported and promoted nationally by the Food Standards Agency - it helps consumers choose where to eat out or shop for food by giving them information about the hygiene standards in food premises at the time they were inspected to check compliance with legal requirements, and through this, it encourages businesses to improve their standards.

Since the introduction of smoke-free legislation in 2007 premises and vehicles are also assessed for compliance at each inspection.

Food team EHOs have been specifically authorised to enforce legislation relating to Imported Food. There are no ports of entry or Enhanced Remote Transit Sheds in Kirklees, so there is only a low level of work involved. Officers look for imported food on inspections and take appropriate action if required.

Primary producers (food growers) are also inspected and reported on as part of the food inspection programme. Much of the work is being undertaken by animal health officers in conjunction with their farm inspections.

In 2016, the food safety team also took part in a national project, aimed at encouraging businesses to display their food hygiene rating scores – this resulted in an increase in the number of businesses displaying their food hygiene rating scores.

### 3.2 Food & Food Premises Complaints

It is the policy of the food team that complaints received by the Service in relation to food and food premises are investigated in accordance with the relevant guidelines.

Complaints which are of a minor nature, and therefore, unlikely to result in formal action receive a limited response.

When a complaint is, or may be, associated with the businesses central policies or procedures, where appropriate, the primary, home and/or originating authority are contacted for advice if it is outside Kirklees.

Any complaints received relating to trading standards issues are referred to West Yorkshire Joint Services.

In 2015/2016 the Food Team received 468 complaints relating to the condition of either food or food premises (compared with 473 the previous year). The type of complaints varied; ranging from bits of plastic in food to complaints of rats in premises. All complaints require a degree of investigation. However, those considered to pose the greatest risk to public health are afforded more time and resources.

### 3.3 Enforcement action

The table below details the enforcement action undertaken during 2015/2016. The enforcement option used depends very much on the risk present at the time of the inspection and varies from a simple report, outlining corrective actions needed to the service of a hygiene emergency prohibition notice, which requires the business to close immediately. Enforcement, in accordance with national advice, follows a graduated approach.

<b>Enforcement Action</b>	<b>Number</b>
Voluntary Closure	2
Seizure of food	0
Suspension/revocation of approval/license	0
Emergency Prohibition	6
Simple Caution	6
Improvement Notices	30
Remedial Action and Detention Notices	0
Written Warnings	890
Prosecutions	3

### 3.4 Advice to Business

The Food Safety and Advice team is committed to providing advice to food businesses; this often involves carrying out a visit to assist food businesses to comply with food hygiene legislation. During 2015/2016, 32 advice visits were undertaken. Given the limited resources, and following Council priorities, we've placed greater information and detail on the Kirklees website, which, coupled with information available on the FSA website, gives prospective businesses all the information they require. For unique/high risk businesses, officer's still visit and provide the advice needed. Ultimately, however, the responsibility to operate and produce food safely remains with the business.

As part of our commitment to enable new food businesses the Food Safety Team also operates a '**Getting It Right First Time**' course. We encourage newly registered businesses to attend this course. The aim of the workshop is to inform new businesses of the most important information they need to consider in operating a compliant food business. It covers topics such as written food safety management systems, Food Hygiene Rating Scheme, health & safety, fire safety,

waste, business support and licensing. We worked with the other regulators in putting the course and the delegate pack together.

If businesses attend the course they are allowed up to 6 months before their first inspection to allow them time to put into practice what they have learned. During 2015/2016, 10 such events were held and 52 businesses attended. Subsequently, of the businesses inspected, 94% were found to be compliant, demonstrating the positive impact of the course on business compliance.

The move towards the 'new council' is influencing the way that we focus our efforts for the forthcoming year. We will be working on business resilience, by improving the information available for new and emerging businesses on the website and also by creating a toolkit for the organisers of 'events' so that they can confidently proceed knowing what our requirements would be.

### 3.5 **Food Sampling**

It is the policy of the food team to carry out routine sampling and to take samples where problems with food production have been identified.

Other sampling is linked to our food premises interventions programme and where problems associated with high risk foods are anticipated or are revealed during the course of routine inspections.

Because of the farm dairies in Kirklees we offer an economical chargeable service for the collection and analysis of dairy products on their behalf. This is considered to be an important area of work given past experience of infections in milk and the high risk nature of the product.

The Food team also participates in cross regional and national surveys organised through Public Health England.

In addition, samples are taken following referrals of sample failures from other local authorities and by officers following routine inspections or complaints. All sampling undertaken by officers is in accordance with quality procedures and relevant sampling protocols. Formal samples are taken in accordance with the Food Law Code of Practice. Samples are submitted to either the Public Health England Laboratory or West Yorkshire Analytical Services Laboratories.

In 2015/2016, 899 samples were taken which includes those taken for sample studies as well as those taken to verify process/environmental hygiene within businesses.

### 3.6 **Control and Investigation of Food Related Infectious Disease and Outbreaks**

The authority's policy concerning investigation of food poisoning notifications and outbreak control is contained in a joint procedure manual, produced in conjunction with Public Health England and other West Yorkshire Authorities. The document is known as the "Protocol for investigation and management of sporadic cases and outbreaks" and "Kirklees Infectious Disease Outbreak Protocol".

Communicable diseases investigated up to the year 2015/2016 are attached in **Appendix 2**.

In the event of a serious outbreak, staff resources are utilised from the food team and across the whole Service if necessary. In 2015/2016 we dealt with 4

significant infectious disease/food poisoning related events which required significant investigation and resource allocation. During these instances, we worked closely with Public Health England and Kirklees Public Health colleagues.

### **3.7 Food Safety Incidents**

Procedures for dealing with Food Alerts are clearly documented in a specific quality guideline in order to comply with the Food Law Code of Practice (England).

### **3.8 Liaison with other organisations**

This authority has liaison arrangements with other West Yorkshire authorities through the West Yorkshire Principal Food Officers Group (WYPFOG) and also at Chief Officer level with West Yorkshire Authorities.

The Food Safety Manager attends the WYPFOG meetings and during 2015/2016 8 meetings were held.

Regular liaison takes place with the Council's Licensing department in response to proposals for food premises.

Regular liaison takes place with colleagues in Public Health in co-ordinating the FINE project.

## **4 Resources**

### **4.1 Financial Allocation**

The Service has, as have all local authorities continued to face financial constraints. The team continue to focus limited resources in a proportional risk based approach.

The budget allocated to delivering the Food Safety and Advice function for 2015/2016 is shown as part of Environmental Health Revenue Budget in **Appendix 1**.

### **4.2 Staffing Allocation (March 2016)**

The current staff resources covering Food Safety work is:

1 Team Manager

1.8 FTE Senior Environmental Health Officers

4.7 FTE Environmental Health Officers

1.4 FTE Senior Technical Officer

1.0 Technical Officers

1 Business Support Officer

FINE (project)

1 Food and Wellbeing coordinator

2 Food and Wellbeing advisors

0.5 Business support officer

### 4.3 Staff Development Plan

Each individual staff member has an annual appraisal meeting with their line manager (plus a six monthly review) to evidence individual contributions in achieving our stated goals and identifying any development needs. This is in addition to regular, ongoing 1-2-1s. Nationally, the FSA has introduced a competency framework which lists the main sections in which an EHO must be competent, covering a range of food safety disciplines, with officers now requiring authorisation for each specific section.

The new competency framework is a fluid document, requiring regular updates but also acting as a guide as it identifies development and training needs to ensure officer remain competent in relevant areas.

Some Environmental Health Officers are members of the Chartered Institute of Environmental Health and take part in the Continuing Professional Development programme which requires at least 20 hours of professional development to be undertaken annually (30 if they have Chartered Status).

Importance is given to the need to ensure continuing professional competence in technical areas of work. Training/development of staff remains challenging due to the current economic climate. Efforts are being made to carry out more in house training which is taking the form of regular consistency meetings as well as undertaking training identified as part of the competency framework (e.g. imported foods). Regionally organised training is also taking place, twice a year, focusing on national drivers as well as regional training needs and requirements.

## 5 Quality Assessment

Officers' work is subjected to monthly quality checks which results in 10% of completed worksheets assessed for a number of parameters, focusing on consistency in application of legal requirements, updating of information and consistency in Food Hygiene Rating Score application and risk ratings. In addition, 'accompanied visits' are also undertaken to ensure officers are undertaking the role in accordance with the Code of Practice.

Inspection programmes, ratio of planned inspections undertaken as well as the performance indicator are listed below.

#### Inspection Programme Achieved

2011/2012 - 77%  
2012/2013 - 69%  
2013/2014 - 75%  
2014/2015 - 75%  
2015/2016 - 75%

#### Performance Indicator

2011/2012 - 87%  
2012/2013 - 84%  
2013/2014 - 86%  
2014/2015 - 86%  
2015/2016 - 85%

## 6 Review

### 6.1 Review against the Food Safety Development Plan

This Development Plan will be reviewed in Spring 2019. The review will include information on the previous 2 years' performance against the Development Plan and will specify performance targets, performance standards and targeted outcomes.

### 6.2 Identification of any variation from the Development Plan

Any variation from the Development Plan will be reported to Senior Management with a view to corrective action being taken.

### 6.3 Team Priorities

To date, the Food Development Plan has determined priorities on an annual basis. However, for reasons outlined in Section 2, this development plan spans two years - 2017/2019, and the following priorities have been identified for the Food Safety & Infectious Disease Team:

1. Establish and implement a mechanism for ensuring cost recovery when a premises has had to be closed through service of a HEPN
2. Introduce nationally developed model for charging business requesting a revisit to assess Food Hygiene Rating Scores
3. Ensure officer development continues as required in the FSA competency framework and officer authorisations reflect the individual competency matrix
4. Continue to work toward implementation of the risk based inspection programme, making use of the range of enforcement options available
5. Ensuring interventions are risk based and in accordance with the agreed protocols
6. Increase business resilience by Improving the information that we have available for businesses on the website
7. Continue to develop/sharing expertise across WYPFOG
8. Ensure annual returns (LAEMS) to the Food Standards Agency are completed accurately and to agreed timescales
9. Continue to respond to, and where necessary, lead on FSA issued alerts and requests for action.

## Appendix 1

### Environmental Health Budget 2015/2016

Food safety	395400
FINE	-31745
Management & Support	119172
Animal Health	30555
BHAW	-2743
PNC	644168
Water Safety	16443
Infection Control	48422
Night Time Noise	90227
Health & Safety	52680

£1362579

## Appendix 2

## Kirklees Environmental Services Communicable Disease Review

The following notifications have been dealt with by Environmental Health in the respective years':

Disease		2011	2012	2013	2014	2015	2016
Viral Hepatitis A		1	2	0	0	0	0
Cholera		0	0	1	0	0	0
Dysentery	Entamoeba histolytica	0	1	0	0	0	0
	Shigella Boydii	2	3	0	0	0	1
	Shigella Dysenteriae	0	0	0	1	0	0
	Shigella flexneri	4	5	3	1	2	6
	Shigella sonnei	8	3	7	6	5	10
	Not Typed	1	0	0	0	0	0
Food Poisoning	Bloody diarrhoea	0	0	0	0	0	0
	B.cereus	0	1	0	0	0	0
	C.botulinum	0	0	0	0	0	0
	Campylobacter	539	471	381	402	375	341
	E.coli 0157	9	5	12	7	3	9
	Listeria	1	2	0	4	1	0
	Salmonella	59	67	58	50	56	41
	Suspected Food Poisoning	25	27	13	14	12	13
	Yersinia	0	0	0	0	0	0



	Not Typed	1	0	0	0	0	0
Gastro Enteritis	Cryptosporidium	26	56	54	33	68	61
	Giardia	8	19	12	21	18	23
Respiratory Disease	Legionella	1	1	1	0	0	0
Paratyphoid Fever	Salmonella	1	4	1	0	0	0
Typhoid Fever	Salmonella	1	1	1	0	0	0
Total		687	668	544	539	544	506

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**Name of meeting:** Cabinet  
**Date:** 22 August 2017  
**Title of report:** Charging for Food Hygiene Rating Score Re-visits

**Purpose of report**

To outline and seek managerial and Cabinet approval for the introduction of charges for Food Hygiene Rating Score (FHRS) re-visits after national roll-out by the Food Standards Agency (FSA).

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a>	
The Decision - Is it eligible for call in by Scrutiny?	Yes
Date signed off by Strategic Director & name	Naz Parkar - 10.08.17
Is it also signed off by the Service Director - Finance, IT and Transactional Services?	Debbie Hogg - 09.08.17
Is it also signed off by the Service Director - Legal Governance and Commissioning?	Julie Muscroft - 11.08.17
Cabinet member <a href="#">portfolio</a>	Cllr N Mather and Cllr P McBride - Economy

**Electoral wards affected:** All

**Ward councillors consulted:** No

**Public or private:** Public

## 1. Summary

The Kirklees Food Safety Team undertakes inspections of food businesses throughout Kirklees to ensure that the food produced is safe for human consumption. As part of the process, Kirklees takes part in The National Food Hygiene Rating Scheme which requires the inspecting officer to issue a Food Hygiene Rating Score (FHRS) at the end of the inspection.

Kirklees Food Safety Team uploads individual business FHRS onto the national website soon after each inspection. Display of the FHRS by the business isn't mandatory. However, at compliant premises, the FHRS is often displayed and customers are encouraged to check the FHRS before they visit a business – therefore, increasing customer awareness and ultimately increasing business compliance; the rationale being that businesses will want better scores which, in turn, will increase their customer numbers.

The FHRS varies depending on the level of compliance the business has achieved. The range is described/shown below:



Currently, where a business receives a score between 1 & 4, it can, after a period of 3 months, request a re-visit, which takes the form of a full inspection to better its FHRS. There is no charge for a re-visit. Recognising the strain placed on local authority resources, the Food Standards Agency (FSA) undertook a trial during which certain local authorities were allowed to charge businesses requesting a re-visit. The trial was considered a success and the FSA has now issued guidance for local authorities nationally to be able to charge for FHRS re-visits.

## 2. Information required to take a decision

Charges are based on the premise of cost recovery and the legal framework for cost recovery is outlined in the Localism Act (2011). The legal basis for this is available in **Appendix 1**.

The FSA guidance requires local authorities to calculate their own costs based on local variables and to introduce a fixed amount, which is to be charged each time a business requests a FHRS re-visit. Following the charging mechanism, we propose to charge £150.00 for each re-visit request application that is accepted. A breakdown of the costs is available in **Appendix 2**.

For reference, in the years ending March 2016 & 2017, Kirklees Food Safety undertook 49 and 37 FHRS re-visits respectively.

### **3. Implications for the Council**

#### **3.1 Early Intervention and Prevention (EIP)**

The production, processing and consumption of safe food is recognised as a crucial element in the health and wellbeing of all society. Kirklees Food Safety will continue to undertake risk based and programmed interventions to ensure compliance with food safety requirements. This applies equally to failing businesses; i.e. those that achieve a rating between 0 and 2. Officers will visit to ensure they comply and take the relevant enforcement action to secure compliance.

#### **3.2 Economic Resilience (ER)**

The proposal will place the financial burden for FHRS re-visits on businesses which failed to comply at the time of the initial inspection or on those that wish to better their rating. This proposal will have no detrimental impact on compliant businesses.

There is, however, a positive aspect of a 'Good' (FHRS 4) and/or 'Very Good' (FHRS 5) food hygiene rating for businesses. Growing awareness amongst the public of the rating scheme and compliant businesses has resulted in an increase in customers to such premises. Therefore, with the aim of mandatory display still high on the agenda for the FSA, it is fair to conclude that an area with a greater number of higher rated businesses is likely to attract more people/customers, and therefore, result in a greater contribution to economic growth as well as successful businesses.

#### **3.3 Improving Outcomes for Children**

See 3.1 above.

#### **3.4 Reducing demand of services**

Evidence from the trial period seems to suggest that the demand for FHRS re-visits has varied nationally, driven primarily by the costs which have also varied considerably (between £60 and £240). Currently, a business can request a re-visit knowing there is no cost to it in doing so. Moving forward, with the introduction of cost recovery, there may be a reduction in FHRS re-visit requests. Evidence from authorities that took part in the trial period has shown significant variations but one aspect has been clear - those charging at the higher end have received the fewest requests.

The number of requests could increase if display of FHRS stickers becomes mandatory. All indications from the FSA suggest that this will be the case. However, the process does require legislative changes that need to be agreed by parliament.

### 3.5 Legal/Financial or Human Resources

The legal basis for introducing the charge is outlined in **Appendix 1** with the main powers outlined in the Localism Act 2011.

In terms of financial implications, the proposal allows for cost recovery for work that would currently be done free of charge. There is a financial implication for businesses; however, the introduction of charges for FHRS re-visits would encourage compliance in the longer term as the incentive would be to comply in the initial instance rather than relying on a second FHRS visit which incurs a cost.

Currently, FHRS re-visits are done in addition to the existing, programmed inspections. It is perceived that a cost recovery model would, in the short term, lead to a reduction in requests, at least until mandatory display of FHRS stickers is introduced.

#### 4. **Consultees and their opinions**

None.

#### 5. **Next steps**

Subject to agreement, roll-out charges moving forward - August/September 2017.

#### 6. **Officer recommendations and reasons**

It is recommend this proposal is supported as it will allow for costs incurred as a result of having to re-visit failing/lower rated business to be recovered and will, in the longer term, encourage better compliance with food safety requirements.

#### 7. **Cabinet portfolio holder's recommendations**

The portfolio holders for Economy - Cllr Naheed Mather and Cllr Peter McBride were briefed on the 31 July 2017 on the content of this report and were in agreement with the approval of the 'next steps', to roll out charges moving forward - August /September 2017 and would ask that Cabinet do the same.

#### 8. **Contact officer**

Nasir Dad

[nasir.dad@kirklees.gov.uk](mailto:nasir.dad@kirklees.gov.uk)

Environmental Health Group Leader - Food Safety & Infectious Disease

01484 221000

#### 9. **Background Papers and History of Decisions**

Not applicable.

10. **Service Director responsible**

Joanne Bartholomew - Service Director, Commercial, Regulatory and Operational  
[joanne.bartholomew@kirklees.gov.uk](mailto:joanne.bartholomew@kirklees.gov.uk)  
01484 221000

## Appendix 1

1. In September 2010, the FSA published its views on certain legal issues associated with the Food Hygiene Rating Scheme (FHRS).
2. The publication included a section describing the Agency's views as to whether local authorities had power to charge food business operators who requested re-inspection by the local authority for the purposes of reassessing a food hygiene rating.
3. The Agency's view, at that time, was that local authorities did not have power to charge for re-inspections under either domestic food hygiene law (the UK having chosen not to introduce charges for official controls under Regulation (EC) No. 882/2004), or under section 93 of the Local Government Act 2003 (the local authority power to charge for 'discretionary' services).
4. However, since the publication of the Agency's views, new legislation in England and Wales affecting local authorities' powers (including powers to charge) has been passed in the form of the Localism Act 2011. Accordingly, the Agency has re-visited the question of whether local authorities in England have power to charge for re-inspections in light of new powers available to them under the 2011 Act. The Agency's conclusions in respect of this question are set out, below, and should be read as a supplement to its publication of September 2010.

### **Will local authorities be able to use the Localism Act 2011 to charge for re-inspections/re-visits requested by food business operators?**

5. The Localism Act 2011 contains a range of measures which devolve more powers to local authorities in England and Wales. One of these measures – a new general power of competence for local authorities - is relevant to the operation of the FHRS.
6. The new power, conferred by section 1 of the Act, means that local authorities may now do anything an individual generally could do and, in certain circumstances, may charge for what is done.
7. The Agency's view is that the adoption and implementation of the FHRS by local authorities falls within the general power. The Agency considers that providing a re-inspection upon request by a food business operator, in circumstances where there is no statutory requirement to provide that re-inspection, falls within the general power, too.
8. It is necessary, therefore, to consider whether the circumstances in which the Act allows local authorities to charge for things done under the general power are satisfied. Broadly speaking, the circumstances are that:
  - a service is provided on a non-commercial basis by the local authority to a person who has agreed to the service being provided;
  - that service is or could be done using the new general power;
  - the local authority is not under any statutory duty to provide the service; and
  - the local authority does not have any other power to charge for the service.
9. The Agency considers that each of these circumstances apply to re-inspections because:
  - a re-inspection can be properly described as a service which a local authority provides on a non-commercial basis to a food business operator with that food business operator's agreement;
  - the FHRS is a non-statutory scheme in England, meaning that the local authority is under no statutory duty to perform a re-inspection; and
  - for the reasons set out in the Agency's publication of September 2010, the local authority does not have any other power to charge a food business operator for a re-inspection.



10. The question of whether to charge for re-inspections is, of course, entirely a matter for the local authority. The Localism Act 2011 sets out further obligations for local authorities in respect of the imposition of charges, and local authorities will need to satisfy themselves that all relevant obligations are met so that any charge they make in connection with an FHRS re-inspection is lawful.

## Appendix 2

Process	Indicate estimates used for your local authority	TIME in minutes for your local authority	Indicate responsible for each process in your local authority	OFFICER for each process in your local authority	Cost estimated for your local authority
Initial Enquiry and supply of forms/advice		15	EHO		£5.69
Receipt of fee and checking of applications.		20	TM		£15.46
Enter onto LA database		5	EHO		£2.85
Pre-inspection file checks		20	EHO		£11.37
Travel to and from business (average)		60	EHO		£34.16
Rescore visit (full inspection)		90	EHO		£51.24
Completion of inspection report		30	EHO		£17.08
Printing/completion of stickers and inspection letter		15	EHO		£2.85
Input onto LA database		5	BSO		£1.60
<b>Total Time</b>		<b>260</b>			<b>£142.30</b>

Average round trip to site and back = 20 miles, which at 45p/mile = **£9**

Officer time	£142.30
Mileage	£9
Total	£151.30

**Proposed charge for each FHRS re-visit request: £150.00**

**Name of meeting: Cabinet**

**Date: 22<sup>nd</sup> August 2017**

**Title of report: Social Work Teaching Partnership**

**Purpose of report**

To ensure Cabinet have oversight of the Social Work Teaching Partnership which is contributing to transformation work in Children and Adult Services.

Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Key Decision - Is it in the <a href="#">Council's Forward Plan (key decisions and private reports?)</a>	Not applicable
The Decision - Is it eligible for call in by Scrutiny?	Not applicable
Date signed off by Strategic Director & name	Steve Walker Director of Children's Services  Richard Parry Strategic Director for Adults and Health
Is it also signed off by the Service Director - Finance, IT and Transactional Services?	N/A
Is it also signed off by the Service Director - Legal Governance and Commissioning?	N/A
Cabinet member <a href="#">portfolio</a>	Give name of Portfolio Holder Cllr Viv Kendrick Cllr Erin Hill

**Electoral wards affected:** None

**Ward councillors consulted:** None

**Public or private:** Public

## 1. Summary

### Background and Context

In 2014, following several high profile child deaths, social work education and training came under significant scrutiny and the Department of Education (DfE) and Department of Health (DoH) independently commissioned two separate reviews of social work education and training. These reviews by Sir Martin Narey and Professor David Croisdale-Appleby promoted a series of recommendations aimed at delivering improvements across the social work workforce.

The social work teaching partnership programme was developed as a model to explore implementation and development of the main themes emerging from the reviews. Local authorities and universities were invited to form employer led partnerships to apply for grant funding to deliver a programme of work locally.

Kirklees Children and Adult Services are part of the Yorkshire Urban and Rural Social Work Teaching Partnership which aims to transform social work education and workforce development. The partnership has a positive and proactive collaboration between the Universities of Huddersfield and York and Kirklees, Calderdale, York and North Yorkshire Local Authorities.

The Yorkshire Urban and Rural Social Work Teaching Partnership is one of the 15 partnerships funded nationally. It was awarded £700,000 up to March 2018 to drive forward improvements in the education and training of social workers.

Calderdale acts as the lead employer for the partnership and is therefore accountable to DfE for use of the funding and delivery of the project objectives. Calderdale also employs the partnership Project Manager who is based within Workforce Development and reports to the Corporate Lead.

We have a bold vision for the development of a partnership that recognises transformational journeys to improve outcomes for service users, their families and communities, must be underpinned by robust and resilient collaboration among employers, HEIs, service users and carers.

Key drivers for the Social Work Teaching Partnerships (SWTPs) programme are:

- To enhance partnership arrangements between Higher Education Institutions (HEIs) and employers;
- Attract more able students to the social work profession;
- Embed the knowledge and skills into academic curricula and Continuing Professional Development (CPD) for existing workers;
- Raise the overall quality of social work practice.

### The Teaching Partnership aims to:

- Drive up standards of social work practice by promoting excellence and improved outcomes for service users
- Provide a dynamic programme of pre-qualifying and CPD activities that strengthen existing practice, knowledge and skills; use specific models of assessment and intervention employed by the different LAs; support social workers through the

assessment and accreditation framework, linking attainment to career pathways and develop highly competent and confident practitioners who will provide excellence in practice and improve workforce retention rates.

- Collaborate across LAs and HEIs to share resources, training and learning opportunities, so that our CPD programme is more ambitious and accessible to all our social workers.
- Deliver practitioner research and robust curricula that respond to local needs and are underpinned by the Knowledge & Skills Statements
- Improve the public perception of social work, promote and encourage awareness of the value and satisfaction careers in social work can offer.

### Governance and Delivery Model

The Teaching Partnership board provides strategic oversight and decision making for the project; this consists of workforce development leads, Principal Social Workers (PSWs) and senior academics from member organisations. The board is chaired by Julie Jenkins, Head of Safeguarding and Early Intervention at Calderdale Council.

There are 5 work streams reporting to the partnership board: University Admissions, Placements, Continuous Professional Development, Curriculum and Academic Delivery and Workforce Planning.

### Aims and Objectives

By working collaboratively the partnership aims to grow, develop, inspire and sustain a highly skilled and confident social work workforce. By raising standards, and delivering well trained social workers, able to meet the diverse challenges of frontline practice, the project will achieve its overall aim of improving outcomes for all groups including; children, adults, their families and communities.

The key objectives that will realise our aim are:

- Ensuring all SW students receive 2 high quality placements in a statutory social work service during their degree;
- Improving the quality and consistency of placements by providing better support to practice educators (experienced social workers who supervise students while on placement – placements are 70 and 100 days during years 2 and 3 of undergraduate degree).
- Ensuring that academic teaching reflects employer needs by releasing experienced social workers to spend time teaching within partner universities;
- Undertaking a practitioner led review of the social work academic curriculum to ensure that it aligns with local assessment and intervention methods;
- Increasing delivery of academic courses by practicing social workers and service users;
- Undertaking strategic workforce planning to improve social work recruitment and retention and plan for the medium term statutory social work workforce needs in local areas;
- Releasing academics to spend time in practice to refresh and update their skills and knowledge;
- Development of an accredited CPD framework that aligns with social work career progression pathways;

- Increasing opportunities for social workers to undertake academic research that aligns with issues and themes in local frontline practice;
- Developing digital resources to support academic delivery;
- Changing university degree admissions processes to ensure that applicants are tested on motivation, values and emotional resilience as well as academic ability.

### What does this mean for Kirklees Council?

- Kirklees staff contribute to the Partnership Board and work streams to ensure that we align Teaching Partnership outcomes with those of the Council wherever possible as we transform both children and adults services.
- Funding for two temporary posts of Practice Education Consultant to drive quality of placement provision, ensuring that students are better prepared to undertake the role of social worker as they start employment with the council. This will contribute to our recruitment strategy as part of improvement work in children's services.
- Ensuring that we maximise opportunities for continuous professional development which helps social workers to continue to develop best practice.
- Opportunities for social workers to apply to gain masters through research degree – research topics will align with service priorities.
- Kirklees social work and learning and development staff involvement in recruitment of students for entry onto degree programmes to help ensure appropriate calibre of future social workers.

## 2. **Information required to take a decision**

Information only - no decision required

## 3. **Implications for the Council**

### 3.1 **Early Intervention and Prevention (EIP)**

None

### 3.2 **Economic Resilience (ER)**

Recruitment and retention of Kirklees social work employees

### 3.3 **Improving Outcomes for Children**

The Teaching Partnership is contributing to workforce development, recruitment and retention and workforce planning for Social Work.

### 3.4 **Reducing demand of services**

### 3.5 **Legal/Financial or Human Resources**

The Teaching Partnership funds three roles on behalf of Kirklees Children and Adult Services, namely two Practice Educator Consultants and one Practitioner/Lecturer.

#### 4. **Consultees and their opinions**

Not applicable

#### 5. **Next steps**

- There is a Stakeholder Event planned for 10<sup>th</sup> October 2017. 15 places for Kirklees which includes Senior Leadership Team representation. This event will see the formal launch of the Teaching Partnership.
- Plans to establish a Strategic Board for the partnership beginning in autumn 2017. This will include Kirklees representation from Children and Adult Services.
- Release of the 2017/18 CPD programme for social workers within the partnership – including new modules on leadership and management and undertaking practice based research;
- Development of the teaching partnership website, [www.inspiringsocialwork.org](http://www.inspiringsocialwork.org) to act as the digital platform for sharing project information and outputs as well as advertising social work vacancies and promoting social work CPD and academic courses;
- Re-visioning workshop with the partnership board to review progress to date and refresh our vision, aims and priorities to help inform planning for potential phase 2 funding application.
- Scoping for apprenticeship routes into social work utilising apprenticeship levy.

#### 6. **Officer recommendations and reasons**

For cabinet members to note the Teaching Partnership initiative.

#### 7. **Cabinet portfolio holder's recommendations**

The portfolio holders welcome the report and the opportunities that it presents to support and improve social work practice locally and regionally.

#### 8. **Contact officer**

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#### 9. **Background Papers and History of Decisions**

None

#### 10. **Assistant Director responsible**

Elaine McShane, Head of Social Work Practice (Children Service)  
Amanda Evans, Service Director for Adult Social Care Operations

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