

# Public Document Pack



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Monday 8 June 2015

## Notice of Meeting

Dear Member

### Cabinet

The **Cabinet** will meet in the **Council Chamber - Town Hall, Huddersfield** at **4.00 pm** on **Tuesday 16 June 2015**.

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".

**Julie Muscroft**

**Assistant Director of Legal, Governance and Monitoring**

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 Jean Calvert

Councillor Steve Hall  
Councillor Erin Hill  
Councillor Viv Kendrick  
Councillor Peter McBride  
Councillor Shabir Pandor  
Councillor Cathy Scott  
Councillor Graham Turner

### **Responsible For:**

The Leader  
Community Development, Councillors involvement in  
a New Council, including Councillor Development  
Place - Planning, Highways and Open Spaces  
Family Support and Child Protection  
Prevention, Early Intervention and Vulnerable Adults  
Transportation, Skills, Jobs and Regional Affairs  
Schools and Learning  
Housing and Relief of Poverty  
Resources and Community Safety

# 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 meetings**

1 - 4

To approve the Minutes of the meeting of the Committee held on 21 April and 5 May 2015.

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**3: Interests**

5 - 6

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.

Any Member of the Public wishing to make a deputation is required to give notice in writing to the Assistant Director – Legal, Governance and Monitoring at least 24 hours prior to the start of the meeting.

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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: Sands Recreation Ground, Holmfirth, Extension to Skate Park** 7 - 12

A report informing Cabinet of the following proposed development within the recreation ground on Sands Lane, Holmfirth recreation ground, next to Holmfirth Pool.

Officer: Robert Whittaker: 01484 221000

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## **9: Statement of Community Involvement** 13 - 28

A report seeking endorsement to consult on a revised Draft Statement of Community Involvement.

Officer: Richard Hollinson: 01484 221000

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**10: Business Rates Review**

29 - 38

A report updating members on the Council's response to the review of business rates proposed by HM Treasury in response to concerns from many business ratepayers that business rates are in need of reform to make them fit for purpose in a 21st century economy, the closing date for submissions is 12th June.

Officer: David Smith: 01844 221000

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**11: The final report of the West Yorkshire Lower Paid Workers' Group**

39 - 42

A report seeking endorsement of the West Yorkshire Combined Authority Area Low Pay Charter.

Officer: Chris Rowe

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CAB23

Contact Officer: Andrea Woodside (860 1715) (01484 221715)

## KIRKLEES COUNCIL

### CABINET

**Tuesday 21 April 2015**

Present: Councillor Sheard (in the Chair)  
Councillors Calvert, Pandor, O'Neill, S Hall, McBride, C Scott, Kendrick  
and G Turner

**293 Membership of the Cabinet**

Apologies for absence were received on behalf of Councillor Harris.

**294 Interests**

No interests were declared.

**295 Admission of the Public**

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

**296 Deputations/Petitions**

Councillor G Turner submitted a petition on behalf of residents of Mirfield and the Friends of Mirfield Library in objection to any consideration by the Council to either sell or close Mirfield Library.

**297 Member Question Time**

No questions were asked.

**298 Voluntary and Community Sector Strategy**

Cabinet received a report which sought approval for the adoption of the Voluntary and Community Sector Strategy.

A copy of the 2015/2016 Voluntary and Community Sector Strategy, which was appended to the report, had been refreshed in order to reflect the changes in ambition and the need to make significant progress over the coming years. The report advised that it was reflective of the vision of the Council as set out within the Corporate Plan.

Cabinet noted that the strategy had been developed jointly by the Council and the Voluntary and Community Sector via a cross cutting steering group, which had included a series of workshops that had been held in September and October 2014. The report advised that the strategy was fundamental to making the most of local skills and assets, and enabling communities to support themselves.

**RESOLVED** – That the Voluntary and Community Sector and Kirklees Council Strategy 2015 – 2025 be approved and adopted.

**299 Scrutiny Review into Tuberculosis in Kirklees**

Cabinet received the Wellbeing and Communities Scrutiny Panel report on the Scrutiny Review into Tuberculosis in Kirklees. Cabinet noted that the review had been undertaken at the suggestion of Public Health as tuberculosis continued to be a major public health issue in Kirklees with the number of cases being higher than the national and regional averages.

The final report, which was appended to the report, included a number of recommendations including (i) that discussion takes places between the Clinical Commissioning Group and Public Health to determine responsibility for tuberculosis services, and develop clear governance and accountability structures, (ii) that a consistent approach be applied to the diagnosis and treatment of tuberculosis, based upon a patient centred model of care founded upon best clinical practice and national guidance and (ii) that a West Yorkshire Centre of Excellence for the diagnosis, treatment and management of tuberculosis be developed.

**RESOLVED -**

(1) That the recommendations of the Scrutiny Review on Tuberculosis be received and endorsed.

(2) That the report be submitted to the following; Kirklees Health and Wellbeing Board, North Kirklees Clinical Commissioning Group, Greater Huddersfield Clinical Commissioning Group, Calderdale and Huddersfield NHS Foundation Trust and Mid Yorkshire Hospitals Trust.

**300 Education Appeals Panel – Re-appointment of Members**

Cabinet received a report which sought the re-appointment of several Members of the Education Appeals Panel. The report noted that the re-appointment would be for a further term of three years and would enable the Council to maintain a suitably experience pool of persons to hear and determine education admission appeals.

The report advised that all of the persons named in the report had undertaken the necessary training to qualify for re-appointment.

**RESOLVED -** That Mr S Ainsworth, Mrs K Armitage, Mrs L Knowles, Mrs V Pace, Mrs P Potter, Mr L Rich, Mr P Schofield, Mrs B Smith, Mrs H Thornton, Mrs C Waddington, Mr P White and Mrs V White, be re-appointed to serve as Members of the Kirklees Admission Appeals Panel for a further three year term.



Contact Officer: Andrea Woodside,

## KIRKLEES COUNCIL

### CABINET

**Tuesday 5th May 2015**

Present: Councillor David Sheard (Chair)  
Councillor Jean Calvert  
Councillor Steve Hall  
Councillor Viv Kendrick  
Councillor Peter McBride  
Councillor Peter O'Neill  
Councillor Shabir Pandor  
Councillor Graham Turner

Apologies: Councillor Cathy Scott  
Councillor Cath Harris

In attendance:

Observers:

**301 Membership of the Committee**

Apologies for absence were received on behalf of Councillors Harris and C Scott.

**302 Minutes of previous meetings held on 24 March and 7 April 2015**

**RESOLVED** - That the Minutes of the meetings held 24 March and 7 April 2015 be approved as a correct record.

**303 Interests**

No interests were declared.

**304 Admission of the Public**

It was noted that all agenda items would be considered in public session.

**305 Deputations/Petitions**

No deputations were received.

**306 Member Question Time**

No questions were asked.

**307 Proposed Joint Building Control Service for Kirklees and Bradford**

Cabinet received a report which set out a proposal for the formation of a Joint Building Control Service to cover the districts of Kirklees and Bradford. The report advised that, as a result of economic and budget pressures, a review of Building Control Services across West Yorkshire had been initiated in 2010, which had resulted in the possibility of a merger of Kirklees and Bradford Building Control function.

The report advised that a joint service could provide more capacity and resilience to ensure continued provision of the Building Control Service and its ability to maximise income. It was advised that both Councils would retain control and governance of the joint service through the establishment of a Governing Board made up of elected Members and senior officers from both Authorities. Appendix 2 to the report set out an option appraisal for (i) maintaining the status quo, (ii) forming a partnership arrangement and (iii) establishing a wholly owned company.

Cabinet noted the advice within the report that maintaining the status quo was not a sustainable option as reduced resources would not allow the existing services to compete effectively with the private sector, and the suggestion that the simplest and most cost effective method of service provision would be to establish a joint service based on a partnership governed by a representative Board from both Authorities. This approach could provide the platform for the services to flourish and, if the Joint Service became successful, the partnership could evolve further and become a wholly owned company of both Councils allowing further freedom to trade.

**RESOLVED** - That the proposal for a joint Building Control Service be supported and that a further report be submitted to a future meeting, setting out detailed implications and governance arrangements, prior to a final decision being taken.

<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:** 16 June 2015

**Title of report:** SANDS RECREATION GROUND, HOLMFIRTH -  
 EXTENSION TO SKATE PARK

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
Is it in the <a href="#">Council's Forward Plan</a> ?	No
Is it eligible for "call in" by <a href="#">Scrutiny</a> ?	Yes
Date signed off by <u>Director</u> & name	Jacqui Gedman - 8.06.15
Is it signed off by the Director of Resources?	David Smith - 4.06.15
Is it signed off by the Assistant Director - Legal & Governance?	Julie Muscroft - 08.06.15
Cabinet member <a href="#">portfolio</a>	STREETSCENE AND HOUSING

**Electoral [wards](#) affected:** Holme Valley South  
**Ward councillors consulted:** Cllr Patrick, Cllr Firth, Cllr Sims

**Public or private:** PUBLIC

## 1. Purpose of report

To inform Cabinet of the following proposed development within the recreation ground on Sands Lane, Holmfirth recreation ground, next to Holmfirth Pool.

## 2. Key points

### 2.1 Background

The Isaac Atkinson Memorial Fund is the official name of 'Skate 4Isaac', a constituted organisation set up to raise sufficient money through fundraising events and donations to fund the building of an extension of the skate park at Sands Recreation Ground in Holmfirth. They have been fundraising since 2012 and have raised £80,000 for improving the facility for the children and young people of Holmfirth and the wider community.

The organisation is Grant Access Point (GAP) registered with the Council (2013-028).

## **2.2 Proposed site**

### **2.2.2 Sands Recreation Ground - Holmfirth**

The site is a vibrant recreation ground and sports centre, off Huddersfield Road, Holmfirth. There is an existing MUGA and skate park on the site, lying adjacent to a football pitch and the river, over which is a play area and further football pitch. A plan can be found in Appendix 1 showing the layout of the site and the proposed location for the skate park.

### **2.3 Project Details**

£80,000 has been raised by the Friends group, coming from a range of sources, including;

- The Freemasons (£25,000)
- Huddersfield Pendragon Round Table (£10,000)
- Police & Crime Commissioners Office's Community Safety Fund (£8,000)
- Huddersfield Common Good Trust (£4,000)
- Kirklees' Holme Valley Area Committee (£3,000)
- Kirklees Council's Sport in the Neighbourhoods fund (£1,000)
- Honley Show Committee (£1,000)
- Holme Valley Parish Council (£500)
- Rotary Club (£500)

This has been added to money raised from a number of events and activities run by the committee.

Background details:

- Planning permission has been granted for the scheme (February 2015, ref 2014/93944). The extension will not impact on the use of the adjacent football pitch.
- The tender procedure has been undertaken and once the appointment is made, a contractor is ready to start on site at the end of June 2015.
- The Isaac Atkinson Memorial Fund has transferred £80,000 to the Council, to enable the contractor to be appointed by the authority.

Description of proposed scheme:

- The proposals are to extend the existing skate park as shown on the attached plan.
- We are seeking to remove the teen shelter at the request of stakeholders as it has been encouraging anti- social behaviour.
- Benches, perches and litter bins will be added to the scheme

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

The allocation of this scheme takes into account the hard work and dedication of the Skate4Isaac fundraising project team who have tirelessly raised money to fund the scheme. The proposals will help to develop the site into a destination skate park and contribute further, to the facilities provided at Sands Recreation Ground, whilst also helping to fulfil all four Kirklees priorities including the Joint Health and Wellbeing Strategy Vision which promotes:

*‘Open spaces and green infrastructure that encourage physical activity and support positive emotional wellbeing.’*

The current skate park is already included within the current maintenance routes of the play area inspection team. The design and construction of the facility will be low maintenance - concrete construction - which require very little maintenance. In addition, the contractor guarantees their skateparks for 30 years. Greenhead Park’s skate park was constructed around 12 years ago, and has been very well used in this time.

The facility will bring more people to the site, potentially creating more rubbish/litter which will need collecting and disposing. The users already do a lot of work keeping the facility clean and tidy - something they have assured us will continue - there will still be a need for the rubbish to be collected and disposed. An estimate of the cost for this would be around £1500 pa and is manageable within the current budget for this area.

To ensure completion within the summer holidays 2015, the contract to undertake this work has been let and a start on site is expected soon. This has been undertaken following consultation with the family and a letter of intent has been issued to the contractor.

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

Identified Ward Councillors, in particular Cllr Patrick, together with Jason McCartney MP and the Chief Executive, are also supportive of the proposals

### **5. Next steps**

This contract has been awarded, and the scheme should be substantially complete by August 2015, allowing for it to be used during the majority of the 2015 summer holidays.

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

That Cabinet note this report.

### **7. Cabinet portfolio holder recommendation**

The portfolio holder supports this report and the enhanced facilities it will bring to the site.

### **8. Contact officer and relevant papers**

Robert Whittaker  
Park Manager  
Streetscene & Housing

Tel: 01484 225555  
email: Robert.whittaker@kirklees.gov.uk

**9. Assistant Director responsible**

Joanne Bartholomew - Assistant Director  
Place - Physical Resources and Procurement

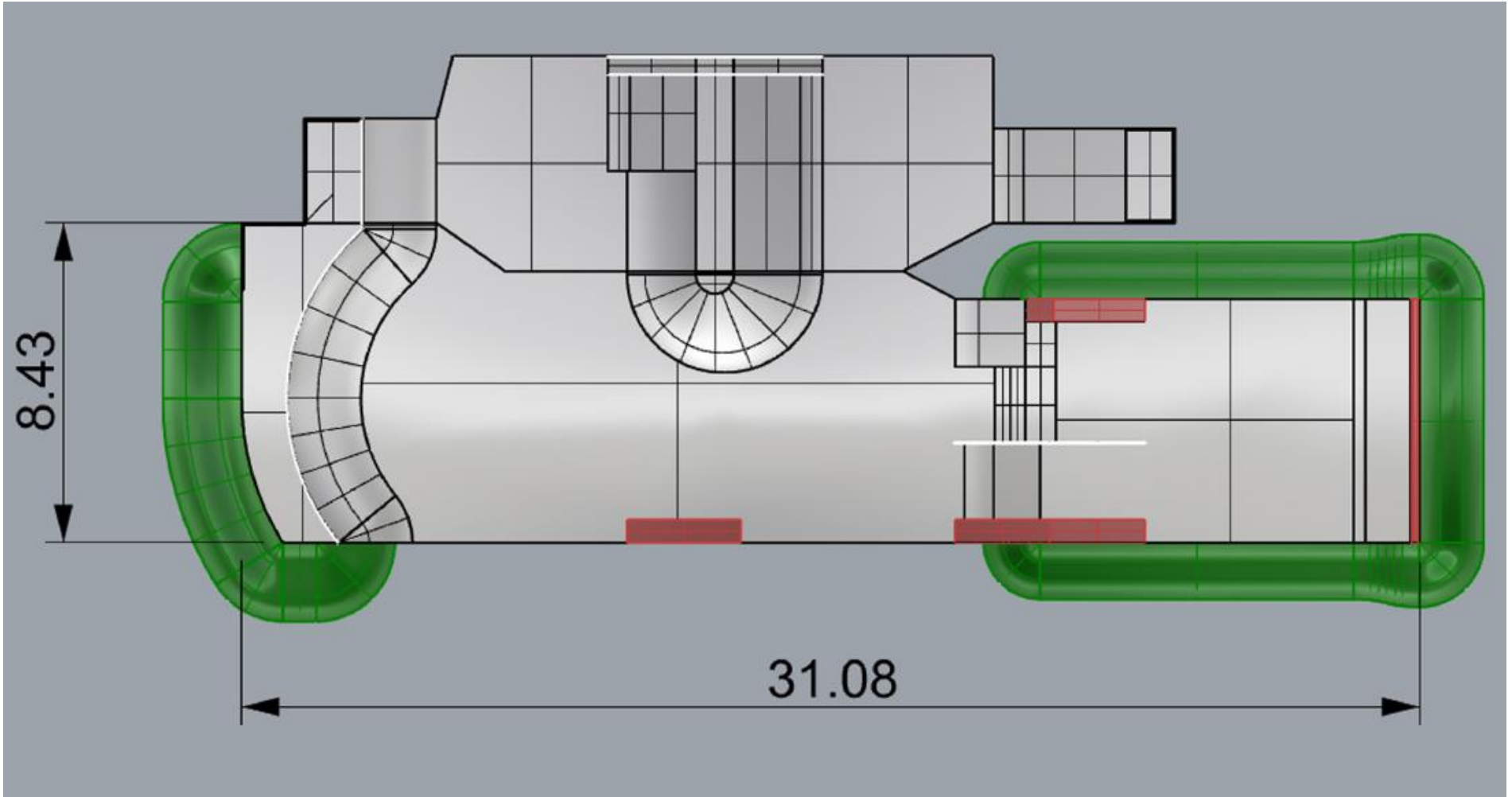


**Appendix 1** – site plan, indicating the proposed extension area

For reference – Huddersfield Road lies to the west, Holmfirth Pool to the north and the River Holme to the east.



Appendix 2 – proposed design of new facility, with the existing skate park at the top, and the new extension below.





**Name of meeting:** Cabinet  
**Date:** 16<sup>th</sup> June 2015  
**Title of report:** Statement of Community Involvement

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not applicable
Is it in the <a href="#">Council's Forward Plan</a> ?	Yes
Is it eligible for "call in" by <a href="#">Scrutiny</a> ?	Yes
Date signed off by <u>Director</u> & name	Jacqui Gedman 20.05.15
Is it signed off by the Director of Resources?	David Smith 15.05.15
Is it signed off by the Assistant Director – Legal, Governance & Monitoring?	Julie Muscroft 04.06.15
Cabinet member <a href="#">portfolio</a>	Place (Investment and Housing)

Electoral [wards](#) affected: All

Ward councillors consulted: No

Public or private: Public

## 1. Purpose of report

The purpose of the report is to seek endorsement to consult on a revised Draft Statement of Community Involvement (SCI) (attached at Appendix 1). The draft SCI sets out how the council will work with communities and stakeholders to develop planning policy documents such as the Kirklees Local Plan or guidance on specific issues.

## 2. Key points

### 2.1 Background

The production of a Statement of Community Involvement (SCI) is a government requirement and the council adopted its first SCI in September 2006. A review of the SCI has been undertaken in the light of:

- changes to planning legislation and regulations;
- changes to the way the council operates and the consequent impact on services; and
- advances in technology and the use of digital technology for communication.

Changes to planning legislation and regulations impacted on the plan process itself and placed an increased focus on early engagement and community involvement. The SCI is based on the current law and guidance as set out in: Localism Act 2011, National Planning Policy Framework (NPPF) 2012, Town and Country Planning Local Planning (England) Regulations 2012 and Neighbourhood Planning (General) Regulations 2012. The requirements for preparing this SCI are set out in the Planning and Compulsory Purchase Act 2004, the Planning Act 2008 and the Localism Act 2011.

The council's decision to undertake a radical review of the way it operates, the services it will provide and the implications for the resources and practices makes it timely to consider our approaches to community engagement. The preparation of a revised SCI provides a community engagement framework which is up to date, flexible, deliverable and cost effective. The advances in technology and particularly the use of digital media provide a real opportunity to develop new ways of working.

The SCI has been written in the context of the Kirklees Involving Communities Framework which sets out a common partnership approach to involving communities in Kirklees.

### 2.1 Key Changes

The key changes from the adopted document include:

- the previous SCI contained processes for dealing with both planning policy documents and development management processes. The development management elements have been removed from revised SCI and included within a separate Development Management Charter. This will allow both documents to be updated more easily;
- there is a greater emphasis on electronic means of communication to engage and consult on documents; and
- the number of deposit locations has been reduced to a minimum of two: Huddersfield Civic Centre 3 and Dewsbury Town Hall. This will however, be reviewed depending on the scope and nature of the document to be consulted on.

## 3. Implications for the Council

### Benefit

The benefit of having a revised, up to date SCI is that it will give clarity and transparency on how the community and stakeholders will be involved in the Local Plan process.

When the Local Plan is tested at examination it will be subject to Legal Compliance which test (at Stage 1/Activity 2/Activity 3) how the community engagement has been undertaken as part of the

preparation of the development plan document. Having an up to date SCI will be a key piece of evidence that the council has addressed its commitment to engagement and involved the community in its preparation through consultation.

## **Risks**

The risk of not having an up to date SCI, is the potential for increased representation at development plan examination stage on the basis that the council has not set out its position on engagement. It may also lead to disengagement by consultees from the process.

## **Costs**

All contacts on the local plan database will be consulted and invited to make comments on the SCI. The cost of this will be met from the existing Local Plan Budget.

## **Equalities**

A stage 2 Equality Impact Assessment has been produced which is attached at Appendix 2.

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

Director sign off of this report is included above.

## **5. Next steps**

It is intended to go out to consultation on the SCI for a 4 week period from 1<sup>st</sup> July - 30<sup>th</sup> July 2015. Comments received on the SCI will be analysed and a revised document produced. The revised document will be reported to cabinet for approval as an executive function and Full Council for adoption if appropriate.

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

That Cabinet endorses the draft SCI attached at Appendix 1 of this report and authorise the Director of Place to start the consultation exercise.

That authority be given to officers to analyse and revise the document in the light of representations received and to produce a further revised SCI to be reported to Cabinet for approval as an executive function and Full Council for adoption, if appropriate.

## **7. Cabinet portfolio holder recommendation**

The portfolio holders, Councillor Peter McBride, Councillor Cathy Scott and Councillor Steve Hall at Place Briefing, on the 1<sup>st</sup> June 2015, agreed on the draft SCI and the reasons to revise the existing SCI adopted in 2006 as set out in 2.1 of this report.

## **8. Contact officer and relevant papers**

Richard Hollinson  
Policy Group Leader  
01484 221000  
richard.hollinson@kirklees.gov.uk

Johanna Scrutton  
Principal Planning Officer  
01484 221000  
johanna.scrutton@kirklees.gov.uk

### **Background Papers**

- Statement of Community Involvement – Adopted 2006
- Kirklees Involving Communities Framework
- Localism Act 2011
- National Planning Policy Framework (NPPF) 2012
- Town and Country Planning Local Planning (England) Regulations 2012 as amended
- Neighbourhood Planning (General) Regulations 2012
- The Planning Act 2008
- Planning and Compulsory Purchase Act 2004

## **9. Assistant Director responsible**

Paul Kemp  
Assistant Director - Place  
01484 221000  
paul.kemp@kirklees.gov.uk

## Draft Statement of Community Involvement

### Section 1

#### 1. Introduction

- 1.1 The purpose of this draft Statement of Community Involvement (SCI) is to set out how Kirklees Council will work with local communities and stakeholders to develop planning policy documents such as the Kirklees Local Plan or guidance on specific issues.
- 1.2 It will form a series of guidelines on the scope of community involvement, how and when Kirklees will undertake consultation and engagement and how you can become involved.
- 1.3 National Planning Policy Framework paragraph 155 states:
- “Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made”.
- 1.4 The document seeks to promote involvement in the plan at an early stage in order to work towards a consensus and thereby reduce the scope for delay at later stages. By getting involved and having your say you can help to shape the way your area looks.
- 1.5 There are also statutory requirements that the council must meet at each stage of plan preparation. The SCI will set out the range of engagement processes we will use to engage and consult on planning documents. These may vary according to the issue under consideration as it is important to retain a degree of flexibility. In this way, methods can be tailored to the specific planning document. Additionally, flexible engagement processes will allow us to respond to potential future changes in the regulations; changes to the way the council operates; and to respond to any new methods of communication and engagement which may become available over the life of the document.
- 1.6 In setting out clear guidance we aim to:
- increase public awareness of the planning process and how to get involved;
  - ensure a transparent process based on consideration of a range of options and local priorities and concerns;
  - provide an opportunity to help groups and individuals shape the local plan and make representations on its contents; and
  - help create a sense of ownership on planning issues.
- 1.7 Involvement in the planning application process is outlined in the Kirklees Development Management Charter which can be viewed via the council’s website: [www.kirklees.gov.uk](http://www.kirklees.gov.uk)

#### Background and the need for review

- 1.8 The production of a Statement of Community Involvement (SCI) is a government requirement<sup>1</sup> and the council adopted its first SCI in September 2006. A review of the SCI has been undertaken in the light of:
- changes to planning legislation and regulations;

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<sup>1</sup> Section 18 (Part 2) of the Planning and Compulsory Purchase Act 2004 as amended

- changes to the way the council operates and the consequent impact on services;
  - advances in technology and the use of digital technology for communication; and
  - the council's Involving Communities Framework.
- 1.9 Changes to planning legislation and regulations impacted on the plan process itself and placed an increased focus on early engagement and community involvement. The SCI is based on the current guidance as set out in:
- Localism Act 2011;
  - National Planning Policy Framework (NPPF) 2012;
  - Town and Country Planning Local Planning (England) Regulations 2012; and
  - Neighbourhood Planning (General) Regulations 2012.
- 1.10 The minimum legal requirements for consultation on local plans (and other Local Development Documents) has been amended to produce a more efficient plan making process. This means that the previously adopted SCI does not reflect the new stages of plan preparation. Additionally, the SCI no longer has the same status and is no longer considered to be a development plan document. The council is therefore, able to adopt its own SCI without the need to submit it to the Secretary of State for independent examination.
- 1.11 The council's decision to undertake a radical review of the way it operates, the services it will provide and the implications for the resources and practices makes it timely to consider our approaches to community engagement. We need to prepare a new SCI to provide a community engagement framework which is up to date, flexible, deliverable and cost effective. The advances in technology and particularly the use of digital media provide a real opportunity to develop new ways of working.

### **How to comment**

- 1.12 The council is undertaking public consultation on this draft Statement of Community Involvement prior to its adoption.
- 1.13 This draft SCI will be available for consultation for a four week period from 1<sup>st</sup> July – 30<sup>th</sup> July 2105.
- 1.14 Comments should be made via the council's on-line consultation system or e-mailed to [local.development@kirklees.gov.uk](mailto:local.development@kirklees.gov.uk) or sent to:
- Planning Policy Group  
 PO Box B93  
 Civic Centre 3  
 Off Market Street  
 Huddersfield  
 HD1 2LR
- 1.15 All comments received will be assessed and the SCI reviewed in the light of these comments prior to a final version being adopted by the council. The final version will be available to view on the council's website: [www.kirklees.gov.uk](http://www.kirklees.gov.uk)



## Format of the document

- 1.16 Section 1 - Introduction  
Section 2 - Community involvement in Planning Policy
- what documents we will consult on;
  - who we will consult with;
  - how we will consult and communicate.

## Section 2

### 2 Community involvement in planning policy

#### What documents we will consult on

- 2.1 We will set out a timetable for producing planning policy documents. This timetable is known as the Local Development Scheme (LDS) and tells you when documents will be produced and when you can expect to get involved. A copy of the LDS is available to view on the council's website at:  
<http://www.kirklees.gov.uk/localPlan/pdf/kirkleesPlaceToGrow.pdf>
- 2.2 The LDS will contain the key planning policy documents to be consulted on and opportunities for early engagement. In developing the policy documents, we may also undertake some consultation which includes targeted workshops on key pieces of evidence. The scope of consultation will vary according to the issues to be debated.

#### Local Plan

A Local Plan sets out a vision and a framework for the future development of the area. It will address needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for safeguarding the environment, adapting to climate change and securing good design. It is a critical tool in guiding decisions about individual development proposals, since Local Plans (together with any neighbourhood plans that have been made) are the starting point for considering whether applications can be approved. It is important for us to put an up to date plan in place to positively guide development decisions.

#### Area Action Plans (AAP)

An Area Action Plan (AAP) is a Development Plan Document (DPD) that provides specific planning policy guidance for an area where significant regeneration or investment needs to be managed. A local authority can have a number of AAPs. They often relate to town centre areas and in all cases have a strong focus on delivery and implementation. There are statutory requirements for consultation but depending on the nature and scope of the AAP, we would seek to identify additional opportunities to engage with interested stakeholders in its preparation.

#### Supplementary Planning Documents (SPD)

These documents focus on specific topics in greater detail, providing policy guidance to support the Local Plan policies. Examples of potential SPDs are design, affordable housing, development standards.

The statutory procedural stages for making a Local Plan and Supplementary Planning Documents are different and are contained in: Town and Country Planning (Local Planning) (England) Regulations 2012.

### **Strategic Master Plans, Development Frameworks or Briefs**

These documents relate to individual site allocations and set out the specific details required at a planning application stage. There is no statutory process for preparing these documents but we will consult and engage on them to increase awareness of planning issues and involve the community.

### **Sustainability Appraisal and Strategic Environmental Assessment**

These are appraisal processes which evaluate the environmental, social and economic impacts of a plan, policy or programme and its reasonable alternatives. They take place alongside the Local Plan/DPDs and some SPDs. The first stage of the sustainability process is to produce a Scoping Report.

### **Community Infrastructure Levy (CIL)**

This is a charge that is levied on new development floorspace and is intended to contribute towards the provision of infrastructure. There are two main stages of statutory consultation: preliminary draft charging schedule and the draft charging schedule.

### **Neighbourhood Plans**

Neighbourhood plans are produced by the community to develop a shared vision for their neighbourhood and shape the development and growth within the local area. They are subject to a statutory process and must be in conformity with the strategic policies in the Local Plan and have regard to national planning policy. Following examination by an independent examiner and a favourable vote in a referendum they can be adopted by the council and form part of the development plan. As such they have significant weight in determining planning applications.

The council has statutory duties to publicise the neighbourhood plan at specified stages. However, it is the role of the neighbourhood plan responsible body to ensure that the plan is representative and shaped by consultation. How and when this is undertaken is decided by the neighbourhood planning body.

### **Who will we consult?**

- 2.3 This depends on the type of document and the nature of the consultation. Regulations and government guidance specify the bodies and organisations that we must notify when preparing the Local Plan or Supplementary Planning Documents. The regulations do provide some discretion over whether to notify certain bodies particularly if that document or issue is not likely to be of interest or relevance to it.
- 2.4 We will aim to consult relevant groups where a proposal will directly affect them. Generally we will seek the views of those who live or work in the district relevant to the document being consulted on such as:
- residents;
  - adjoining local authorities;
  - parish and town councils;
  - specific and general consultees;
  - specific interest groups;
  - voluntary organisations;
  - businesses;
  - developers and landowners.

- 2.5 Our Planning Policy consultation system contains approximately 6,500 individuals or organisations. We will notify contacts on this system at the relevant statutory consultation stages for each type of document. Consultees will be encouraged to supply an e-mail contact as this is more time and cost efficient than sending letters and will be encouraged to submit comments electronically where they are able to do so.
- 2.6 Details on how to register will be outlined in our consultation material and on the Local Plan section of our website. The information saved on the system will be used in accordance with the Council's registration under the Data Protection Act 1998.
- 2.7 We will monitor registered contacts to identify areas or groups which are not represented or under-represented. We will then take action to encourage involvement from these groups.

### **Duty to co-operate**

- 2.8 The Localism Act (2011) places a "duty to co-operate" on all local authorities and a number of public bodies which requires on-going, constructive and effective engagement on areas of plan making which may have strategic cross boundary implications. This does not apply to all planning policy documents.
- 2.9 The public bodies are set out in Town and Country Planning (Local Planning) (England) Regulations 2012 as amended by The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013.
- 2.10 These bodies play a key role in delivering local aspirations, and cooperation between the bodies and local planning authorities is vital to make Local Plans as effective as possible on strategic cross boundary matters. The bodies should make proportionate responses in how they do this and tailor their degree of cooperation to maximise the effectiveness of plans.
- 2.11 The duty to co-operate is in addition to continuing to consult a number of statutory groups such as neighbouring authorities or local or national agencies.

### **How we will consult and communicate:**

- 2.12 All consultation, engagement and feedback documents will be placed on the council's website.
- 2.13 Hard copies of the document will be made available at Huddersfield Civic Centre III, Dewsbury Cash and Information Centre at Dewsbury Town Hall and other public buildings subject to the nature and scope of the consultation. Consultees will be informed of any additional locations prior to the start of the consultation period/event.
- 2.14 The council will seek to maximise the use of its own Planning Policy on-line system by using it for consultation and for respondents making comments. This has time and cost savings as all the contacts for the Local Plan and associated documents are contained on the system and the use of the system for inputting and analysing comments makes it quicker and easier to run reports on comments made, especially when undertaking multiple rounds of consultation on a single policy document.

## Methods

2.15 The following methods may be used for consultation and engagement. The methods chosen will be tailored to the specific stage and will be proportionate to the importance of the document.

- **we will work with our corporate communications team** to identify the most effective channels of communication including and the use of local media by preparing press releases to circulate to local newspapers and radio stations, or working with newspapers to prepare articles or advertisements to raise awareness and promote issues.

In the case of neighbourhood plans, there is a requirement to produce statutory notices when publicising a neighbourhood area boundary or a proposed neighbourhood forum. However, there is now no requirement to do this for the Local Plan.

- **share information internally and maximise the use of networks or communication channels used by other services** where required in order to target consultation more effectively and/or to reach “hard to reach” groups;
- **use of council publications** such as Kirklees Together (where timing allows) to include articles. Kirklees Together is currently distributed quarterly to households across the district;
- **use of social networking** sites in accordance with the council’s policy on social media;
- **prepare questionnaires, leaflets** which summarise the key issues to be addressed or seek views on specific questions. They could also be used to direct interested parties to more detailed documents, evidence or details of events. The questionnaires and leaflets will be available to view on line or paper copies will be made available at the council’s main office and where practicable in other locations in the area with where is a high turnover of visitors. These locations may vary according to the nature and scope of the consultation and will be advertised on the council’s website.
- **interactive workshops or discussion groups with key stakeholders.** This could involve the use of external facilitators. They have been used to great effect at the early engagement stage of the Local Plan with targeted organisations to debate specific elements of the plan process.
- **deliver presentations or hold question and answer sessions at meetings of existing groups where resources allow.** This could include Parish and Town Council meetings, Residents’ Associations, Business Groups, interest groups or neighbourhood plan groups;
- **posters, flyers or site notices** – these may be used to raise awareness of consultation events or meetings or to make residents aware of proposals that could affect their area. These could be displayed in public places or places where there is a high volume of people;
- **hold exhibitions or road shows with unmanned displays or staffed drop-in sessions.** Consideration will be given to the accessibility of locations and the timing of the event. We will produce summary information and frequently asked questions (FAQ’s) to inform consultation stages and provide the scope of the event;
- **meetings with elected members** – members will be kept informed of progress and plans through briefings, workshops and e-mail.

## Principles

2.16 We will:

- produce a Local Development Scheme which sets out the key documents to be produced, timescales and associated consultation stages. This will be made available to view via the council’s website;
- meet and where practicably possible and necessary will exceed the minimum standards for community involvement as set out in legislation;

- make every effort to avoid consulting over holiday periods. However, where this is not possible due to the project timescales/funding etc. then the consultation will normally be no less than eight weeks.
- give guidance on the purpose, aims and scope of the consultation so respondents know what they can comment on and how their comments will be taken into account;
- wherever practicably possible, co-ordinate consultation internally using the council's corporate consultation systems in order to make cost efficiencies;
- where consultation is not subject to statutory timescales, give people sufficient time to respond to the consultation;
- make widespread use of electronic and modern media techniques wherever possible to make consultation more cost-effective, easier and quicker. The council's website will be used to advertise events/stages and host information;
- ensure that consultation is accessible to all to make it easy for groups or individuals with limited knowledge of the planning process to get involved;
- use consultation methods that are appropriate to the stage of plan making in order to maximise opportunities for involvement, while making sure the resources they require are proportionate and cost-effective;
- whenever possible, provide feedback to reflect how comments received have been incorporated into the process;
- ensure that written information can be made available in alternative, accessible formats if requested, such as large print, Braille, audio or translated into another language;
- evaluate and monitor the effectiveness of consultation.

## **Feedback**

- 2.17 A feedback report will usually be produced documenting the level and nature of comments made and how comments have been used to inform the next stage of the planning document or process. In some cases, the council may identify specific modifications to a plan which may then be subject to further consultation.

## **Further information**

- 2.18 If you have any questions on the information contained in this document, please contact us at: E-mail [local.development@kirklees.gov.uk](mailto:local.development@kirklees.gov.uk) or write to us at:

Planning Policy Group  
 PO Box B93  
 Civic Centre 3  
 Off Market Street  
 Huddersfield  
 HD1 2JR



## Appendix 2 - EQUALITY IMPACT ASSESMENT STAGE 2 – ENSURING LEGAL COMPLIANCE

Think about what you are planning to change; and what impact that will have upon 'your' compliance with the Public Sector Equality Duty (refer to [guidance sheet](#) complete with examples where necessary)

### Background

The Council has an existing Statement of Community involvement (SCI) that was adopted in 2006 following examination by an independent examiner. The purpose of this document is to set out how Kirklees Council will work with local communities and stakeholders to develop policy documents such as the Kirklees Local plan or guidance on specific issues.

A review of the SCI has been undertaken in the light of:

- changes to planning legislation and regulations;
- changes to the way the council operates and the impact on services;
- advances in technology and the use of digital technology for communication; and
- the council's Involving Communities Framework.

The council now wishes to consult on a draft SCI.

<b>In what way does your current service delivery help to:</b>	<b>How might your proposal affect your capacity to:</b>	<b>How will you mitigate any adverse effects?</b> <small>(You will need to review how effective these measures have been)</small>
<b>End Unlawful Discrimination?</b>	<b>End Unlawful Discrimination?</b>	
<p>The adopted SCI aims to ensure that all sections of the community have the opportunity to contribute to planning decisions made by the council. The Planning and Compulsory Purchase Act 2004 introduced significant changes to the planning system including the requirement to undertake effective consultation so that communities had an opportunity to be involved in the decisions that may affect them.</p>	<p>The SCI has been revised and a draft SCI produced for consultation. It is based on the current guidance as set out in:</p> <ul style="list-style-type: none"> <li>• Localism Act 2011;</li> <li>• National Planning Policy Framework (NPPF) 2012;</li> <li>• Town and Country Planning Local Planning (England) Regulations 2012; and</li> <li>• Town and Country Planning (England) Neighbourhood Planning (General) Regulations 2012.</li> </ul> <p>Regulations require the council to consult with the specific and general consultees on planning policy documents including the following:</p> <ul style="list-style-type: none"> <li>(a) voluntary bodies some or all of whose activities benefit any part of the local planning authority's area</li> <li>(b) bodies which represent the interests of different racial, ethnic or national groups in the local planning authority's area</li> <li>(c) bodies which represent the interests</li> </ul>	<p>Review comments received in response to the consultation on the SCI.</p> <p>Monitor and, where appropriate, act on comments received from groups who have "protected characteristics" under the Equality Act 2010 and consultation activities for each planning policy activity. The SCI makes reference to the review of consultation in respect of the nature and the scope of the documents being consulted on.</p> <p>Monitor and review the Statement of Community Involvement through the Council's Annual Monitoring Report and through consultation feedback processes.</p>



	<p>of different religious groups in the local planning authority's area  (d) bodies which represent the interests of disabled persons in the local planning authority's area, (e) bodies which represent the interests of persons carrying on business in the local planning authority's area;</p> <p>The draft SCI contains consultation principles based on the above statutory requirements.</p>	
<b>Promote Equality of Opportunity?</b>	<b>Promote Equality of Opportunity?</b>	
<p>The SCI aims to ensure the active, meaningful and continuous involvement of local communities and stakeholders. It aims to ensure that we consider how to involve the community and benefit from its local knowledge and views.</p>	<p>The revised draft SCI has the same aims as the previously adopted version.</p> <p>The benefit of having a revised, up to date SCI is that it will give clarity and transparency on how the community and stakeholders will be involved in the Local Plan process.</p> <p>It reflects revised statutory minimum levels of consultation and the increased focus on the use of technology to reach a wider audience.</p>	<p>Review comments received in response to the consultation on the SCI.</p> <p>Monitor and, where appropriate, act on comments received from groups who have "protected characteristics" under the Equality Act 2010 and consultation activities for each planning policy activity. The SCI makes reference to the review of consultation in respect of the nature and the scope of the documents being consulted on.</p> <p>Monitor and review the Statement of Community Involvement through the Council's Annual Monitoring Report and through consultation feedback processes.</p>

<p><b>Foster Good Relations Between People</b></p> <p>As above.</p>	<p><b>Foster Good Relations Between People</b></p> <p>Groups to be targeted included those listed above and:</p> <ul style="list-style-type: none"> <li>• residents</li> <li>• community, voluntary and specialist groups</li> <li>• businesses, developers, landowners and agents</li> <li>• statutory consultation organisations and government departments</li> <li>• adjoining local authorities</li> <li>• parish and town councils</li> </ul>	<p>Review comments received in response to the consultation on the SCI.</p> <p>Monitor and, where appropriate, act on comments received from groups who have “protected characteristics” under the Equality Act 2010 and consultation activities for each planning policy activity. The SCI makes reference to the review of consultation in respect of the nature and the scope of the documents being consulted on.</p> <p>Monitor and review the Statement of Community Involvement through the Council’s Annual Monitoring Report and through consultation feedback processes.</p>



**ONLY IF** You are confident that there is little if any negative affect on your public sector equality duty and/or you have all the necessary evidence to support your proposal.

- Save this sheet for your own records
- Complete and save a front sheet
- Send this, a front sheet and your screening tool if you have completed one to [equalityanddiversity@kirklees.gov.uk](mailto:equalityanddiversity@kirklees.gov.uk)



- **IF** the proposal is likely to be high or medium/high impact on equality groups,

**AND**

- You do not have any supporting evidence needed for your proposal (such as consultation)
- Your proposal is likely to have a negative affect on your ability to comply with the Public Sector Equality Duty.

Name of meeting: Cabinet

Date: 16 June 2015

Title of report: Business Rates Review

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
Is it in the <a href="#">Council's Forward Plan</a> ?	No
Is it eligible for "call in" by <a href="#">Scrutiny</a> ?	No
Date signed off by <u>Director</u> & name	David Smith
Is it signed off by the Director of Resources?	David Smith
Is it signed off by the Assistant Director – Legal, Governance & Monitoring?	N/A
Cabinet member <a href="#">portfolio</a>	Resources

Electoral [wards](#) affected: ALL

Ward councillors consulted: YES

Public or private: PUBLIC

## 1. Purpose of report

- 1.1 To update members on the Councils response to the review of business rates proposed by HM Treasury in response to concerns from many business ratepayers that business rates are in need of reform to make them fit for purpose in a 21st century economy, the closing date for submissions is 12<sup>th</sup> June 2015.

## 2. Key points

- 2.1 The intention behind the business rates tax system is to provide stable and sustainable revenues to fund public services. The debate about the future of business rates centres on whether the tax is sustainable, fairly targeted and sufficiently flexible to respond to both changing patterns of property usage and conditions in the wider economy.
- 2.2 The government wants to ensure the widest possible debate about how the system can be improved to meet these concerns. Recent changes allowing local authorities to retain the 50% Local share of the business rates they

collect have concentrated thoughts on whether the system could better incentivise investment and growth. Some have put forward suggestions for changing the way that business rates raise revenue, ranging from major changes (such as basing them on business turnover) to adaptations of the existing system (such as changing the frequency of revaluations).

- 2.3 Others have highlighted the value of keeping business rates broadly as they are to retain stability and predictability which allows both businesses and local authorities to make decisions with improved certainty and confidence.
- 2.4 The government's preference is for business rates to remain a tax based on property values, collected by local authorities. However, the government welcomes suggestions of alternative ways of raising local business taxes and how they could work in practice.
- 2.5 So while there is agreement across business sectors that the business rates system is in need of reform, there is no clear consensus on how best to achieve this. This is why HM Treasury are undertaking this consultation with the intension of reporting the findings by Budget 2016.

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

- 3.1 Kirklees Council is a top-up authority and we receive a combined grant and top-up payment of £20.854 million in 2014/15, £21.252 million in 2015/16 and forecast to change to £21.677 million by 2017/18.
- 3.2 The total collectible rates in 2014/15 were £101,821,337. The local share of this is (49%) £49,892,455.13, the Fire Authority share is (1%) £1,018,213.37. and finally the Government share is (50%) £50,910,668.50
- 3.3 Kirklees has joined a rates pool including Bradford, Calderdale, Wakefield (all top up authorities) along with Leeds, Harrogate and York (all tariff authorities) the current expectation is that this should result a benefit to the region of up to £3.1 million in 2014/15. We have agreed to continue in the pool in 2015/16.
- 3.4 The main risks to the pool are backdated rateable value adjustments that go back a number of years, in 2014/15 this cost Kirklees £7.6 million and the business rate pool figure has yet to be determined.
- 3.5. To inform its recommendations, the review will assess a broad range of options for reform and:
  - conduct a robust analysis of trends in the use of non-domestic property and property values
  - review alternative and international examples of local property and business tax systems and draw lessons from them

- consider the impact of the current system of business rates on businesses' decisions to invest, grow and create jobs – this will include evaluating the effectiveness of existing reliefs and exemptions that are designed to support particular types of ratepayers
- consider the role of business rates within the wider tax system, including its responsiveness to economic conditions
- assess the impacts of any potential changes on the ability of the business rates system to deliver fairness, simplicity and stability to ratepayers
- encourage a wide-ranging debate among stakeholders of potential options for reform and their impacts

When considering possible alternatives or changes to the business rates system, the government will bear in mind:

- the advantages of predictability and economic efficiency presented by the existing business rates system
- the suitability of a tax base as a local tax used to fund local public services
- the practicalities of making a transition to a new system
- any 'trade-offs' or other changes that would be required to implement successfully any reforms

3.6 The government will need to assess carefully the impact of any changes to business rates on the level of funding available for public services. For this reason, the government has confirmed that the outcomes of this review will be fiscally neutral and consistent with the government's agreed financing of local authorities. The next Spending Review also provides the opportunity to consider any changes alongside other decisions on allocation of public spending

3.7 Even given the government intention on fiscal neutrality across the whole of the finance settlement, there remains a risk that both the Councils grant allocation and the business rates pool could be affected by this review.

#### **4. Recommendation**

4.1 That Cabinet notes the content of this report and Appendix A for information. The consultation response contained in Appendix A has been endorsed by Cllr Turner and the Leader Cllr Sheard in advance of the Cabinet meeting; this was to ensure that the response may be submitted to Government by the deadline of the 12<sup>th</sup> June 2015.

#### **5. Contact officer and relevant papers**

David Smith, Director of Resources  
 Tel: 01484 221124 Ext: 860 1124  
 Email: [David.Smith@kirklees.gov.uk](mailto:David.Smith@kirklees.gov.uk)

Business Rates consultation terms of reference:-  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file413070/business\\_rates\\_review\\_final.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file413070/business_rates_review_final.pdf)

### **Business rates review – May 2015**

Kirklees is a large metropolitan council in West Yorkshire. The land available is relatively hilly and not suitable for large outlets or corridors of warehouses, although we do have a few medium sized retail outlets and business parks. The council has excellent transport links and this is an asset for the occupation of non-domestic properties and business opportunities and growth.

#### **1. What evidence and data can you provide to inform the government's assessment of the trends in use and occupation of non-domestic property?**

- We have approx. 15000 business hereditaments and an RV total of £282,465,544. The trend over the last 5 years has seen the number of properties increase but the RV total decrease and therefore revenue income reduce.
- The stock is mainly of smaller assessments – 80% have an RV of less than £18,000. The largest RV assessment has a rateable value of £3,620,000.
- We have high numbers of small businesses who receive small business relief (SBR).  
A high number of the properties with low RV's are occupied by companies with only the one business and so qualify for SBR – this may also be due to no charge or a small charge if properties are occupied – but any empty property would attract a full charge
- The “new” retail relief has helped many businesses. Currently we have 1673 accounts benefitting from this relief (11% of our total properties).
- Recent trends in use and occupation have been: cafes, betting shops, charity shops, cheque convertors, hire purchase shops and “Pound” shops. This is an increase in common with most other authorities.

#### **2. Is there evidence to suggest that changing patterns in property usage are affecting some sectors more than others?**

- More small properties with an RV of less than £18,000 are trending as occupied – as in many cases they can claim SBR however if empty they may have 100% charge. We currently have 7,077 accounts getting SBR which is 47% of our total properties).
- The retail relief is being maximised by the type of businesses in occupation who qualify for this relief
- Change of use of pubs into food retail shops a number becoming large chain express shops. This is a planning issue.
- Change in use of mills – being split into smaller assessments to attract SBR

- Reliefs are depressing the overall yield which has an administrative burden and a reduced collection figure.
- Due to make up of properties in Kirklees we have no evidence of large warehouses holding stock for items bought on the web and mailed out
- We are now finding new types of assessment included in the list e.g. ATM's are now separate, electronic delivery lockers (these are used for internet shopping for customers to use to collect and deliver goods by using a unique code into a pin pad) advertising boards on roundabouts are now rated separately

**3. What, in your view, does this evidence suggest about the fairness and sustainability of business rates as a tax based on property values?**

- Retail trend is no longer looking to build or occupy larger assessments
- Food retail are looking at occupying express shops in small RV's and often in old pubs so no planning application is required for any change of use – often these occupations also attract the lower multiplier
- There is a growth in internet business, mobile working and self-employment which attract no business rates costs due to the de minimis rule.

**4. What evidence is there in favour of the government considering a move away from a property based business tax towards alternative tax bases? What are the potential drawbacks of such a move?**

- To base any new business rates tax on turnover – would suggest that successful companies are penalised for making a profit and doing well. Also this would be a difficult scheme to administer.
- Turnover could be considered but also has drawbacks if running costs are high and reducing the level of profit and ability to pay
- Should businesses without business rates to pay i.e. self- employed, internet companies etc. contribute in some way?

**5. a.) What examples from other jurisdictions and tax systems should the government consider as part of this review?**

- Not in a position to respond.

**b.) What do you think are the main lessons for the business rates system in England?**

- The intention from government and comments in the consultation document indicate that the intention is to keep a property based tax with collection via the local authority for business rates

- The money raised and retained as revenue is then used to pay for local services
- Historic data shows this is good system to collect revenue as it is fiscally neutral.
- New business and growing business “good practice” is already there that the business rates is part of the business plan and an important overhead cost that must be included to determine the viability of a business or any profits for business expansion
- Tax avoidance and evasion are low for business rates in comparison to other taxes – (this area does need some attention – and needs to be tied in with BIS – to control the setting up of LTD companies and be robust at managing.
- The number of properties in a local authority is stable – but the appeals process does need more resilience and stability
- As properties are physical and visual – collection can be seen

**6. How can government use business rates to improve the incentive for local authorities to drive local growth?**

- Encourage business with packages
- Good infrastructure: roads broadband, sharing services
- Networking
- Local authorities are aware of the stock in their area – this needs to be managed and particularly empty assessments
- Use this knowledge and information to target companies into spaces available and work better with private landlords
- Thriving areas are good for all and bring improvements to the whole community increasing the local economy and footfall for businesses
- Freedom to use business rates data (including individuals and not just companies) to promote growth i.e. to give information regarding ownership of properties
- All growth to be retained

**7. What impact would increased local retention of business rate revenue have on business growth? What would the impacts be on local authorities?**

- Improve help packages
- Improve the wealth of the area and make it more sustainable and improve income and revenue. Increased demand on business supplies – improve company profits
- Improve the area for all citizens



- Improved work and job prospects reduce the level of residents on benefits

**8. What other local incentives should the government consider to further incentivise business growth?**

- Improve roads and infrastructure
- Develop shared working areas
- Get people into work – may cause less burden on local authority services and costs – e.g CTR
- More local discretion over reliefs
- To foster local collaboration with local businesses

**9. Should business rates be reformed to make them more closely reflective of wider economic conditions and if so, how?**

- They should be robust enough to be able to adapt quickly to change and this may be by reliefs – but also not impact seriously on the revenue income of local authorities
- Businesses in large properties where the trend changes so that they have a down turn in sales and therefore the ability to pay may be reduced – should they be helped if the business itself is sustainable and they were now in a smaller property with a lower RV

**10. If business rates remain a property tax, how do you suggest business rates could take into account the individual circumstances of businesses such as their size or ability to pay rates?**

- Trends now show businesses need smaller properties but can have a high turnover and profit – so they have a good ability to pay – should they help support the business rates system – see above example
- A much faster quicker slicker appeals process – if this should be required
- Size is already included in the current system with the SBR scheme and also all properties where the RV is less than £18,000 who get the lower multiplier
- Review all relief's including looking at the rules on empty properties – should there be any new ones considered?

**11. How does the proportion of total operating costs accounted for by business rates vary by the sector and size of a business?**

- Unable to respond

**12. What is the impact of the business rates system on the competitiveness of UK businesses? Are there any particular impacts on SMEs?**

- Unable to respond

**13. How could the government better target support for SMEs given that the size of a company may not be reflected in the rateable value of a property it uses?**

- Our experience is that smaller businesses are occupying properties with an RV less than £18,000 – this also fits our portfolio of properties as 80% have an RV of less than £18,000 – these businesses tend to be thriving as they have little or no business rates to pay
- Medium businesses who occupy properties with an RV £18,000 to £50,000 seem to be suffering the most especially those not meeting the criteria for the retail relief
- Should help be diverted here – this may be a reason why some of these businesses are not expanding – they may need bigger premises to grow but the extra rates may hit profit margins
- Larger businesses and particularly the bigger chains do not seem to be affected

**14. Should investment in plant and machinery, energy efficiency improvements or other similar property improvements, be treated differently by the business rates system? If so what changes could be made?**

- As the current business rates is property based along with market rents then it would seem logical that any improvements would affect the rates due

**15. What evidence and analysis should the government take into account when evaluating the impact of and any changes to the range of reliefs and exemptions present in the business rates system?**

- A full overhaul is due and possibly new ones considered to take into account current trends and changes i.e. local discretion
- Listed building exemption also needs a full review. Consideration needs to be given to making this time bound and/or consider a tapering out of this exemption. Does there need to be some liaison between owner/LA to find out future plans for the building as the current exemption does not provide an incentive for the building to be occupied
- The disparity between occupied and empty charges and also the misuse of the “6 week rule”
- The new relief re occupation of an empty property for 12 months to get the 18 month 50% relief is often not available for the new occupier due to a short 6 week occupation to stop an empty charge

- Consideration should be given to reviewing the exemption for agricultural land and buildings, this should include; advertising trailers that are parked on agricultural land alongside our motorways.

### **How to engage**

A.1 During April, May and June 2015 the review team at HM Treasury will begin evidence gathering and internal analysis. The team will also consider written submissions and research provided by respondents during this period.

A.2 The government welcomes contributions from all stakeholders throughout that period to help inform this work. The review is particularly interested in seeking views from stakeholders on the questions set out in this paper and as summarised below, and evidence in support of any views put forward.

A.3 The government would also welcome submissions on other issues which stakeholders believe to be pertinent to this review but which are not explicitly listed in this paper. To contribute your views, please send written submissions and research to [businessrates.review@hmtreasury.gsi.gov.uk](mailto:businessrates.review@hmtreasury.gsi.gov.uk). The deadline for final contributions to the initial stage of analysis is 12 June 2015.

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Name of meeting: Cabinet

Date: 16 June 2015

Title of report: No Silver Bullet: Doing more to support our lower paid workers  
The final report of the West Yorkshire Lower Paid Workers' Group

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Not applicable
Is it in the <a href="#">Council's Forward Plan</a> ?	No
Is it eligible for "call in" by <a href="#">Scrutiny</a> ?	No
Date signed off by <u>Director</u> & name	Ruth Redfern : 19/05/15
Is it signed off by the Director of Resources?	David Smith : 20/05/15
Is it signed off by the Assistant Director (Legal Governance and Monitoring)?	Julie Muscroft : 26/05/15
Cabinet member <a href="#">portfolio</a>	Cllr Graham Turner

Electoral [wards](#) affected: All

Ward councillors consulted: Report to be considered at Full Council

Public or private: Public

## 1. Purpose of report

To highlight the work of the West Yorkshire Combined Authority Lower Paid Workers' Group

## 2. Key points

As the economy begins to see a return to growth, all Leaders of the West Yorkshire Combined Authority area, have become increasingly concerned with the quality of growth, the growing gap between the best and worst off in society, and the rising prevalence of insecure employment practices. They have held substantive discussions in this regard, including the role of councils themselves in tackling such issues.

This debate has included an examination of living wage policy across the Combined Authority area. Leaders and Chief Executives are strongly of the view that there is scope for councils to go further in supporting and providing “good jobs” for their lowest paid workers; recognising that the living wage is a very important, but not the sole response, to tackling low pay.

Accordingly, at the Leaders’ request, the Lower Paid Workers’ Group (LPWG) was established in the spring of 2014 with the remit of exploring collective approaches – including but also beyond payment of a living wage – to answer the question, what more can be done to support our lowest paid workers?

The Group has based its methodology on four key lines of enquiry:

- What more can we learn from the economic, policy and research context regarding why low pay matters?
- What more can be done on the pay dimension?
- What more can be done on the non-pay dimension?
- What more can councils do to maximise their impact in society.

The LPWG makes ten recommendations in its West Yorkshire Combined Authority Low Pay Charter. These are as follows:

1. For those who have not implemented a living wage policy – Apply a managed and staggered approach to reaching a living wage by removing the bottom two pay scales for the years 2015/16 and 2016/17.
2. Review existing pension information to make the case for membership from a low pay perspective and proactively target its communication at lower paid workers to drive up-take.
3. Commit to proactively communicating the positive relationship between skills and opportunity; and to ensuring that lower paid staff are supported to reach their potential through implementation of a strategy for inclusive personal and professional development.
4. Proof all HR policies for their impact on lower paid workers, with particular focus on progression and reducing institutional barriers such as constrained career structures.
5. Deliver excellent management and leadership practices as standard across the organisation, with specific focus on equipping those who manage lower paid workers with the skills and systems they need.
6. Agree to the principle of investing in and promoting a responsive employee benefits package that is accessible and communicated to target groups consistently, frequently and through the right channels, and that complements the approach in individual Districts to directly support lower paid workers to stretch their take home pay and, wherever possible, use collective leverage to broker deals with providers.
7. Collaborate across the WYCA area to streamline health and well-being activities, learn from good practice and target lower paid workers to increase participation.
8. Apply Social Value policy, prioritising in the first instance those commissioned services where low pay prevails; and work collaboratively to influence others to do the same.
9. Guard against inappropriate use of zero hours contracts and protect casual workers from the effects of low pay, concentrating on our own workforces and commissioned services.

10. Use local authority influence and local leadership to tackle low pay across the West Yorkshire Combined Authority in pursuit of a “good growth” agenda.

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

The Kirklees work on the living wage and supporting our lowest paid workers mirrors the approach taken at the regional level and deals to some extent with the points raised in the West Yorkshire Low Pay Charter. However, there remains work to be done. This report highlights the need for all recommendations in the Kirklees reports, and not just the monetary ones, to be worked on and monitored.

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

The Chief Executive and Executive Leadership Group endorse the West Yorkshire report as do the Leaders and Chief Executives of the other West Yorkshire authorities

### **5. Next steps**

Cabinet and then Full Council for wider debate

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

That the final report of the Lower Paid Workers’ Group including the West Yorkshire Combined Authority Area Low Pay Charter be endorsed and that officers be tasked with preparing a response that details the progress being made in Kirklees on this agenda.

### **7. Cabinet portfolio holder recommendation**

That the report is accepted and a suitable response prepared by officers

### **8. Contact officer and relevant papers**

**Chris Rowe, Policy Officer**

“No Silver Bullet” – The Final report of the Lower Paid Workers’ Group (electronic copy attached)

Tackling Low Pay in Kirklees Council – Report to Council - March 2015

The introduction of a living wage for Kirklees Council staff – Report to Personnel Committee – March 2015

### **9. Director responsible**

Ruth Redfern, Director for Communities, Transformation and Change.

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