

# Public Document Pack



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Monday 22 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 30 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', on a light-colored background.

**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 meeting**

1 - 2

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

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**3: Interests**

3 - 4

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.

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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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## **PREVENTION, EARLY INTERVENTION AND VULNERABLE ADULTS**

### **8: Implications of Supreme Court Ruling on Deprivation of Liberty Safeguards**

5 - 14

A report providing information regarding the implications and impact of the continuing increase in the number of Deprivation of Liberty Safeguards (DoLS) applications, arising as a result of a Supreme Court judgement, being received by the Council and the risks associated with this increase.

Officer: Keith Smith: 01484 221000

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## SCHOOLS AND LEARNING

- 9: Outcomes from the Statutory Consultation on the proposal about Primary Pupil Places in the Huddersfield South West area** 15 - 92

A report noting the feedback in response to the statutory consultation on the proposal about Primary Pupil Places in the Huddersfield South West area and seeking approval for officers to move to the next stage of the process and publish the statutory proposals and notices.

Officer: Jo-Anne Sanders: 01484 221000

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- 10: Establishment of the Kirklees Economy and Skills Board** 93 - 98

A report seeking approval for the establishment of the Kirklees Economy and Skills Board and the proposals for recruitment to the Board.

Officer: Martin Green: 01484 221000

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- 11: Term Dates for the Academic Years September 2016 to July 2017 and September 2017 to July 2018** 99 - 108

A report seeking approval of the proposed term dates for the school year 2016/2017 and 2017/2018.

Officer: Jo-Anne Sanders: 01484 221000

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## PLANNING, HIGHWAYS AND OPEN SPACES

- 12: Proposed introduction of Public Space Protection Orders** 109 - 116

A report seeking authorisation to introduce Public Space Protection Orders (PSPO), as set out in the Anti-Social Behaviour, Crime and Policing Act 2014.

Officer: Rob Dalby

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## RESOURCES AND COMMUNITY SAFETY

- 13: Council Capital Outturn & Rollover Report 2014-15 and Capital Investment Plan 2015/16 - 2019/20 Inclusive of Rollover** 117 - 142

A report detailing the Council's capital expenditure and funding for the year 2014/15 and seeking approval of the Capital Investment Plan for referral to Council on 15<sup>th</sup> July 2015.

Officer: David Smith: 01484 221000

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- 14: Annual Report on Treasury Management 2014-15** 143 - 156

A report noting the review of treasury management activity for 2014/15.

Officer: Tim Mitchell

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- 15: Council General Fund Revenue Outturn & Rollover 2014-15** 157 - 186

A report noting the Revenue Outturn position for 2014-15

Contact: Eamonn Croston: 01484 221000

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- 16: Housing Revenue Account (HRA) - Financial Outturn 2014-15** 187 - 196

A report detailing the Revenue and Capital Outturn of the Housing Revenue Account (HRA) for 2014-15.

Officer: Helen Geldart: 01484 221000

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**17: Old Leeds Road Huddersfield: Exit Agreement**

197 -  
200

A report noting the decision of the Chief Executive, through the exercise of his emergency powers, to authorise the Council to enter into an Exit Agreement with Tesco Stores Ltd and other Tesco group companies.

Officer: Adrian Lythgo: 01484 221000

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**18: Exclusion of the Public**

To resolve that under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business, on the grounds that they involve the likely disclosure of exempt information, as defined in Part 1 of Schedule 12A of the Act.

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**19. Old Leeds Road Huddersfield: Exit Agreement**

201 -  
206

3

Private appendix in relation to the previous public agenda item.

Officer: Adrian Lythgo: 01484 221000

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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

**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.

## Cabinet - 5 May 2015

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  
**Dates:** TUESDAY 30 JUNE 2015  
**Title of report:** **IMPLICATIONS OF THE SUPREME COURT RULING ON DEPRIVATION OF LIBERTY SAFEGUARDS (DOLS)**

Is it likely to result in spending or a saving of £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> ?	N/A
Is it eligible for “call in” by <a href="#">Scrutiny</a> ?	Yes
<b>Date signed off by <u>Director</u> and name</b> <b>Is it signed off by the Director of Resources?</b> <b>Is it signed off by the Assistant Director, Legal, Governance and Monitoring?</b>	Richard Parry, 1 June 2015 David Smith, 1 June 2015 Julie Muscroft , 1 June 2015
<b>Cabinet member <a href="#">portfolio</a></b>	Health, Wellbeing and Communities

**Electoral [wards](#) affected:** All  
**Ward Councillors consulted:** Consultation with Ward Councillors is not applicable to this report  
**Public or private:** Public

## 1. PURPOSE OF REPORT

- 1.1 This report informs Members about the implications and impact of the continuing increase in the number of Deprivation of Liberty Safeguards (DoLS) applications, arising as a result of a Supreme Court judgement, being received by the Council and the risks associated with this increase.
- 1.2 The Government has made £25m available nationally in 2015/16 as a contribution towards the cost of DoLS. The Kirklees allocation from this funding is £198,387. In order to secure the funding Local Authorities are required to submit details of the work planned/undertaken to increase the efficiency of the DoLS system and to improve staff and partner understanding of DoLS and the wider Mental Capacity Act and evidence of where use of DoLS has improved service user wellbeing. The Kirklees submission has been made to the DoH, if this submission is acceptable it is requested that the funding be allocated towards alleviating the DoLS pressures described in this report.

## 2. KEY POINTS

### **Background**

- 2.1 DoLS are part of the Mental Capacity Act 2005. They were introduced in 2009 to offer protection to anyone over the age of 18 receiving care in a registered home or hospital who lacks the mental capacity to consent to those arrangement and is therefore being deprived of their liberty. The aim of DoLS is to ensure that if a person’s life is being so restricted that their liberty is taken from them there should be an independent assessment and authorisation process for the deprivation. (Information about the DoLS process is attached at Appendix 1.)

- 2.2 DoLS is a lengthy and complex process which if not followed precisely can lead to individuals being unlawfully deprived of their liberty which is a breach of article 5 of the Human Rights Act, giving the individual or their representative the right to seek damages against the supervisory authority (the Local Authority) responsible for assessment and authorisation of the deprivation.

### **Supreme Court Judgement**

- 2.3 A Supreme Court judgement handed down in March 2014 ([here](#)) changed the legal definition of and the test for deprivation of liberty. There are now two key questions that need to be considered when authorising a Deprivation of Liberty (DoL) (known as the 'acid test'):
- i. Is the person subject to continuous supervision and control?
  - ii. Is the person free to leave?

For a person to be deprived of their liberty they must be subject both to continuous supervision and control and not free to leave.

- 2.4 The implication of the judgement is that every person who lacks capacity to agree to being accommodated in a residential care home and /or to their care plan and is not free to leave could be considered as being deprived of their liberty; therefore the process for authorising a DoL must be followed. This has now meant the threshold for when someone is being deprived of their Liberty is lower. Potentially anyone who lacks capacity and is in a care home or hospital may meet the acid test, 24 hour care may meet the continuous supervision and control aspect, although this is for the BIA to assess and determine (see Appendix 1).
- 2.5 In addition, the judgement has broadened the scope of DoLS for people living in the community (ie outside of care home and hospitals), which now includes people living in supported living, shared lives, post 18 residential college provisions and hospices as well as in their own homes. In these settings the Local Authority is not able to authorise a deprivation, it has to be done by application to the Court of Protection. (The Court of Protection makes decisions and appoints deputies to act on behalf of people who are unable to make decisions about their personal health, finance or welfare - see [here](#).) If the care the person is receiving is funded by the Local Authority then the Local Authority will be the applicant and will bear the majority of the court costs. If the person is funded by Health then Health will be the applicant but if the Local Authority has had any involvement in the person's care assessment the Local Authority is likely to be involved in the application.
- 2.6 The ruling has also resulted in increased work for the Coroners Service as death of a person whilst subject to a DoLS authorisation is deemed to be a death in state detention.

### **Impact of the Supreme Court Judgement Nationally**

- 2.7 In a letter dated 14 January 2015 to DoLS leads the Department of Health (DoH) ([here](#)) state that *"the official statistics from the Health and Social Care Information Centre paint a clear picture of the very significant increase in DoLS applications since the Supreme Court judgement. Over 55,000 applications in the six months following the judgement points to a more than 8 fold-plus increase on 2013/14 figures"*.

2.8 The latest figures for 2014/15 now show a total of over 113,000 applications and these figures do not include some Local Authorities. The figures show that over 50% of applications have not been dealt with as yet. When DoLS were first implemented in 2009 Government analysts predicted that 17,000 people potentially would be deprived of their liberty and funding was given to Local Authorities based on this figure.

(The latest national figures are available [here](#)).

	Number of Applications	Number Granted	% Granted	Number Not Granted	% Not Granted	Number Not Signed Off or Withdrawn	% Not Signed Off or Withdrawn
Q1	19,100	11,000	58	2,700	14	5,400	28
Q2	26,900	10,800	40	2,800	10	13,300	50
Q3	31,700	10,400	33	3,000	9	18,400	58
Q4	35,600	8,400	23	2,800	8	24,500	59
<b>Total</b>	<b>113,300</b>	<b>40,500</b>	<b>36</b>	<b>11,200</b>	<b>10</b>	<b>61,600</b>	<b>54</b>

Data source: DoLS Quarterly collection 2014/15

### Impact of the Supreme Court Judgement Locally

2.9 We have seen a marked increase in applications. However the figures are low (see the table below) in comparison to what we potentially should be receiving, based on the low threshold. We have 3,989 residential bed in care homes of which 1,181 are for people with dementia and learning disabilities. There are also 283 out of area placements and an estimated 150 supported living placements that may require Court of Protection applications.

Month/Year	No Applications	Month/Year	No Applications
April 2013	6	April 2014	16
May 2013	0	May 2014	31
June 2013	2	June 2014	31
July 2013	7	July 2014	28
August 2013	4	August 2014	21
September 2013	2	September 2014	23
October 2013	4	October 2014	35
November 2013	7	November 2014	27
December 2013	3	December 2014	30
January 2014	0	January 2015	33
February 2014	1	February 2015	51
March 2014	6	March 2015	42
<b>Total</b>	<b>42</b>	<b>Total</b>	<b>368</b>

The figure for April 2015 is 80.

## National Action

- 2.10 There have been some actions taken nationally to mitigate the effects, eg:
- a) A revised set of standard forms supporting the DoLS process has been published (reducing the total number from 32 to 13). However the accompanying guidance has only recently been published and there are issues with digitally signing these forms.
  - b) A more streamlined Court of Protection process has been implemented for DoLS cases in the community.
  - c) New guidance from the Law Society to assist practitioners in understanding what may constitute a DoL has been published [here](#). The guidance includes a range of scenarios three of which have been reproduced at Appendix 2.
  - d) The Chief Coroner has issued guidance to coroners which states that, subject to any judicial decisions, any person who dies while subject to a DoLS authorisation amounts to a death in state detention that must be reported to the coroner. There must be an inquest, although there is no requirement for a jury where the death was from natural causes, and uncontroversial cases may be considered on the papers (although in open court) rather than by calling witnesses.
  - e) In November 2014 ADASS published guidance [here](#) for Local Authorities that included a screening tool to prioritise the allocation of requests for to authorise a DoL.
  - f) For palliative care, if the person has capacity to consent to the arrangements for their care at the time of their admission or at a time before losing capacity and does consent, the DoH considers this consent to cover the period until death and that hence there is no deprivation of liberty. Unless the care package to which the individual consented were to change in a manner that imposed significant extra restrictions or which included care contrary to the previously expressed wishes and preferences of the individual then this should lead to an application for deprivation.
  - g) The DoH does not consider a state of unconsciousness in itself as being a mental disorder. An unconscious person would therefore need to have been assessed as not having mental capacity before they became unconscious in order to be eligible for an application for deprivation of liberty.
  - h) The Law Commission have been tasked to re look at the DOLs legislation. They are to consult during summer 2015 therefore any changes will not be implemented until late 2017.
  - i) On 17 October 2014, ADASS and the LGA wrote to Norman Lamb, Minister of State for Care and Support, highlighting the issue and resource implications ([here](#)). On 16 March 2015 ADASS and LGA published a briefing [here](#) calling for the Government to fully fund the costs of the changes to DOLS. In response, on 30 March 2015, the Government announced [here](#) that a one-off contribution of £25m nationally would be made in 2015/16 towards the cost of DoLS (see 3.5 below).

Despite these actions the indications are that the number of applications is continuing to grow week by week, and will do so for the foreseeable future; estimated at over 120,000 applications nationally by March 2015. Also, even with the new forms, the paperwork associated with DoLS is weighty and there is still a complicated administration process that underpins the system.



## Local Action

- 2.11 When the judgement was first handed down the Assistant Director for Commissioning and Health Partnerships held a series of meetings with all affected providers to brief them on the implications. He also met with the Council's Best Interest Assessors (BIAs) and the Principal Legal Officer (Adults) to assess the situation and develop a plan of action for the short, medium and long term:
- a) The Safeguarding Partnership Team has looked at the process and has made practical adjustments to streamline it plus continuing vigilance to make improvements.
  - b) The service has increased capacity in business support for the DoLS process.
  - c) There are currently three Pathway and Portfolio Managers now working on DOLS in amongst their usual duties and hours have been increased.
  - d) A rota of DoLS Panel members has been set up to ensure availability to deal with DoLS authorisations.
  - e) Independent BIAs are being utilised wherever available to carry out assessments where internal BIA resource has already been allocated.
  - f) Work is continuing to increase the pool of Mental Health Assessors; additional short term funding was allocated to backfill BIAs being pulled from teams to address the impact of this on the Care Management Teams where those BIAs are located.
  - g) Legal advice has been sought about the extension of the 7 day timescale for urgent cases where BIAs are unable to meet the deadline (eg unable to contact the family as needed within that period of time). Confirmation has been given that only one extension to an urgent authorisation can be made.
  - h) The service is continuing to look at where and how administrative support is provided to safeguarding operational leads.
  - i) Continuing to improve the systematic review of learning from panels to see where DoLS applications may have been prevented in the first place.
  - j) Panel signatories have been provided with additional training.
  - k) Work is being done to increase the number of training places for BIAs.
  - l) BIAs are participating in regional conferences which act as refresher training for them.
  - m) The contract for IMCAs and paid RPRs (both of whom support the person being deprived of their liberty either where there is no suitable family member to support them or where support is required for the family member) has been reviewed to try and increase capacity.
  - n) Scoping and planning on dealing with DoLS in the community is taking place in conjunction with the Clinical Commissioning Group lead.
  - o) Training for managing authorities (eg care homes) is being increased.
  - p) Including DoLS in the Corporate Risk Register.
  - q) We have reviewed the threshold for DOLS applications and potentially anyone who lacks capacity and is in a care home or hospital may meet the acid test. This will see a further increase in applications.
  - r) We are scoping the use of the ADASS screening tool referred to in 2.10 (e) above.

### 3. **IMPLICATIONS FOR THE COUNCIL**

#### **Cost**

- 3.1 The costs incurred by Local Authority supervisory bodies are highly variable depending on the complexity of the application. Research published in the British Journal of Psychiatry in 2011<sup>1</sup> found that the average cost of a DoLS assessment was £1,277, based on 2008 figures. However, the actual cost of a DoLS application can be far in excess of this figure, depending on whether legal advice / action is required and whether the application has come from outside the Kirklees area. DoLS reviews also incur a cost to the supervisory body; again the actual amount depends on the complexity of the case.
- 3.2 The average costs in Kirklees are continuing to run at approximately £1,200 per case, although a single non-complex case can incur £4,000 costs if it needs to be considered by the Court of Protection.
- 3.3 During the past year the Safeguarding Adults Partnership Team has incurred additional expenditure in excess of its budgeted allocation to the tune of £91,000. Also the cost of approximately 300 Best Interest Assessments is reflected within the budgets for assessment within operational services (Social Care and Wellbeing for Adults). The real cost impact is therefore not apparent but is covered by the estimates elsewhere in this report.
- 3.4 The number of applications is continuing to increase rapidly. In the current year it is estimated that in excess of 800 referrals for consideration will be received, considerably more than the 368 received last year (see Section 2.9) which will place even more pressure on management and assessment resources, business support, external advocacy, Section 12 Doctors (doctors who have specific expertise in mental disorder and have additionally received training in the application of the Mental Health Act) and BIAs. The additional cost pressure for the current financial year is estimated at approximately £500,000 which will require the Council to utilise one-off reserves to ensure that it meets its statutory obligations.
- 3.5 The DoH is providing Local Authorities with a one-off non-recurrent contribution to the cost of DoLS of £25m for 2015/16 which is being made available through the relative needs formula and is not, therefore, ring-fenced. In order to secure this funding Local Authorities are required to submit details of the work planned/undertaken to increase the efficiency of the DoLS system and to improve staff and partner understanding of DoLS and the wider Mental Capacity Act and evidence of where use of DoLS has improved service user wellbeing.
- 3.6 The Kirklees allocation from this funding is £198,387. Submission has been made to the DoH, if this submission is acceptable it is requested that the funding be allocated towards alleviating the 2015/16 DoLS pressures described above.

#### **Risk**

- 3.7 In line with the national picture, the number of applications being received by the Council is continuing to increase and will do so for the foreseeable future. Despite the actions listed in 2.11 above, there is still a significant risk that the Council will not have enough Mental Health Assessors, BIAs, IMCAs and RPRs to be able to comply with the DoLS process within the statutory timescales in all cases.

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<sup>1</sup><http://bjp.rcpsych.org/content/199/3/232.abstract>

- 3.8 The unremitting pressure arising from working to meet the statutory timescales is impacting on all the staff involved, ie Business Support Officers who administer the process; the Safeguarding Operational Team; BIAs and senior managers who attend the panels. Also pressure on the whole system will mean that the ability to support other complex tasks (eg large scale safeguarding investigations, domestic homicide reviews, serious case reviews, care management functions) is compromised. Consideration of the risk to the individual is a key part of how capacity and activity is prioritised.
- 3.9 The inability of the Council to discharge its legal duty to comply with the DoLS process could result in a costly claim for damages and/or a loss of reputation.

#### 4. **CONSULTEES AND THEIR OPINIONS**

No consultations were required in relation to the recommendations in this report.

#### 5. **NEXT STEPS**

The actions described in Section 2.11 will continue. Subject to Member approval the DoH funding will be used to alleviate the DoLS pressures described in this report.

#### 6. **OFFICER RECOMMENDATIONS AND REASONS**

- 6.1 That the funding received by the Council from the DoH as a contribution to the cost of DoLS is allocated towards alleviating the pressures described in this report.
- 6.2 Allocation of the funding will assist the Council in meeting its statutory obligations in respect of DoLS.
- 6.3 That the contribution of DOLS activity to overall pressure in the system is noted.

#### 7. **CABINET PORTFOLIO HOLDER RECOMMENDATION**

That the officer recommendations be agreed.

#### 8. **CONTACT OFFICER/ASSISTANT DIRECTOR RESPONSIBLE**

Keith Smith, Assistant Director for Commissioning and Health Partnerships,  
01484 221000 Email: [keith.smith@kirklees.gov.uk](mailto:keith.smith@kirklees.gov.uk)

**BACKGROUND PAPERS:** As referenced in the report.

**DEPRIVATION OF LIBERTY SAFEGUARDS (DOLS) PROCESS**

1. The DoLS process involves 6 separate independent professional assessments which are undertaken by a Mental Health Assessor, usually a Consultant Psychiatrist and a Best Interests Assessor (BIA) most likely to be a Social Worker or Mental Health Nurse. The DoLS process must be completed within 21 calendar days for a standard application and 7 calendar days for an urgent application.
2. The BIA's main role involves independently assessing (the Best Interests Assessment) and deciding whether a person is deprived of their liberty, and deciding whether the DoL is in their best interests, necessary to prevent harm to them, and whether it is proportionate to the likelihood of that harm occurring. The Mental Health Assessor and BIA submit their assessments together with the recommendations of the BIA to a Local Authority supervisory body who then scrutinises the assessments and authorises or declines the DoL. In this way the DoL can be made compliant with Article 5 of the Human Rights Act 1998, the Right to Liberty.
3. Local Authorities are the supervisory body in England for all DoLS whether the person is resident in a care home or a hospital and for people who are ordinary residents of that Local Authority.
4. In some cases the Local Authority may need to seek legal advice on cases and / or make application to the Court of Protection. The person, or their representative, has the right to challenge authorisations in the Court of Protection.
5. If there is no appropriate family or friend who can support the person during the assessment procedure, an Independent Mental Capacity Advocate must be appointed by the supervisory body. An IMCA is an independent person with relevant experience and training who can make submissions to the people carrying out the assessments and challenge decisions on behalf of the person they are representing.
6. If authorisation is given, someone must be appointed as the Relevant Person's Representative (RPR) but the IMCA may still have a role in supporting that person. The role of the RPR is to keep in contact with the person and to make sure that decisions are being made in their best interests. The RPR will usually be a relative or friend of the person who is being deprived of their liberty. If there is no appropriate friend or relative, it will be someone appointed by the supervisory body (possibly a paid professional) who can keep in regular contact with the person.
7. A DoLS authorisation can last for a maximum of 12 months, and should remain in force for the shortest time possible. The managing authority (the care home or hospital) and the Local Authority as supervisory body must make regular checks to see if the authorisation is still needed, remove the authorisation when no longer necessary and provide the person's representative with information about their care and treatment. The supervisory body is responsible for review of an authorisation. Review can take place at any time after the authorisation. Review can take place at any time after the authorisation and must take place if the person's circumstances change or they or their representative requests a review.
8. DoLS applications for people living in the community are made direct to the Court of Protection.

**DEPRIVATION OF LIBERTY SCENARIOS EXTRACTED FROM LAW SOCIETY GUIDANCE** (available [here](#))**1. Hospital Acute Ward**

- 1.1 Mrs Jones is an 80 year old lady, who lives on her own in a semi-detached house. One evening her neighbours notice the smell of burning. Not finding anything in their house, they go next door. They find Mrs Jones slumped in her kitchen with the toaster on and a piece of burned charcoal in the toaster.
- 1.2 Mrs Jones is admitted to hospital with a diagnosis of severe community acquired pneumonia. She responds well to antibiotics and after a week tells the treating team that she wants to go home. She has been assessed during her admission by the physiotherapy and occupational therapy team, who feel that she has significant problems with her activities of daily living. Their professional opinion is that it would be unsafe for her to return home. The doctors treating her note that she is slightly confused, and she scores 8/10 repeatedly on a mini-mental test.
- 1.3 Mrs Jones is adamant that she will not consider anything other than returning home. Her neighbours, who have visited her daily in hospital, are very concerned about her returning home. The treating team considers that she should stay in hospital for further assessment and thereafter a suitable care home should be found for her. She will have to remain on the acute ward until then, and there is no immediate prospect of her returning home.
- 1.4 The key factors pointing to a deprivation of liberty are:
  - the monitoring and supervision of Mrs Jones on the ward;
  - the decision of the treating team not to let her leave to return home;
  - the potential that Mrs Jones will have to remain on the ward for a significant period of time.

**2. Care Home for Older Adults**

- 2.1 Peter is 78. He had a stroke last year, which left him blind and with significant short-term memory impairment. He can get disorientated needs assistance with all the activities of daily living. He needs a guide when walking. He is married but his wife Jackie has struggled to care for Peter and with her agreement Peter has been admitted into a residential care home.
- 2.2 Peter has his own room at the home. He can summon staff by bell if he needs help. He tends to prefer to spend time in his room rather than with other residents in the communal areas. He can leave his room unaccompanied at any time he wishes. Due to his visual and cognitive impairments, he does not feel safe doing this. He has access to the communal garden, the dining room, the lounge area and any other resident's room. He is able to use the telephone when he wants. It is in a communal area of the home. He is unable to remember a number and dial it himself. He rarely asks to make phone calls.

2.3 He is visited regularly by Jackie. She has asked to be allowed to stay overnight with Peter in his room but this request has been refused. The home has a key pad entry system, so service users would need to be able to use the key pad to open the doors to get out into the local area. Peter has been taken out by staff after prompting and does not ask to go out. He would not be allowed to go out unaccompanied. Most of the time Peter is content but on occasions he becomes distressed saying that he wishes to leave. Members of staff reassure and distract Peter when this happens.

2.4 The key factors pointing to a deprivation of liberty are:

- the extent to which Peter requires assistance with all activities of daily living and the consequent degree of supervision and control this entails;
- Peter is not free to leave either permanently or temporarily

### **3. Supported living**

3.1 Gordon is 30 years old and has autism, cerebral palsy, hearing and visual impairments and a learning disability. He resides in a one-bedroom flat with 1:1 staffing at all times. He requires a second member of staff to access the community who is available 35 hours per week. The front door is locked for his safety.

3.2 He cannot weight bear and pulls himself around inside, and requires a wheelchair outside. Due to a history of attempting to grab members of the public, a harness is used to strap his torso to the wheelchair, allowing free movement of his arms.

3.3 The key factors pointing to a deprivation of liberty are that Gordon is under continuous supervision and control on a 1:1 basis at all times.



**Name of meeting: Cabinet**

**Date: 30<sup>th</sup> June 2015**

**Title of report: Report on the outcomes from the statutory consultation for members' consideration on the proposal about primary pupil places in the Huddersfield South West.**

<b>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>Is it in the <a href="#">Council's Forward Plan</a>?</b>	<b>Yes – January 2015</b>
<b>Is it eligible for “call in” by <a href="#">Scrutiny</a>?</b>	<b>Yes</b>
<b>Date signed off by <u>Director</u> &amp; name</b>	Alison O’Sullivan 19/06/15
<b>Is it signed off by the Director of Resources?</b>	David Smith 19/06/15
<b>Is it signed off by the Acting Assistant Director - Legal &amp; Governance?</b>	Julie Muscroft 19/06/15
<b>Cabinet member <a href="#">portfolio</a></b>	Children’s Services Councillor Shabir Pandor

**Electoral [wards](#) affected:** Crosland Moor and Netherton

**Ward councillors consulted:** councillors in the ward have been provided with a copy of the consultation document as part of the consultation process.

**Public or private: Public**

## 1. Purpose of report

The report sets out the outcomes from the statutory consultation for Members' consideration on proposals about primary pupil places in Huddersfield South West area by:

- Bringing together Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School to create one all-through voluntary controlled primary school for children aged 2 to 11.

- Create a new primary academy school to be located on the site of Moor End Academy
- Retain Mount Pleasant Primary School

<b>Contents</b>	<b>Page</b>
1. Purpose of report	1-2
2. Summary	3-4
3. Introduction	4
4. Background	4-6
5. Consultation methodology	7-8
6. Response to consultation	8-21
7. Conclusions to be drawn from the statutory consultation	22-23
8. Implications for the Council	23-24
9. Consultees and their opinions	24
10. Next steps	25
11. Officer recommendations and reasons	25-26
12. Cabinet portfolio holder's recommendations	27
13. Contact officers	27
14. Background papers	28

## APPENDICES

**Appendix A** - Distribution List for consultation document.

**Appendix B** - Consultation Document

**Appendix C** - Report detailing the responses received to the consultation

**Appendix D** - Response from Leeds Diocesan Board of Education



## **2. Summary**

A seven week (six week term time) statutory consultation was carried out with all key stakeholders to gather views about the Kirklees Council proposal to:-

### **2.1. Bring together Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School as one all-through primary school for children aged 2 to 11 from 1<sup>st</sup> May 2016.**

The proposal has been designed to enable the Council to work with the Diocese of West Yorkshire and the Dales to establish an all-through Church of England voluntary controlled primary school with nursery provision by bringing together all three schools into a single school with one governing body and head teacher. The Diocese of West Yorkshire and the Dales would propose the new all-through Church of England Voluntary Controlled primary school that would replace Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School. The new school would cater for school and nursery children aged 2 to 11;

- with a PAN of 120 pupils per year group for 4-11 year olds (from Reception 2016), and over time retaining 840 primary school places in total.
- retaining 130 part-time early learning places (nursery children aged 3-4 years) and retain the existing 52 full-time flexible childcare places which can be used for a mixture of early learning and fee paying childcare places (children aged 2-5 years).

### **2.2. Create a new primary school located on the same site as Moor End Academy from 1<sup>st</sup> May 2016.**

The proposal has been designed to enable Kirklees Council to meet the need for additional primary pupil places in Huddersfield South West to establish a new 630 place primary school (over time, the school would grow year on year until all yeargroups reception to year 6 were catered for) for children aged 4 -11 with a PAN of 90 pupils in the reception yeargroup from September 2016 in a new building using part of the Moor End Academy site.

### **2.3. Retain the current number of places at Mount Pleasant Primary School**

There is no statutory proposal made about Mount Pleasant Primary school. The school is a close partner of other schools in the area. The school provides additional pupil places to meet the growing basic need in the area. The school caters for 630 pupils from reception to year 6 admitting up to 90 pupils per year group.

The council was successful as part of the government's Priority Schools Building Programme, in securing funding to rebuild the school on its current site. The school, the council and the Education Funding Agency are currently working towards this.

### **2.4. Response to consultation**

From over 3,133 consultation documents circulated, 33 responses were received. Responses have been received from parents and carers, governors, staff and other stakeholders.

A meeting to discuss the proposal was held with the governing body at Moor End Academy, Crosland Moor Junior School and the federated governing body of Dryclough CE (VC) Infant School and Thornton Lodge Nursery School, the notes of these meetings are available at Appendix C.

Staff drop-in sessions were also held at Moor End Academy and Mount Pleasant Primary School. The purpose of these sessions were for staff to have the opportunity discuss the proposals with officers from the Council and also ask questions. Union representatives were invited to the staff drop-in session.

A meeting was arranged for staff at Crosland Moor Junior School and a joint meeting for staff at Dryclough CE (VC) Infant School and Thornton Lodge Nursery School at which trade union representatives and officers from the Councils were also present. The notes of these meetings are also available at Appendix C.

Nine drop-in sessions were held during the statutory consultation period and an additional drop-in session was held at Crosland Moor Junior School to ensure that key stakeholders had a further opportunity to attend a session in the evening. (see page 7 for further information). These sessions were designed to support parents and carers in completing consultation response forms and also provided an opportunity for parents and carers to discuss the proposals with officers from the Council's Learning and Skills Service.

### **3. Introduction**

There is a strong collaborative partnership between the schools and settings in the South West Huddersfield area and the Council, in which all are working together to provide the highest standard of learning experiences to meet the needs of the pupils and their families in the local communities they serve.

### **4. Background**

Kirklees Local Authority has a statutory duty to ensure that there are sufficient high quality school places to meet the needs of Kirklees families and communities. This is described as "basic need". Over the last 12-13 years, the school age population in Kirklees has increased by approximately 20% from the smallest pupil age group (which is now in the secondary schools) to the current reception and pre-school age groups. A similar pattern is repeated in most urban authorities nationwide. One of the areas where there is a need for school places is in the Huddersfield South West area.

Following a series of collaborative discussions between Kirklees Council and a strategic group representative of providers in the South West Huddersfield area, and following exploration in outline of what is technically possible and affordable, the proposals that have been consulted upon have been developed to support the best educational outcomes for children. These are to meet the basic need for additional

primary school places in the context of the wider area solutions that are required around the North, North West, West and South West areas of Huddersfield.

#### 4.1 The existing provision

##### Current primary and secondary schools

- **Dryclough CE (VC) Infant School** provides education for 4 to 7 year olds (including nursery provision) with a PAN (Published Admission Number) of 140 pupils per year group. The school is federated with Thornton Lodge Nursery School\*.
- **Thornton Lodge Nursery School** provides education for 130 part-time early learning places (nursery children aged 3-4 years) and has 52 full-time flexible childcare places which can be used for a mixture of early learning and fee paying childcare places (children aged 2-5 years). The school is federated with Dryclough CE (VC) Infant School.
- **Crosland Moor Junior School** provides education for 7 to 11 year olds with a PAN of 150 pupils per year group.
- **Mount Pleasant Primary School** provides education for 3 to 11 year olds (including nursery provision). The Published Admission Number (PAN) for the school is 90. This means the school can admit 90 pupils in each year group from ages 4 to 11. There are up to 78 part-time nursery places.
- **Moor End Academy** provides education for 11-16 year olds. The Published Admission Number (PAN) for the school is 180. This means the school can admit 180 pupils in each year group.

\* Schools that are federated have a single governing body and leadership team.

##### 4.2 The benefits of bringing together Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School as one all-through primary school:-

- Improved continuity and progress from Early Learning and Key Stage 1 to Key Stage 2 through smoother transition. For example, a single school would have common approaches to curriculum planning, assessment, record keeping and target setting. Staff have longer to get to know the children. Most importantly, the school would have a shared understanding of standards and expectations.
- More flexibility and opportunities to meet individual pupil needs by tailoring learning experiences. For example, Year 3 children who require further experience of the Key Stage 1 curriculum and more able Year 2 children requiring the challenge of the Key Stage 2 programmes can be catered for. It means a wider range of resources can be shared and common themes developed across the school. This curriculum flexibility can be particularly important for children with Special Educational Needs.
- More opportunities for social development. For example, older children can have some appropriate pastoral responsibility for younger children, which can impact positively on whole school behaviour and children's self-esteem.

Vulnerable children and their parents and carers have greater security from a consistency of staff and provision.

- More consistency in terms of policies and practice. The school improvement agenda is led by a single leadership team and governing body
- Closer contact for parents and carers with school staff over a longer period of time. A more continuous relationship between the school, parents, carers and outside agencies can ensure that all pupils, but particularly those with special needs, are supported effectively from the Foundation Stage through to the end of Year 6.
- More opportunity for children to attend the same school as older or younger brothers and sisters.
- Increased opportunities for staff to work with a larger team, thus supporting professional development and providing further opportunities to take on new responsibilities.
- More effective use of the accommodation, facilities and resources.
- Reduced duplication and economies of scale in the management of budgets.

#### **4.3 The proposed benefits of a new primary academy school located on the Moor End Academy site**

- The new school would meet basic need in the area providing local school places for local families.
- The new school would ease pressure from other surrounding schools.
- The new school would be a part of the Kirklees family of schools and work collaboratively with other schools and providers in the area as well as the council.

#### **4.4 Cabinet approved for statutory consultation**

On 24<sup>th</sup> March 2015 Cabinet members authorised officers to develop plans for a statutory consultation about the proposals for the future of primary pupil places in the Huddersfield South West area.

#### **4.5 Equalities Impact Assessment**

An initial Equalities and Community Cohesion Impact Assessment (EIA) has been carried out on the proposals. The following is a short initial analysis of the likely changes arising from the revised proposals.

- The proposal to establish new primary places in a new school and to amalgamate existing provision in an all-through primary voluntary controlled school is intended and is very likely to have a positive impact for pupils and their families living in the local areas because the aim is to provide places where they are needed in line with growth in the pupil demographic that would complement existing local provision.
- The proposal is intended to have a positive impact on families and the local community as a developing centre of community, educational and recreational facilities.
- No adverse impacts are highlighted as part of this proposal.

The full EIA is required and will continue to be revised in the light of any decision taken by Cabinet following consultation.

## **5: Consultation methodology**

**5.1** A statutory consultation took place between 20<sup>th</sup> April 2015 and 5<sup>th</sup> June 2015. Consultation documents were written and produced with due regard to 'The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013' and with reference to the detail contained in the cabinet report from the 24<sup>th</sup> March 2015. Consultation documents were made widely available. The consultation is a statutory consultation because there is a technical closure of Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School.

Consultation documents were sent to the families of pupils, governors and staff at Moor End Academy, Crosland Moor Junior School, Mount Pleasant Primary School, Dryclough CE (VC) Infant School and Thornton Lodge Nursery School. Copies of the consultation document were also sent to elected members, trade union representatives, neighbouring local authorities, local community groups and to interested officers from across the Council. The consultation document was also made available on the Council's website, at each of the consultation events and by request. A complete list of distribution is attached at Appendix A.

During the consultation period more than 3133 documents were distributed either via royal mail, schools or at consultation events. The documents and an online response form were available throughout the consultation period on the Kirklees webpage: [www.kirklees.gov.uk/schoolorganisation](http://www.kirklees.gov.uk/schoolorganisation)

**5.2** The consultation material consisted of the document included in Appendix B. - "A consultation about primary pupil places in Huddersfield South West". The consultation document outlined why the Council wants to:-

- Bring together Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School as one all-through primary school for children aged 2 to 11.
- Create a new primary academy school located on the same site as Moor End Academy
- Retain the current number of places at Mount Pleasant Primary School

The document detailed the proposals and had a response form that was designed to enable qualitative feedback, and questions to ascertain the type of stakeholder responding. Response forms could be completed in writing or electronically on the Council website. In addition, individuals and groups were encouraged to feedback any additional views either via email or letter. A 'Freepost' address was available for returning paper forms and/or letters to maximise the opportunities for receiving feedback to the proposals.

**5.3** Consultation 'drop-in sessions' for parents/carers and members of the community were held at all the schools. The meetings were planned to enable individuals to speak with officers about the proposals in more detail (and in particular

about the potential implications for them as individuals and their families). Parents and carers and members of the community were invited to attend any of the consultation sessions.

<b>Table 1 : Count of attendees at drop in events</b>			
<b>Date</b>	<b>Venue</b>	<b>Time</b>	<b>No. of attendees</b>
29 April	Thornton Lodge Nursery School	9:00-10:00am	1
30 April	Moor End Academy	4:00-5:00pm	1
6 May	Thornton Lodge Nursery School (Yews Hill Road Site)	8:45-9:30am	0
6 May	Crosland Moor Junior School	2:30-3:30pm	3
7 May	Mount Pleasant Primary School	8:45-9:15am	9
		2:45-3:15pm	5
12 May	Dryclough CE (VC) Infant School	3:00-4:00pm	3
19 May	Crosland Moor Junior School	8:30-9:30am	5
2 June	Crosland Moor Junior School	6.30-7.30pm	1
<b>Total</b>			<b>28</b>

## 6. Response to consultation

Attached at Appendix C and D<sup>1</sup> is a comprehensive report which details the responses received to the consultation that is organised by stakeholder.

### 6.1 Analysis of responses received

<b>Table 2 : Count of responses received</b>	
E-mail	0
On-line form	16
Response Sheet	13
Letters	4
<b>Total</b>	<b>33</b>

**33** responses were received via the methods shown in Table 2 above from the range of respondents shown in Table 3 below. (Note: Some respondents are counted more than once in the main tables of responses by stakeholder, if they have declared themselves under more than one category).

<sup>1</sup> Appendix D shows the response to the consultation from the Leeds Diocesan Board of Education. This response IS NOT included in the statistical analysis of the report

<b>Table 3 Type of respondent</b>		
<b>Respondent</b>	<b>Number of responses</b>	<b>% of responses</b>
Parents/Carers	12	36%
Pupils	0	0%
Staff Members	6	18%
Governors	6	18%
Local Residents	5	15%
Other	3	9%
Not Stated	1	3%
	<b>33</b>	

Note. Some respondents have classified themselves as belonging to more than one stakeholder group and have therefore been counted in more than one group.

Table 3 shows 36% of responses were from parents and carers, 18% of respondents were staff members, 18% of the responses were received from governors and 15% were from local residents. A relatively small number of responses were received from other stakeholders as shown in the table.

### 6.1.1 Consultation question 1 - Summary of respondents by response type

**Consultation Q1)** Do you support or oppose the proposal to bring together Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School to form a single Church of England Voluntary Controlled all-through primary school with nursery provision for pupils aged 2-11?

<b>Table 4 Summary table by response type</b>	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	Total
	<b>13</b>	<b>6</b>	<b>6</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>30</b>

Note. The number of responses for stakeholders who have classified themselves as belonging to more than one group have only been counted once.

### 6.1.2 Responses from parents and carers

**Consultation Q1)** Do you support or oppose the proposals to bring together Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School to form a single Church of England Voluntary Controlled all-through primary school with nursery provision for pupils aged 2-11?

<b>Table 5 Responses of parents and carers with children and young people attending</b>	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	total	
Dryclough CE (VC) Infant School	4		1				5	38%
Crosland Moor Junior School	1				1		2	16%
Thornton Lodge Nursery		1	1				2	16%
Mount Pleasant Primary School		1					1	7%
Moor End Academy			1				1	7%
Not stated		1			1		2	16%
<b>Total</b>	<b>5</b>	<b>3</b>	<b>3</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>13</b>	
	<b>38%</b>	<b>23%</b>	<b>23%</b>	<b>0%</b>	<b>16%</b>	<b>0%</b>		

Table 5 shows the distribution of responses from parents and carers, with a total of 61% either strongly supporting or supporting the proposals, 23% neither supporting nor opposing the proposals and 16% strongly opposing the proposals.

Note. One parent and carer has classified themselves as having children at two schools and therefore the response has been counted twice.

### 6.1.3 Responses from governors

**Consultation Q1)** Do you support or oppose the proposals to bring together Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School to form a single Church of England Voluntary Controlled all-through primary school with nursery provision for pupils aged 2-11?

<b>Table 6 Responses from individual governors at</b>	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	total	
Crosland Moor Junior	4						4	67%
Dryclough CE (VC) Infant School		1					1	17%
Crow Lane Primary & Foundation Stage School					1		1	17%
<b>Total</b>	<b>4</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>6</b>	
	<b>67%</b>	<b>17%</b>	<b>0%</b>	<b>0%</b>	<b>17%</b>	<b>0%</b>		

Table 6 shows the distribution of responses from individual governors. 84% of responses from governors strongly support or support the proposals.

### 6.1.4 Responses from staff

**Consultation Q1)** Do you support or oppose the proposals to bring together Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland



Moor Junior School to form a single Church of England Voluntary Controlled all-through primary school with nursery provision for pupils aged 2-11?

<b>Table 7 Responses from individual staff at</b>	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	total	
Crosland Moor Junior	1	1					2	33%
Moor End Academy	3						3	50%
Thornton Lodge Nursery			1				1	17%
<b>Total</b>	<b>4</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>6</b>	
	<b>66%</b>	<b>17%</b>	<b>17%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>		

Table 7 shows the distribution of responses from individual staff. A total of 83% of responses from staff strongly support or support the proposals, the remaining 17% neither support nor oppose, no responses from staff oppose the proposals.

### 6.1.5 Responses from other respondents (including local residents)

**Consultation Q1)** Do you support or oppose the proposals to bring together Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School to form a single Church of England voluntary controlled all-through primary school with nursery provision for pupils aged 2-11

<b>Table 8 Responses of other respondents</b>	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	total	
Local residents	1		2		2		5	63%
Not stated					1		1	12%
Others	1	1					2	25%
<b>Total</b>	<b>2</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>8</b>	
	<b>25%</b>	<b>12%</b>	<b>25%</b>	<b>0%</b>	<b>38%</b>	<b>0%</b>		

Table 8 shows the distribution of responses from other respondents (including local residents). A total of 37% of responses strongly support or support the proposals. 25% neither support nor oppose and 38% strongly oppose.

Note. One response from this group of respondents has not been included as the type of response cannot be clearly determined.

### 6.2. Consultation question 2 - Summary of respondents by response type

**Consultation Q2)** Do you support or oppose the proposal to create a new primary academy on the site of Moor End Academy?

<b>Respondent</b>	<b>Number of responses</b>	<b>% of responses</b>
Parents/Carers	12	38%
Pupils	0	0%
Staff Members	6	19%
Governors	5	16%
Local Residents	5	16%
Other	3	9%
Not Stated	1	3%
	<b>32</b>	

Note. Some respondents have classified themselves as belonging to more than one stakeholder group and have therefore been counted in more than one group.

**Consultation Q2)** Do you support or oppose the proposal to create a new primary academy on the site of Moor End Academy?

	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	Total
	<b>7</b>	<b>6</b>	<b>1</b>	<b>3</b>	<b>12</b>	<b>0</b>	<b>29</b>

Note. The number of responses for stakeholders who have classified themselves as belonging to more than one group have only been counted once.

### 6.2.1 Responses of parents and carers

**Consultation Q2)** Do you support or oppose the proposal to create a new primary academy on the site of Moor End Academy?

	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	total	
Dryclough CE (VC) Infant School	1			1	3		5	39%
Crosland Moor Junior School	1			1			2	15%
Thornton Lodge Nursery	1	1					2	15%
Mount Pleasant Primary School				1			1	8%
Moor End Academy					1		1	8%
Not stated					2		2	15%
<b>Total</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>3</b>	<b>6</b>	<b>0</b>	<b>13</b>	
	<b>23%</b>	<b>8%</b>	<b>0%</b>	<b>23%</b>	<b>46%</b>	<b>0%</b>		

Table 11 shows the distribution of responses from parents and carers. A total of 31% of parents and carers strongly support or support the proposals. A total of 69% oppose or strongly oppose the proposals.

Note. One parent and carer has classified themselves as having children at two schools and therefore the response has been counted twice.

### 6.2.2 Responses of staff

**Consultation Q2)** Do you support or oppose the proposal to create a new primary academy on the site of Moor End Academy

<b>Table 12 Responses from individual staff at</b>	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	total	
Moor End Academy	1				2		3	50%
Crosland Moor Junior	1	1					2	33%
Thornton Lodge Nursery	1						1	17%
<b>Total</b>	<b>3</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>6</b>	
	<b>50%</b>	<b>17%</b>	<b>0%</b>	<b>0%</b>	<b>33%</b>			

Table 12 shows the distribution of responses from staff. 67% of staff responses strongly support or support the proposals. 33% strongly oppose.

### 6.2.3 Responses from governors

**Consultation Q2)** Do you support or oppose the proposal to create a new primary academy on the site of Moor End Academy?

<b>Table 13 Responses from individual governors at</b>	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	total	
Crosland Moor Junior	1	3					4	80%
Crow Lane Primary & Foundation Stage School					1		1	20%
<b>Total</b>	<b>1</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>5</b>	
	<b>20%</b>	<b>60%</b>	<b>0%</b>	<b>0%</b>	<b>20%</b>	<b>0%</b>		

Table 13 shows the distribution of responses from governors. 80% of responses from governors strongly support or support the proposals.

### 6.2.4 Responses from other respondents (including local residents)

**Consultation Q2)** Do you support or oppose the proposal to create a new primary academy on the site of Moor End Academy

<b>Table 14 Responses of other respondents</b>	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	total	
Local residents	1		1		3		5	62%
Not stated					1		1	13%
Other		1		1			2	25%
<b>Total</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>4</b>	<b>0</b>	<b>8</b>	
	<b>13%</b>	<b>13%</b>	<b>13%</b>	<b>13%</b>	<b>50%</b>	<b>0%</b>		

Table 14 shows the distribution of responses from other respondents including local residents. 26% of respondents strongly support or support the proposals. 13% neither support nor oppose. A total of 63% either oppose or strongly oppose the proposals.

Note. One response from this group of respondents has not been included as they type of response cannot be clearly determined.

### 6.3. Consultation question 3 - Summary of respondents by response type

**Consultation Q3)** There are 2 options for the admission policy for the new primary academy. Which option do you prefer?

<b>Table 15. Responses regarding the admission policy for the new primary academy</b>	<b>Option 1</b>	<b>Option 2</b>	<b>Don't Know</b>	<b>Total responses for question 3</b>	<b>% of responses</b>
Parents	7	1	4	12	38%
Governors	3	0	3	6	19%
Pupils	0	0	0	0	0%
Staff	2	1	3	6	19%
Local residents	1	1	3	5	16%
Other	0	0	2	2	6%
Not Stated	0	0	1	1	3%
<b>Total</b>	<b>13</b>	<b>3</b>	<b>16</b>	<b>32</b>	
<b>% of responses</b>	<b>41%</b>	<b>9%</b>	<b>50%</b>		

Note. Some respondents have classified themselves as belonging to more than one stakeholder group and have therefore been counted in more than one group.

Table 15 shows 41% of respondents have preferred Option 1, with 9% preferring Option 2. 50% of respondents were undecided.

**6.4 Key themes from the consultation responses.** All responses and notes of meetings are included in Appendix C and D. A wide range of complex views have been expressed on these proposals and the following sections of this report do not try and summarise all views expressed by respondents. The responses have been analysed to identify key themes and these have been summarised along with an officer commentary on the issues raised. Some responses raise important points as well as include helpful advice and information that would inform the ongoing process should the proposals be approved.

**6.5 Key themes raised in relation to Consultation Q1)** Do you support or oppose the proposals to bring together Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School to form a single Church of England Voluntary Controlled primary school with nursery provision for pupils aged 2-11? The key themes to this question are summarised in sections 6.5.1 to 6.5.8 below.

<b>6.5.1 Benefits of an all-through primary school</b>	
<b>Summary Responses</b>	
<p>Some respondents who either strongly supported or supported this proposal identified several benefits of a proposed all-through primary school. These included (but are not limited to) a reduction in the number of transition points for children, a reduction in the number of applications parents and carers would have to make for school places. Some of these respondents also explained that the proposal had the potential to raise standards and attainment and for an all-through primary school to work effectively with one single leadership team and governing body.</p> <p>These respondents also identified a range of actions and further detailed planning requirements that would be needed to ensure that the proposed all-through primary school would be a success should it be approved. These included (but are not limited to) how existing assets could be further utilised and invested in. To carefully consider the needs of the early learning</p>	<p>As the consultation document explains there are many potential benefits to all-through primary schools. There is strong evidence to suggest that the reduction in the number of transition points can improve educational outcomes for children and young people. The Council has successfully worked with several other pairs of infant and junior schools in recent years to amalgamate them into all-through primary schools. Evidence suggests that this has improved outcomes for young people.</p> <p>Officers from the Council would work collaboratively with the leadership from all of the three schools to ensure that the proposed all-through primary school would be developed to ensure successful outcomes for children and young people. The council has recently established several all-through schools and will be able to provide a wide range of support and relevant experience, to enable the successful development of the proposed all-</p>

and day-care provision that would form part of the proposed all-through primary school. To carefully consider road safety issues and for the Council to work strategically and collaboratively with the leadership from the three schools to effectively inform and contribute to the development of the proposed all-through school.	through primary school. In addition the council is able to provide expertise in supporting the provision of high quality sustainable early learning and childcare services as well as technical expertise and support with traffic management and road safety issues
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### 6.5.2 Benefits of an all-through primary school to the local community

Summary Responses	Officer Commentary
Many respondents who supported the proposal explained that an all-through primary school could benefit the local community without explaining in detail what these benefits could be.	<p>It is envisaged that the proposed all-through primary school would have an important role in the local community, as do the existing three schools now. The proposals aim to build on the existing strengths that already exist. The all-through school would ensure, alongside Mount Pleasant Primary School and the proposed new academy school that there are sufficient places for children from the local community that is future proofed for the projected pupil demographic. The school would continue to be a focal point for the community and be integral in ensuring local educational provisions work effectively both with each other as well as with local organisations and groups.</p> <p>As the work to develop Community Hubs continues there may be opportunities in the future to provide services in different ways.</p>

### 6.5.3 Increased continuity of education for children and young people

Summary Responses	Officer Commentary
Many respondents who supported or strongly supported the proposals identified continuity of education as an important factor, but also stressed the need for strong leadership in the proposed all-through school.	Increased levels of continuity and progress from early learning and key stage 1 through to key stage 2 is an important feature of an all-through primary school. The consultation document explains that a single school would enable common approaches to curriculum, planning, assessment and record keeping and that staff have longer to get to know the children and there would be a shared understanding of standards and expectations across the school. Should the proposals be

	approved, the appointment of a new head would be taken forward as soon as possible to lead the implementation process.
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#### 6.5.4 Size of the all-through primary school

Summary Responses	Officer Commentary
<p>Some concern was expressed about the proposed all-through school being too large and therefore impersonal and that the existing schools should remain as they are now.</p> <p>Concern was also expressed by these respondents over the adverse impact this may have on traffic.</p> <p>A concern was also expressed about their being a reduced number of places available and what that might mean for the size of classes in the future.</p>	<p>All-through schools provide an opportunity for staff to get to know children better as the children are in one school with a common approach over a longer period of time. The way a school is lead and organised means that systems can be put in place to ensure each child is known and valued as an individual.</p>

#### 6.5.5 Consultation document and process

Summary Responses	Officer Commentary
<p>Some respondents pointed out that the consultation document that explained the proposals may not have been able to have been fully understood by all stakeholders, given that many of the parents and carers in the three schools speak english as an additional language. Moreover that any disadvantages of an all-through primary schools were not pointed out in the consultation document.</p> <p>In addition a small number of other respondents felt that further work from the Council was required in order to improve the quality of engagement with all stakeholders to identify a wider range of views and options.</p>	<p>In addition to the consultation document the consultation process provided an opportunity through advertised consultation drop-in sessions to all stakeholders to discuss the proposals with officers from the Council to enable a greater understanding of the proposals to be achieved. Discussions have been held with a wide range of stakeholders during the consultation period, including parents and carers, members of the local community, governors and school staff.</p> <p>These proposals have been developed through close partnership working with schools and providers in Huddersfield South West.</p> <p>All options, including a full exploration of increasing the size of Mount Pleasant Primary</p>

These respondents explained that this could include adding an additional form of entry to Mount Pleasant Primary School that is proposed to be re-built under the Priority Schools Building Programme.	School have been considered prior to bringing forward the proposals for consultation. Technical feasibilities in relation to the size of the Mount Pleasant School site as well as associated planning constraints mean that it is not possible to increase the physical capacity of the school building.
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### 6.5.6 Traffic, congestion and safety

Summary Responses	Officer Commentary
Some respondents who strongly opposed this proposal raised concerns about the possibility of traffic and congestion being increased on Dryclough Road and in the area, which would be significant issue that would need careful consideration if the proposals were to be approved.	As the consultation document highlighted. The council will carefully consider road safety issues and ensure that appropriate extra measures in place to manage the impact of any potential increased levels of traffic congestion.

### 6.5.7 Investment to improve facilities in the proposed all-through primary school.

Summary Responses	Officer Commentary
Some respondents wanted to know if any money would be spent on the all-through primary school.	The proposed new all-through primary school is proposed to continue in the existing buildings and on the same sites as is now. The Council is committed to working with the leadership of the three schools to identify how existing accommodation, over time, could be utilised to the best possible effect should the proposal be approved. Modest investment that would support the organisational operation of the school and thereby support the amalgamation would need to be fully explored. It is anticipated that this would be carried out should the proposals be approved with the governing body and leadership team of the new school.

**6.6 Key themes raised in relation to Consultation Q2)** Do you support or oppose the proposal to create a new primary academy on the site of Moor End Academy?

### 6.6.1 Traffic, congestion, safety and environmental implications

Summary Responses	Officer Commentary
A significant level of concern was expressed by a large number of	The Council would look carefully at what the required measures would be required to



<p>respondents who both supported, opposed and neither supported or opposed the proposals over the potential for increased volumes of traffic on Dryclough Road, given the close proximity of several schools and as a consequence increased levels of traffic congestion, pollution, and disruption to local residents.</p>	<p>enable any potential increase in traffic, congestion, safety and environmental implications to be managed effectively. Road safety is of paramount importance. The Council would ensure that appropriate extra measures are in place should the proposal be approved. Details of these measures would become available in due course as detailed planning takes place for the new school building.</p> <p>As the consultation document explains, the proposals seek to ensure that there are sufficient places for local families whilst minimising the need for travel, whilst encouraging parents, carers and children to walk to school.</p>
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<b>6.6.2 Leadership and staffing issues</b>	
<b>Summary Responses</b>	<b>Officer Commentary</b>
<p>Respondents who oppose or strongly opposed the proposal raised questions about who would lead the proposed new primary academy school and to ensure that the proposed new school had a stable and robust staffing structure</p>	<p>Kirklees Council will invite proposals from groups and sponsors who might be interested in running the new primary academy. Ensuring the right expertise will be of key importance. Leadership of the proposed new primary academy would be expected to be demonstrated as part of this process. An ambitious vision for the school and setting high expectations for pupil attainment and achievement as well as high standards for quality and performance will need to be evidenced. It will be imperative that the successful proposer will have a proven track record in outcomes for young people as well as the capacity for sustaining improvement by developing leadership and high professional standards among all staff.</p> <p>The Schools Commissioner, on behalf of the Secretary of State is the decision maker of who the successful proposer will be. The Secretary of State will consider the assessments and preferences of the LA carefully. The intention is to ensure that the school is always established by the best proposer possible.</p>

### 6.6.3 Demand for learning places

Summary Responses	Officer Commentary
<p>Respondents who supported the proposals identified that there is a need for more primary pupil places that meet demand in the local area.</p> <p>However some concern was expressed regarding the timing of the proposed changes to admission numbers, for the proposed new all-through primary school in order to provide greater continuity to children and families, whilst the proposed new primary academy building is developed.</p> <p>Some respondents raised the matter of sufficient early education (including school nursery) and childcare places and the opportunities that may be available about where these could be located in the future.</p>	<p>There is a clear demonstrable need for additional pupil places in Huddersfield South West following analysis of the future projected pupil demographic, for both now and into the future in relation to housing developments locally. The proposals would enable the Council to meet its legal duty and ensure there are sufficient school places for local families.</p> <p>The proposed implementation date for the proposals is May 2016, with the admissions into Reception in September 2016 being the first time additional places are available at the new academy school and a reduction in places at the all-through Church of England voluntary controlled primary school. The new academy building would not be ready until September 2017 at the earliest and so the school would be proposed to open in temporary accommodation. The proposed implementation dates are to enable the additional places to be available in line with projected demand. The quality of physical accommodation that would be made available would be suitable in the interim period. Further considerations could be given to the phasing of implementation for the new places before a final decision is made.</p> <p>There is no direct link between a school PAN and the number of nursery places offered. Around half of nursery places are offered by the private and voluntary sector and many primary schools do not have nursery provision. What is important is that that there are sufficient good quality early education and childcare places (including nursery places) available in an area. Evidence shows that there are currently sufficient places in Thornton Lodge / Crosland Moor areas.</p> <p>Under the Education Funding Agency managed school re-building programme nursery space will be provided to ensure there is sufficient</p>

	space for the current 78 nursery places. To increase this would require significant capital investment from the council for which there is no evidence base to support.
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**6.7. Key themes raised in relation to Consultation Q3) There are 2 options for the admission policy for the new primary academy. Which option do you prefer?**

<b>6.7.1 Option 1 - Priority admission area shared by the proposed new primary academy and the proposed new voluntary controlled all-through primary school.</b>	
Summary Responses	Officer Commentary
Respondents who preferred this option view it as fairest option to ensure equality of access and provision for local families.	<p>Any admission policy and oversubscription criteria for the new academy would need to be compliant with School Admission Code 2014.</p> <p>The aim of establishing additional school places for the Huddersfield South West area is to ensure there are sufficient high quality places that are available to serve the local community and that those living locally to the school have a higher priority. By suggesting that the new academy shares the same Priority Admissions Area (PAA) with the proposed all-through Church of England voluntary controlled school would mean local families would have a higher priority for 2 local schools.</p> <p>The proposals aim to complement the existing school provision and the Council wish to ensure that this is reflected in the admissions policy.</p>

<b>6.7.2 Option 2 – New primary academy not to have a priority admission area, but for oversubscription criteria to be measured in a straight line.</b>	
Summary Responses	Officer Commentary
Some concerns were raised that under Option 1 some parents and carers may want their children to attend the proposed new primary academy which could have a detrimental impact on admissions into the proposed all-through Church of England voluntary controlled primary school.	<p>Not all schools operate an oversubscription policy where there is a Priority Admission Area (PAA). The allocation of school places takes into account parental preference.</p> <p>The proposals aim to complement existing school provision and the Council wish to ensure that this is reflected in the admissions policy.</p> <p>The aim of the proposals are to ensure there are sufficient places available across the Huddersfield area and are part of a strategic approach to school place planning.</p>

## **7. Conclusions to be drawn from the statutory consultation**

The main conclusions to be drawn from the consultation are:

### **7.1 Bring together Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School as one primary school for children aged 2 to 11.**

The majority of respondents either strongly supported or supported this proposal. However a modest number of respondents strongly opposed the proposals, or neither supported nor opposed the proposals. Respondents who supported the proposals identified several benefits associated with all-through schools. These included a reduction in the number of transition points, increased levels of continuity and also providing the opportunity for teaching staff to get to know the children for longer and thus help to raise educational outcomes.

Many respondents who were both supportive and in opposition to the proposals, expressed significant levels of concern over the possibility of increased levels of traffic congestion and also road safety. Respondents wanted assurances that the Council would implement the right measures to mitigate potential impacts to ensure the safety of children and members of the local community.

The Leeds Diocesan Board of Education having reviewed the full responses to the consultation and, subject to Cabinet approval to moving the statutory processes to the next stage, is supportive of publishing linked proposals to establish a replacement all through Church of England Primary School.

### **7.2 Create a new primary school located on the same site as Moor End Academy**

There was a mixed response to this proposal, with broadly equal levels of support and opposition. Respondents supporting the proposal acknowledged the need for additional school places in the Huddersfield South West area. Respondents wanted to see strong and effective leadership as being a key feature of the proposed new primary academy.

A significant level of concern was expressed by a large number of respondents who both supported, opposed and neither supported or opposed the proposals citing the potential for higher levels of traffic on Dryclough Road and increased levels of traffic congestion, pollution, and disruption to local residents. It will be important to articulate in detail the mitigations that will need to be put in place as part of the planning process that give assurances to the local stakeholders about their concerns.

### **7.3 Admissions policy for the proposed new primary academy school**

There was a mixed response to the options presented, with many respondents stating that they did not know which option they preferred from those presented.

However from those responses received some support was expressed for **Option 1. i.e. for the priority admission area shared by the proposed new primary academy and the proposed new voluntary controlled all-through primary school.** Respondents who expressed a preference for this option felt that it provided a more equitable mechanism for determining admissions than Option 2.

In comparison there was significantly less preference expressed from respondents for **Option 2. i.e. the new primary academy not to have a priority admission area, but for oversubscription criteria to be measured in a straight line.**

Those respondents who preferred option 2, or 'did not know' expressed concern over the impact that option 1 may have on the proposed new all-through primary school and that under option 1 parents and carers would opt to choose a brand new school building that is proposed to be developed for the primary academy school.

## **8. Implications for the council**

### **8.1 Council priorities**

Council policies affected by this proposal include the Children & Young People Plan. The proposals will support the Council priorities which are;

**Health and wellbeing in Kirklees:** By 2020, no matter where they live, we want people in Kirklees to live their lives confidently, in better health, for longer and experience less inequality.

**A strong economy for Kirklees:** We want Kirklees to be recognised as the best place to do business in the north of England and as a result one where people prosper and flourish in all of our communities.

### **8.2 Human Resources implications**

There are likely to be Human Resource implications resulting from the proposals affecting Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School. To support positive arrangements to retain staff as part of amalgamating schools, Kirklees HR officers will provide technical advice and support any processes where required.

### **8.3 Financial Implications**

The education budget that the Council receives from government can only be spent on education – so the proposals have no revenue impact for the Council. The budget received by a school is mainly determined by the number of pupils and this is not intended to change as a result of these proposals. Locally, individual schools receive annual lump sum funding of £130,000. When an amalgamation happens the continuing school receives the £130,000 lump sum as normal but also receives reducing transitional funding support linked to the previous number of school lump sums for a maximum of four years following the merger to phase out the previous level of funding. Similarly, under the Kirklees early years funding formula Nursery Schools receive lump sum funding on top of pupil place funding in recognition of their limited size to support the additional costs including premises and the curriculum. This is estimated at £153,391 for Thornton Lodge Nursery School in 2015/16. Again,

should amalgamation take place, certain transitional funding arrangements would apply.

Establishing brand new provision would qualify for “start-up” and “growth” funding from the Dedicated Schools Grant to cover the establishment and the DSG would also need to support running costs until the 2016-17 financial year when funding would be triggered by the pupil census of the number of pupils on roll. As the provision would enlarge by an additional year group each subsequent year until a full Reception to Year 6 complement of pupils was admitted to the school, further growth funding would be provided.

### **Capital**

Significant capital investment of “basic need” capital funding would be required to establish the new school building for the new primary academy South West Huddersfield.

Officers from Physical Resources and Procurement would bring option appraisals and estimated costings to Cabinet to support decision making at the next stages of the statutory process. The Council’s Capital Plan was approved on 18th February 2015 and contains sufficient overall funds to accommodate the cost of these proposals. Officers will revise the detail of the plan in July 2015 as more detailed proposals are developed.

### **8.4 Information technology (IT) implications**

There are no IT implications in relation to this report.

### **9. Consultees and their opinions**

The consultation has engaged with a wide range of interested parties including; families of pupils, school staff, governors, The Leeds Diocesan Board of Education, healthcare professionals, members of the community and elected members. The full range of stakeholders that were provided with consultation materials is detailed in Appendix A.

## 10. Next steps

The table below shows the next steps and indicative timescales involved should cabinet approve the officer recommendations.

Establishing a new all-through primary academy		Amalgamating Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School	
Timeline	Activity		Timeline
June 2015	Consultation outcomes to Cabinet	Consultation outcome report to Cabinet	June 2015
July 2015	Publish the invitation to bid and seek proposals from academy sponsors to run the new academy school	Publication of statutory notices and proposals and period of representation	July 2015
August - September 2015	Engagement with Department for Education and locally preferred proposer	N/A	
September-October 2015	Department for Education Sponsor approval	N/A	
October 2015	Successful proposer consultation on whether they should enter into a funding agreement for the new school with the Secretary of State	Report to Cabinet for final decision about proposals	October 2015
October 2015-August 2016	Pre-opening processes	Preparation processes for amalgamation	October 2015-March 2016
From May 2016	Implementation (new build would follow)	Implementation	From May 2016

\*Timescales are indicative and are subject to change

## 11. Officer recommendation and reasons

### 11.1 Amalgamating Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School

Members are requested to:

Note the feedback in response to the statutory consultation and the officer commentary that addresses the key themes that have been raised.

Note that the consultation process has not raised any new significant issues that have not already been considered that would suggest the proposals should not be taken forward.

Note that the Members of the Leeds Diocesan Board of Education are content to act as the Proposer of the new school within the Diocese of West Yorkshire and the Dales, and, that the officers of the Leeds Diocesan Board of Education will work closely with the officers of the Local Authority, governors and staff of the three schools to bring about the successful implementation of this proposal.

Approve that officers move to the next stage of the process and publish the statutory proposals and notices to bring together Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School as a single all-through voluntary controlled primary school for children aged 2 to 11 by;

- Discontinuing Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School and;
- Establishing a new replacement Church of England voluntary controlled primary school proposed by the Diocese of West Yorkshire and the Dales.

Request that officers carry out preliminary and preparatory work with officers of the Leeds Diocesan Board of Education, parents, governing bodies and staff to enable a successful implementation, if the proposals are finally agreed, by engaging relevant parties as widely as possible in planning the changes and in building confidence in the future cohesive and inclusive provision in the community.

Approve that officers carry out further engagement with stakeholders as part of the period of representation and invite further comments for consideration prior to final decision making.

Note the next steps and timescales for the subsequent stage of the statutory process and that a final decision would be required by Cabinet as the decision maker following the representation period.

## **11.2 Establishing a new primary academy on the site of Moor End Academy**

Members are requested to:

Note the feedback in response to the consultation and the officer commentary that addresses the key themes that have been raised.

Note that the consultation process has not raised any new significant issues that have not already been considered that would suggest the proposals should not be taken forward.

Approve that officers move to the next stage of the process which is to engage with the Department for Education and publish an invitation to bid document, in line with statutory requirements and proactively seek proposals from academy sponsors.

Request that officers carry out preliminary and preparatory work with parents, governing bodies and staff to enable a successful implementation, if the proposals are finally agreed, by engaging relevant parties as widely as possible in planning the changes and in building confidence in the future cohesive and inclusive provision in the community.

Request that officers continue to carry out preliminary and preparatory work in relation to the interim building solution that would be required for September 2016 and the permanent solution that would be required overall to deliver the proposals if approved.



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

I welcome the responses received as part of the statutory consultation period. This has given parents and carers, school staff, governors, a range of other interested parties the opportunity to feedback their views about the proposed changes for the future organisation of primary schools in Huddersfield South West.

I would like to thank all those who have responded to the proposals and to acknowledge their careful thought and active engagement in this consultative process.

I have taken time to consider carefully all the views that have been expressed and are grateful for the comments and suggestions.

The Council is keen that the highest quality provision is available fairly to all children to ensure that they have the very best educational experience. We are pleased to receive the positive feedback and support for these proposals that aim to secure high quality school places are available to serve the local area both by bringing together and building on the superb provision we already have, as well as securing new and additional places by building and investing a new school building.

We recognise that further engagement will be required with parents and carers, governors, school staff and local stakeholders at each stage of the processes and would encourage all to get involved to help shape the local provision should a final decision be made to go ahead.

It is for these reasons that we support the officer recommendations in section 11 above which is to move to the next stages of the process which is to publish statutory proposals and notices to amalgamate Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School and work collaboratively with the Diocese of West Yorkshire and the Dales to establish a new replacement Church of England voluntary controlled primary school, and, to invite interested sponsors to put in proposals to establish a new primary academy on the site of Moor End Academy.

## **13. Contact officers**

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Deputy Assistant Director-Learning and Skills: LA Statutory Duties  
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Assistant Director  
Gill Ellis  
Assistant Director for Learning and Skills  
Directorate for Children and Adults  
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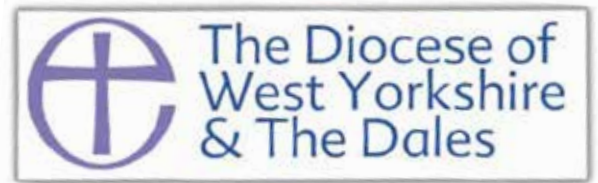
#### **14. Background papers**

- Cabinet Report 24/03/2015 Primary pupil places in the Huddersfield South West area
- “Securing sufficient school places to enable access for children and young people to an excellent local education system”. Kirklees May 2013 and June 2014

## Appendix A: Consultation distribution list

<b>Kirklees Council Officers</b>	Chief Executive Director for Economy Skills and the Environment Director for Resources Director for Children and Young People Director for Communities, Transformation and Change Director for Commissioning, Public Health and Adult Social Care Assistant Director for Learning Assistant Director for Commissioning and Health Partnerships Assistant Director for Family Support and Child Protection Assistant Director for Social Care and Wellbeing for Adults	Adrian Lythgo Jacqui Gedman David Smith Alison O'Sullivan Ruth Redfern Richard Parry Gill Ellis Keith Smith Paul Johnson Sue Richards
<b>Kirklees Learning service</b>	School Governor service	
<b>Ward members for</b>	Greenhead, Crosland Moor and Netherton	
<b>Dioceses</b>	Diocese Of Leeds Diocese Of Wakefield	
<b>Further Education Colleges</b>	Greenhead College Huddersfield New College	Kirklees College
<b>Kirklees Human Resources</b>	Head of HR HR manager	
<b>Kirklees Information, Advice and Support Service (SEND)</b>	Choice Advice	
<b>University</b>	University of Huddersfield	
<b>MPs</b>	Jason McCartney MP Simon Reeve MP	Barry Sherman MP Mike Wood MP
<b>DfE</b>	School Organisation Unit	
<b>Neighbouring LAs</b>	Barnsley Council..... Calderdale Metropolitan Borough Council..... Calderdale Metropolitan Borough Council..... City Of Bradford Metropolitan District Council..... City Of Bradford Metropolitan District Council..... Leeds City Council..... Leeds City Council..... Oldham Council..... Wakefield Metropolitan District Council..... Wakefield Metropolitan District Council.....	School Organisation School Organisation Director Of children's Services Director of children's services Principle research & policy Director of children services Education Leeds Assistant Executive Director Director Of children's Services School Organisation
<b>The Children's Trust Board Members</b>	Calderdale & Hudds NHS Foundation Trust Kirklees Active Leisure National Children's Centre Calderdale & Kirklees Careers Primary Pupil Referral Service The Mid Yorkshire Hospitals NHS Kirklees University of Huddersfield West Yorkshire Police	West Yorks Fire & Rescue Authority Kirklees College North Kirklees Clinical Commissioning Group Clinical Commissioning Group Children & Adults Services Locala Community Partnerships Job Centre Plus South West Yorkshire Partnership NHS West Yorkshire Probation Trust
<b>Professional Associations and Unions</b>	AEP ASCL ASPECT ATL GMB NAHT	NASUWT NUT UNISON UNITE VOICE THE UNION
<b>Parents and carers of pupils at</b>	Moor End Academy Crosland Moor Junior School Mount Pleasant Primary School Dryclough CE (VC) Infant School	

	Thornton Lodge Nursery School
<b>Governors and staff at</b>	Moor End Academy Crosland Moor Junior School Mount Pleasant Primary School Dryclough CE (VC) Infant School Thornton Lodge Nursery School
<b>All primary schools in a 2 mile radius Head + Chair of Governors</b>	Beech EY I & J School Berry Brow I & N School Birkby I & N School Birkby Junior School Cowlersley Primary School Crow Lane Primary & FS School Golcar J I & N School Hillside Primary School Honley CE(VC) I & N School Honley CE(VC) Junior School Lindley CE(VA) Infant School Lindley Junior School Linthwaite Ardron CE(VA) J & I School Linthwaite Clough J I & Early Years Unit Netherton I & N School Newsome Junior School Paddock J I & N School Reinwood Community Junior School Reinwood Infant and Nursery School South Crosland CE(VA) Junior School St John's CE(VA) J & I School St Patrick's Catholic Primary, Huddersfield Spring Grove J I & N School Wellhouse Junior and Infant School
<b>High schools in a 3 mile radius Head + Governors +staff and display</b>	Almondbury Community School Colne Valley Specialist Arts College Honley High School King James's School Netherhall Learning Campus High School Newsome High School North Huddersfield Trust School Royds Hall Community School Salendine Nook High School
<b>Child Care providers</b>	in the Crosland Moor and Netherton Ward
<b>Libraries</b>	Huddersfield Library
<b>Community Centres</b>	Crosland Moor Community Centre Lockwood Conservative Club Huddersfield Rugby Union Football Club Rawthorpe Community Centre Netherton Moor Community Centre Netherton Village Hall Crosland Moor Scout Headquarters Pakistani Association Thornton Lodge Community Centre Crosland Hill Methodist Church, Crosland Moor St Barnabas Church and Church Hall



## A consultation about primary pupil places in Huddersfield South West

- Bring together Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School and create one primary school.
- Create a new primary academy school on the site of Moor End Academy.
- Retain Mount Pleasant Primary School.

This consultation document tells you the reasons for our proposals and how the decision making process works. Please take time to read the document and tell us your views and comments on the attached consultation response form at the back of this booklet.

The closing date for responses is  
**Friday 5 June 2015**

# Why are we making these proposals?

Kirklees Council has a legal duty to make sure that there are enough high quality school places to meet the needs of Kirklees families and communities. This is described as 'basic need'.

The school age population in Kirklees has been increasing over the last decade. Data shows that there is a need for additional primary school places in Huddersfield South West, ready for September 2016.

The proposals described in this consultation document have been developed in close partnership with schools and providers in Huddersfield South West.

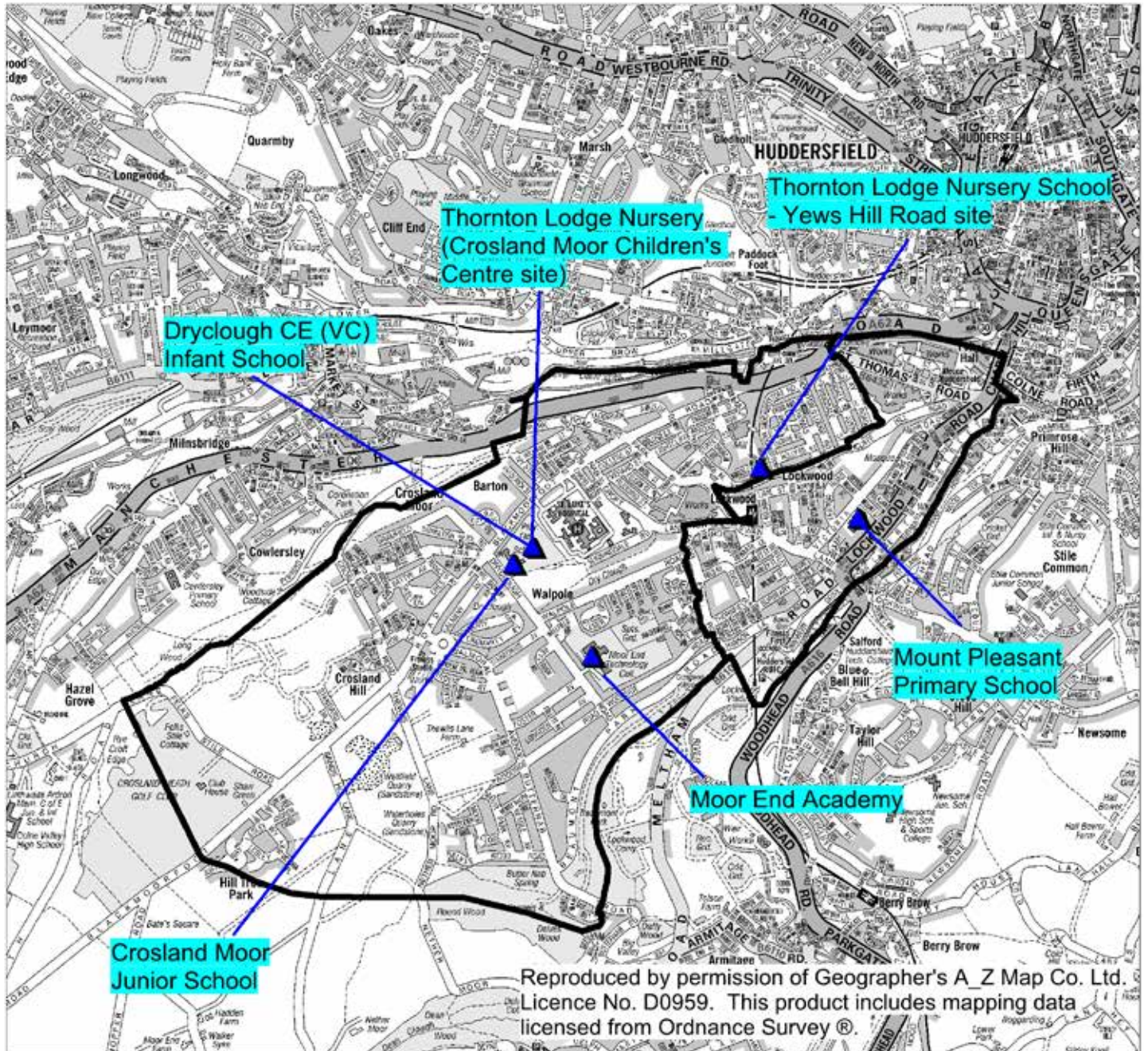
They are designed to meet the additional demand for primary school places, whilst achieving the highest possible standards of care and education for children and their families in the area.

## The current pattern of primary and secondary schools in Huddersfield South West

- Dryclough CE (VC) Infant School provides education for 4 to 7 year olds. The Published Admission Number (PAN) is 140 – this means the school can admit 140 pupils per year group. The school is federated with Thornton Lodge Nursery School, this means that there is one governing body and leadership team responsible for both schools.
- Thornton Lodge Nursery School provides education for 130 part-time early learning places (nursery children aged 3-4 years) and has 52 full-time flexible childcare places which can be used for a mixture of early learning and fee paying childcare places (children aged 2-5 years).
- Crosland Moor Junior School provides education for 7-11 year olds with a PAN of 150 pupils per year group.
- Mount Pleasant Primary School provides education for 3-11 year olds (including nursery provision) with a PAN of 90 pupils per year group for ages 4-11. There are also up to 78 part-time nursery places.
- Moor End Academy provides secondary education for 11-16 year olds with a PAN of 180 pupils per year group.



# Where are the existing schools serving Huddersfield South West?



# The proposals

## **Proposal 1: Bringing together Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School**

This is a proposal to establish a new all-through Church of England voluntary controlled primary school with nursery provision:

- To cater for children aged 2 to 11.
- With a PAN of 120 pupils per year group for 4-11 year olds (from reception 2016), and over time retaining 840 primary school places in total.
- Retaining 130 part-time early learning places (nursery children aged 3-4 years) as well as:
- Retaining the existing 52 full-time flexible childcare places which can be used for a mixture of early learning and fee paying childcare places (children aged 2-5 years).

'Bringing together' means joining all three schools into a single school with one governing body and head teacher.

Dryclough CE (VC) Infant School is a Church of England voluntary controlled school. Education law says that the new school would need to retain voluntary controlled status. The fairest way to bring the schools together would be:

- The Council proposes the technical 'closure' of Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School.
- The Diocese of West Yorkshire & The Dales propose a new replacement all-through Church of England Voluntary Controlled primary school. The new school would continue in the existing buildings and on the same sites as are being used now.

However, the new school would be created as part of this legal process and would open on the same day that the existing schools were technically closed. It would continue in the existing buildings and on the same sites in which the three current schools are located. There would be no interruption to the education of children at the three schools.

The new replacement primary school would have 120 places per year group and 840 places in total from reception through to Year 6. This would happen over time, starting with 120 reception places in September 2016.

The table opposite illustrates how total pupil numbers, from reception through to Year 6, would change each year. The numbers would fall annually until settling at 840 (ie. 120 places per year group). However, another proposal outlined in this document would provide an extra 630 places elsewhere in Huddersfield South West. This means there would be an overall increase across the area, meeting the needs of the local community.

It is important to note that all pupils attending Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School would automatically become part of the new all-through primary school. Children who are in key stage 1 would be there until the end of Year 6, giving continuity throughout their time at primary school.



	Dryclough CE (VC) / key stage 1			Crosland Moor Junior / key stage 2				Total primary pupils
	reception	Y1	Y2	Y3	Y4	Y5	Y6	
2015-16	140	140	140	150	150	150	150	1020
All-through CE (VC) primary school from 1 May 2016								
	reception	Y1	Y2	Y3	Y4	Y5	Y6	
2016-17	120	140	140	150	150	150	150	1000
2017-18	120	120	140	150	150	150	150	980
2018-19	120	120	120	150	150	150	150	960
2019-20	120	120	120	120	150	150	150	930
2020-21	120	120	120	120	120	150	150	900
2021-22	120	120	120	120	120	120	150	870
2022-23	120	120	120	120	120	120	120	840
2023-24	120	120	120	120	120	120	120	840

Diagram illustrating how the proposed overall statutory school age pupil numbers would reduce over successive school years as each new reception class joins the school, to give 7 year groups of 120 pupils ie 840 pupils in total.

## Why create an all-through primary school with nursery provision?

The proposal provides an opportunity to explore reducing transition points i.e. the number of changes children make when they transfer from a pre-school setting to foundation stage, to key stage 1 and through to key stage 2. A reduction in transition points can improve educational outcomes. The council has already worked with school leaders, governing bodies, and where applicable The Diocese of West Yorkshire & The Dales, to successfully establish several all-through primary schools.

By bringing the schools together, there would be the opportunity to build on the existing strengths of all three schools to support the improvement of educational outcomes for children.

## The benefits of all-through primary schools

- Improved continuity and progress from Early Learning and key stage 1 to key stage 2 through smoother transition. For example, a single school would have common approaches to curriculum planning, assessment, record keeping and target setting. Staff have longer to get to know the children. Most importantly, the school would have a shared understanding of standards and expectations.
- More flexibility and opportunities to meet individual pupil needs by tailoring learning experiences. For example, Year 3 children who require further experience of the key stage 1 curriculum and more able Year 2 children requiring the challenge of the key stage 2 programmes can be catered for. It means a wider range of resources can be shared and common themes developed across the school. This curriculum flexibility can be particularly important for children with Special Educational Needs.
- More opportunities for social development. For example, older children can have some appropriate pastoral responsibility for younger children, which can impact positively on whole school behaviour and children's self-esteem. Vulnerable children and their parents and carers have greater security from a consistency of staff and provision.
- More consistency in terms of policies and practice. The school improvement agenda is led by a single leadership team and governing body.

- Closer contact for parents and carers with school staff over a longer period of time. A more continuous relationship between the school, parents, carers and outside agencies can ensure that all pupils, but particularly those with special needs, are supported effectively from the Foundation Stage through to the end of Year 6.
- More opportunity for children to attend the same school as older or younger brothers and sisters.
- Increased opportunities for staff to work with a larger team, thus supporting professional development and providing further opportunities to take on new responsibilities.
- More effective use of the accommodation, facilities and resources.
- Reduced duplication and economies of scale in the management of budgets.

## A word from The Diocese of West Yorkshire & The Dales Board of Education

The Diocese of West Yorkshire & The Dales Board of Education welcomes and supports the collaborative way in which the proposals have been developed between Kirklees Council and the three schools.

### What would the admissions policy be for the all-through school?

As a voluntary controlled school, the new all-through primary school would continue to operate admissions in line with the Kirklees Council policy.

Children would not need to fill out a transfer form between key stage 1 and key stage 2 which would mean children who start in reception would be able to remain there until the end of Year 6, giving continuity throughout their time at primary school.

The proposed Priority Admission Area (PAA) for the new school is proposed to be the same as Dryclough CE (VC) Infant School and Crosland Moor Junior School (please see map on page 2).

## How would the proposed changes affect my child presently attending Thornton Lodge Nursery School?

1 May 2016 is the proposed date to establish the proposed all-through Church of England Voluntary Controlled Primary School.

Those children who are due to start full-time school in a reception class in September 2015 (children with dates of birth between 1 September 2010 and 31 August 2011) will transfer to the places that were allocated on offer day.

Children currently under four years old attending nursery/child care places at Thornton Lodge Nursery School, at the Dryclough Road site or at the Yews Hill Road site would continue to do so, should the new primary school be established on the 1 May 2016.

**In-line with current policy, there would be no automatic transfer from the nursery to the reception class and parents would still need to complete an application form at the appropriate time.**

Those children who are due to start full-time school in a reception class in September 2016 (children with dates of birth between 1 September 2011 and 31 August 2012) will need to complete an application for full-time school by the closing date of 15 January 2016. Children would then transfer to the places that will be allocated on offer day.

Those children who are due to start full-time school in a reception class in September 2017 (children with dates of birth between 1 September 2012 and 31 August 2013) will need to complete an application for full-time school by the closing date of 15 January 2017. Children would then transfer to the places that will be allocated on offer day.

Those children who are due to start full-time school in a reception class in September 2018 (children with dates of birth between 1 September 2013 and 31 August 2014) will need to complete an application for full-time school by the closing date of 15 January 2018. Children would then transfer to the places that will be allocated on offer day.

## How would the proposed changes affect my child currently attending Dryclough CE (VC) Infant School?

52

1 May 2016 is the proposed date to establish the proposed all-through CE (VC) primary school.

It is proposed that children that are educated in the current infant school building would continue to do so up to the end of year 2, should the proposals be implemented.

The chart below shows how the changes would affect pupils each year as they progress through to the proposed all-through CE (VC) primary school. Find the current year group of your child and follow the row across from September 2014.

School Year beginning	Sept 2014	Sept 2015	*1 May 2016 Proposed implementation date for all-through CE (VC) primary school	Sept 2016	Sept 2017	Sept 2018	Sept 2019	Sept 2020
Current Reception Year at Dryclough CE (VC) Infant School	Dryclough CE (VC) Infant School	Year 1 (Age 6)	Year 1 (Age 6)	Year 2 (Age 7)	Year 3 (Age 8)	Year 4 (Age 9)	Year 5 (Age 10)	Year 6 (Age 11)
	Crosland Moor Junior School (or other Key Stage 2 choices)							
Current Year 1 at Dryclough CE (VC) Infant School	Reception (Age 5)	Year 1 (Age 6)	Year 2 (Age 7)	Year 3 (Age 8)	Year 4 (Age 9)	Year 5 (Age 10)	Year 6 (Age 11)	Transfer to secondary (Key Stage 3) choices
Current Year 2 Dryclough CE (VC) Infant School	Year 1 (Age 6)	Year 2 (Age 7)	Year 3 (Age 8)	Year 4 (Age 9)	Year 5 (Age 10)	Year 6 (Age 11)	Transfer to secondary choices	

## How would the proposed changes affect my child currently attending Crosland Moor Junior School?

1 May 2016 is the proposed date to establish the proposed all-through CE (VC) primary school.

It is proposed that children that are educated in the current junior school building would continue to do so up to the end of year 6, should the proposals be implemented.

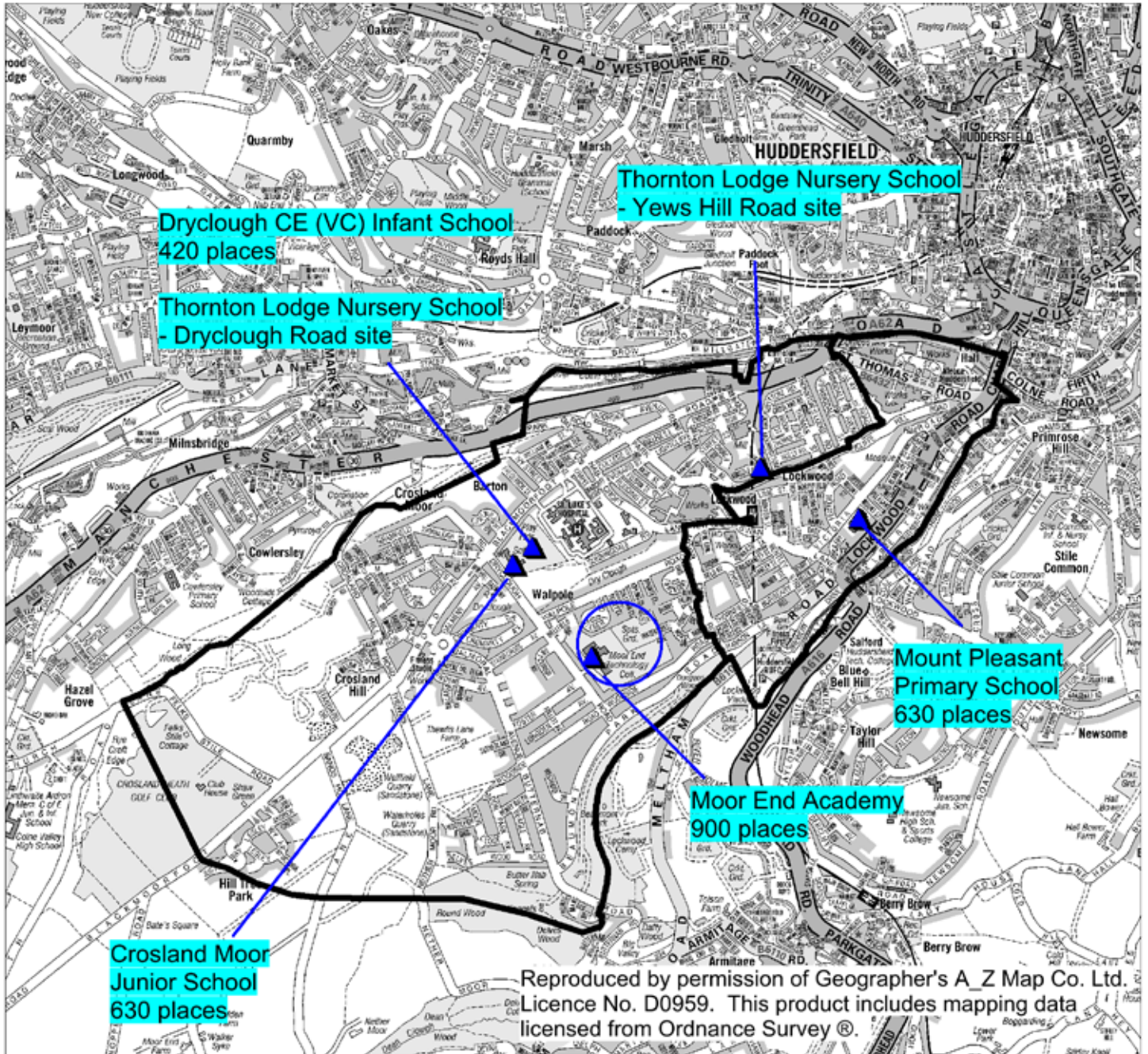
The chart below shows how the changes would affect pupils each year as they progress through to the proposed all-through CE (VC) primary school.

Find the current year group of your child and follow the row across from September 2014.

School Year beginning	Sept 2014	Sept 2015	*1 May 2016 Proposed implementation date for all-through CE (VC) primary school	Sept 2016	Sept 2017	Sept 2018
	Crosland Moor Junior School			proposed all-through CE (VC) primary school		
Current year 3 at Crosland Moor Junior School	Year 3 (Age 8)	Year 4 (Age 9)	Year 4 (Age 9)	Year 5 (Age 10)	Year 6 (Age 11)	Transfer to secondary (Key Stage 3) choices
Current year 4 Crosland Moor Junior School	Year 4 (Age 9)	Year 5 (Age 10)	Year 5 (Age 10)	Year 6 (Age 10)	Transfer to secondary (Key Stage 3) choices	
Current year 5 Crosland Moor Junior School	Year 5 (Age 10)	Year 6 (Age 11)	Year 6 (Age 11)	Transfer to secondary (Key Stage 3) choices		
Current year 6 Crosland Moor Junior School	Year 6 (Age 11)	Transfer to secondary (Key Stage 3) choices				

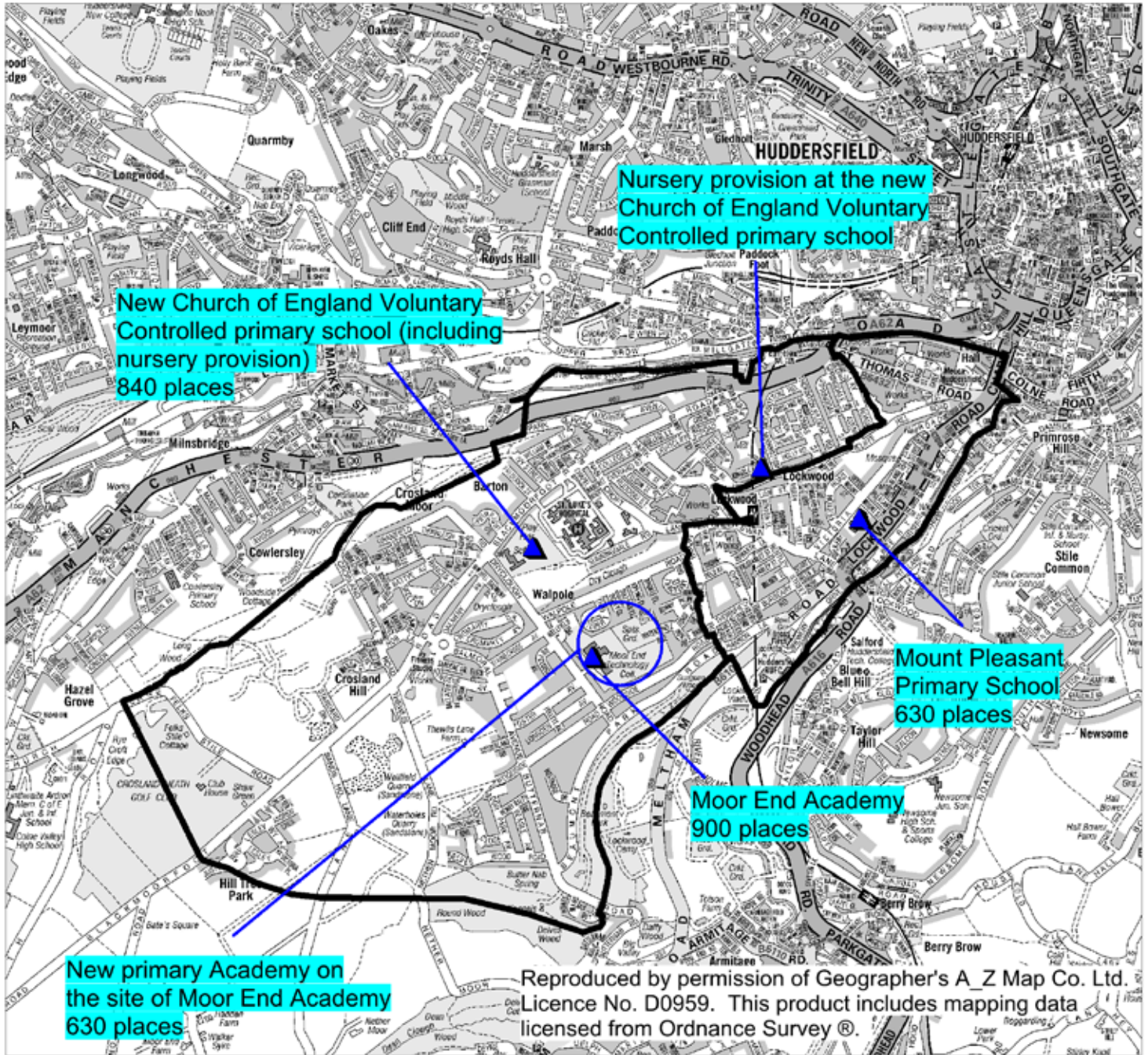


# Map to show current provision of school places and location in Huddersfield South West





# Map to show proposed provision of school places and location in Huddersfield South West



## How would the proposals impact upon travel?

Should the proposals be approved for implementation then it is expected that that there would be no impact on travel for parents and carers of children attending the three schools. This is because no buildings are proposed to close as part of these proposals.

## What would happen to staff?

Staff would be organised within the new school in a way that best supports the needs of the children and the community. It is anticipated that staff at all three schools would be employed within the all-through primary school.

Any future change to the staffing structure would be fully consulted on and endorsed by the governing body of the new school.

## What would happen to governors?

If the decision is made to go ahead with the proposals, the existing governing bodies will continue to govern their separate schools until the implementation date and will also work in collaboration towards establishing the all-through primary school by setting up a temporary governing body. The temporary governing body would be made up from members of the governing bodies of each of the existing schools. It would be responsible for working on the staffing structure and for supporting a smooth transition to the new arrangements.

## Proposal 2: Create a new primary academy school on the site of Moor End Academy

To meet the need in the area, it is proposed to establish a new 630-place primary school in a new building using part of the Moor End Academy site. Moor End Multi Academy Trust has given their agreement in principle for part of the site to be utilised for this purpose.

- To cater for children aged 4-11.
- With a PAN of 90 pupils per year group for 4-11 year olds, from reception 2016 providing 630 primary school places in total.

The primary places would be built up in stages, starting with a 90-place reception class in September 2016, and increasing year by year over 6 further years as the primary pupils progress through the school. This would result in a three-class entry, 630 place primary provision. The table below shows how this would be implemented.

	infant/key stage 1			junior /key stage 2				Total primary pupils
	reception	Y1	Y2	Y3	Y4	Y5	Y6	
2016-17	90							90
2017-18	90	90						180
2018-19	90	90	90					270
2019-20	90	90	90	90				360
2020-21	90	90	90	90	90			450
2021-22	90	90	90	90	90	90		540
2022-23	90	90	90	90	90	90	90	630
2023-24	90	90	90	90	90	90	90	630

Diagram illustrating how the proposed pupil numbers would build up over successive school years as each new reception class joins the school, to give 7 year groups of 90 pupils ie 630 pupils in total.



Up to 30 of the places that are proposed are places that would have been available at Dryclough CE (VC) Infant School and Crosland Moor Junior School. This means that over time there are an extra 60 new primary places per year to serve the Huddersfield South West area.

Current legislation for establishing new schools (The Education Act 2011) means that the new school would be an academy (more information can be found at [www.gov.uk/government/publications/academy-and-free-school-presumption](http://www.gov.uk/government/publications/academy-and-free-school-presumption)).

The new school would be part of the Kirklees Family of Schools and work collaboratively with other schools and providers in the area as well as the council.

The new school would not be maintained by the council but would be funded directly from central government. It remains the council's role to plan and secure sufficient school places and this is why the council is publishing these proposals.

The council is carrying out this period of consultation to establish the principles and explain the rationale for the proposal. At the end of the consultation period the council will invite proposals from groups and organisations who might be interested in working with us to establish the new primary academy.

## Who could attend the new primary Academy?

The new primary academy is being proposed to meet the growing need for primary school places in the South West area of Huddersfield. As an Academy, the school's academy trust would be the admission authority and be responsible for deciding the admissions policy and oversubscription criteria in line with government regulations and local authority policy; however, the council wishes to commission admission arrangements that would complement those of other primary schools in the area to support parents being able to access local places.

The admissions policy would be reviewed annually (as is now) as the proposed primary academy built up all of the primary year groups.

The proposed number of places in the reception class for the 2016-17 school year would be 90. There would be no places available in years 1 to 6 in 2016-17. The year groups would be built up year on year as pupils progressed through the academy.

If there are fewer applicants than there are places available, everyone who applies would be offered a place. If there are more applicants than there are places available, children would be offered places in priority order of oversubscription.

Children in public care (looked after children) and children who were previously looked after are always the highest priority for admission to any school.

The school would admit children with an Education Health and Care Plan or a statement of Special Educational Needs where the school is named on the statement.

As part of this consultation, the council wishes to seek views about how the admissions policy should operate.

Many schools in Kirklees have a Priority Admission Area (PAA) or a catchment area.

**Option 1** is for the new primary academy school and the new voluntary controlled all-through primary school to share the same PAA (please see the map on page 10 to show the area suggested). This would mean that families who live in the PAA would have priority for admission to both schools.

**Option 2** is for the new primary academy school not to have a PAA, but for oversubscription to be decided by those applicants living nearest to the school (measured in a straight line).

Feedback from the consultation process will be used to shape the proposed admission policy.

## How would the proposals impact upon travel?

The proposal seeks to ensure that there are sufficient school places for local families which would minimise the need for travel whilst encouraging children, parents and carers to walk to school.

The council would also consider road safety issues and ensure that appropriate extra measures are in place before the new school provision opens. There are a number of tools that have been successfully used to achieve this, for example School Travel Plans, safe walking routes and “walking buses” as well as discussions with public transport providers.

## Retain Mount Pleasant Primary School

There are no statutory proposals being made about Mount Pleasant Primary School.

Mount Pleasant Primary School is a close partner of other schools in the area and, in recent years, additional pupil places have been added to meet the growing basic need. The school now caters for 630 pupils from Reception to Year 6, admitting up to 90 pupils per year group.

The council was successful as part of the government’s Priority Schools Building Programme, in securing funding to rebuild the school on its current site. The school, the council and the Education Funding Agency are currently working towards this.

## What happens next?

This consultation is open between **20 April-5 June**. You have until then to express your views in writing, or in person at meetings. Once the consultation has finished, all feedback will be considered by The Diocese of West Yorkshire & The Dales Board of Education and by Kirklees Cabinet (the council's main decision making body), who will decide whether to move to the next stages which are set out in the table below.

<b>Establishing a new primary academy</b>		<b>Bringing together Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School</b>	
<b>Timeline</b>	<b>Activity</b>		<b>Timeline</b>
April-May 2015	Consultation period about proposal and outline the specification required for the new school	Statutory consultation on proposals in collaboration with the Diocese of West Yorkshire and The Dales	April-May 2015
June 2015	Consultation outcomes to Kirklees Council Cabinet	Consultation outcome to Kirklees Council Cabinet	June 2015
July 2015	Seek proposals from academy sponsors to run the new academy school	Publication of statutory notices and proposals and period of representation	July 2015
August - September 2015	Engagement with Department for Education and locally preferred proposer	No activity	August - September 2015
September-October 2015	Department for Education Sponsor approval	No activity	September-October 2015
October 2015	Successful proposer consultation on whether they should enter into a funding agreement for the new school with the Secretary of State	Report to Cabinet for final decision about proposals	October 2015
October 2015 -August 2016	Pre-opening processes	Preparation time for bringing the schools together	October 2015 -April 2016
From May 2016	Implementation (new build would follow)	Implementation	From May 2016

## Consultation events

The following informal events are open to anyone who would like to find out more and discuss the proposals, including local families and members of the community.

Please come along and see us between the times indicated below.

Date	Venue	Time
29 April	Thornton Lodge Nursery School	9:00-10:00am
30 April	Moor End Academy	4:00-5:00pm
6 May	Thornton Lodge Nursery School (Yews Hill Road Site)	8:45-9:30am
6 May	Crosland Moor Junior School	2:30-3:30pm
7 May	Mount Pleasant Primary School	8:45-9:15am 2:45-3:15pm
12 May	Dryclough CE (VC) Infant School	3:00-4:00pm
19 May	Crosland Moor Junior School	8:30-9:30am

Officers from the council will be present to answer questions and hear your views. As the people most concerned with your children's education, we want to know what you think. You can also take part in the consultation on our website [www.kirklees.gov.uk/schoolorganisation](http://www.kirklees.gov.uk/schoolorganisation). Alternatively, you can complete and return the attached response form.

In addition to these events, there will be opportunities for consultation with staff and governors.

## Response form

Please send this form or a letter to:

**By post:** FREEPOST, Kirklees Council, RTBS-CYHU-LSEC, School Organisation and Planning Team (Postage is free, you do not need a stamp).

**In person:** At one of the consultation drop-in sessions or hand it in at one of the schools.

**Online:** You can also take part in the consultation on our website:

**[www.kirklees.gov.uk/schoolorganisation](http://www.kirklees.gov.uk/schoolorganisation)**

**Email:** Please note that you can contact us via email should you have any queries regarding these proposals. Please send your emails to **[school.organisation@kirklees.gov.uk](mailto:school.organisation@kirklees.gov.uk)**

Please make sure you respond by **5 June 2015** to ensure that your views are heard.

# Consultation response form

Do you support or oppose the proposals to:

- Bring together Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School to form a single Church of England Voluntary Controlled primary school with nursery provision for pupils aged 2-11.

Please ✓ tick one of these boxes. When answering please continue on a separate sheet if necessary.

Strongly support	Support	Neither support nor oppose	Oppose	Strongly oppose	Don't know

Why have you decided that is your view? Please tell us about it along with anything else you would like us to consider.

Do you support or oppose the proposal to create a new primary academy on the site of Moor End Academy ?

Strongly support	Support	Neither support nor oppose	Oppose	Strongly oppose	Don't know

Why have you decided that is your view? Please tell us about it along with anything else you would like us to consider.

As explained on page 13, there are 2 options for the admission policy for the new primary academy. Which option do you prefer?

Option 1	Option 2	Don't know

Why have you decided that is your view? Please tell us about it along with anything else you would like us to consider?



## About you

This section asks you for some information that will help us to analyse the results of the survey and to see who has taken part. You will not be identified by any of the information you provide.

**I am a:** (Please tick ✓ and complete all those that apply to you)

<input type="checkbox"/>	Parent/carer	Your child's/children's school/s:
<input type="checkbox"/>	Pupil	Your school:
<input type="checkbox"/>	Governor	Your school:
<input type="checkbox"/>	Member of staff	Your school:
<input type="checkbox"/>	Local resident	Please tell us:
<input type="checkbox"/>	Other	Please tell us:

**How would you describe your ethnic origin?** (Please tick ✓ one box)

<p><b>White</b></p> <p>English/Welsh/Scottish/ Northern Irish/British <input type="checkbox"/></p> <p>Irish <input type="checkbox"/></p> <p>Gypsy or Irish Traveller <input type="checkbox"/></p> <p>Any other White background <input type="checkbox"/> (Please write in).....</p> <p><b>Mixed</b></p> <p>White and Black Caribbean <input type="checkbox"/></p> <p>White and Black African <input type="checkbox"/></p> <p>White and Asian <input type="checkbox"/></p> <p>Any other Mixed background <input type="checkbox"/> (Please write in).....</p>	<p><b>Asian or Asian British</b></p> <p>Indian <input type="checkbox"/></p> <p>Pakistani <input type="checkbox"/></p> <p>Bangladeshi <input type="checkbox"/></p> <p>Chinese <input type="checkbox"/></p> <p>Any other Asian background <input type="checkbox"/> (Please write in).....</p> <p><b>Black or Black British</b></p> <p>Caribbean <input type="checkbox"/></p> <p>African <input type="checkbox"/></p> <p>Any other Black background <input type="checkbox"/> (Please write in).....</p>	<p><b>Other ethnic group</b></p> <p>Arab <input type="checkbox"/></p> <p>Other <input type="checkbox"/></p> <p>(Please write in) .....</p>
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**Please write in your postcode:**

(We will not use this information to contact you)

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## Appendix C – Report detailing the responses received to the consultation

**Q1) Do you support or oppose the proposals to: Bring together Thornton Lodge Nursery School, Dryclough CE (VC) Infant School and Crosland Moor Junior School to form a single Church of England Voluntary Controlled primary school with nursery provision for pupils aged 2-11.**

<b>Responses from parents /carers from Dryclough CE(VC) Infant School</b>	
Strongly Support	<ul style="list-style-type: none"> <li>The primary schools are doing a great job and my children are very happy and as a practising Christian really value the Anglican education</li> <li>Continuity of education is important. As is strong leadership at present I feel this is lacking in 2 of the 3 schools. * Also Identified as parent from Crosland Moor Junior School*</li> <li>It will be more easy for children to settle in school</li> <li>Children staying in one building will make it easy for them to settle and moving to Infant and Junior School will not be a big change for them</li> </ul>
Neither support nor oppose	<ul style="list-style-type: none"> <li>There are plusses and minuses to an all through school and the proposal does not set out the disadvantages of such a school which is a shame. However, my main concern is about the overall size of the new school. The buildings will still be separate and whilst there may be some synergies, will it make a difference? I'm not convinced it will. My other concern is around the Reception intake at Dryclough. Having had children at the school in recent years, the best decision they made was to make Reception class sizes a bit smaller. The difference in my child's learning was demonstrable in smaller classes and that seems to be widely acknowledged. I appreciate you can't have smaller classes everywhere but for that crucial first year in full time schooling it made a massive difference to enjoyment in school and learning. I really do hope this isn't taken away and it goes back to 30 in a class again, as that would be a huge error and very short sighted.</li> </ul>

<b>Responses from parents / carers from Crosland Moor Junior School</b>	
Strongly Support	<ul style="list-style-type: none"> <li>Continuity of education is important. As is strong leadership at present I feel this is lacking in 2 of the 3 schools* Also Identified as parent from Dryclough CE (VC) I&amp;N School</li> </ul>
Strongly Oppose	<ul style="list-style-type: none"> <li>CMJS is, in my opinion, a fantastic school. It should be left alone to continue the good work it is doing and not be used to sort out the problems that the other schools are having. It would make the school too large.</li> </ul>

<b>Response from parent /carer from Moor End Academy</b>	
Neither support nor oppose	<ul style="list-style-type: none"> <li>I don't have a child in this age range.</li> </ul>

<b>Response from parent / carer from Mount Pleasant Primary School</b>	
Support	<ul style="list-style-type: none"> <li>As the buildings are already there it would make sense but worried slipping standards of Dryclough Infant may affect Crosland Moor Junior's latest performance with Ofsted. I don't want to lose Mount Pleasant School as the current head teacher has worked very hard to raise standards.</li> </ul>

<b>Response from parent / carer not stated a school</b>	
Strongly Oppose	<ul style="list-style-type: none"> <li>To me it seems less children will be admitted in the new proposed building as oppose to having 3 different sites.</li> </ul>

<b>Responses from members of staff at Crosland Moor Junior School</b>	
Strongly Support	<ul style="list-style-type: none"> <li>Having worked in and led the school for 5 years I strongly feel that it is the best thing for the children/parents and community within the area. It will give the opportunity for reduced transition points, save parents from having the stress of applying to move from the Infant to the junior school and ultimately raise the standards of attainment and progression for the pupils. The solution has been driven by the schools within the local area as part of a pyramid wide solution. * Also identified as Governor at Crosland Moor Junior School</li> </ul>
Support	<ul style="list-style-type: none"> <li>It seems practical to bring both Thornton Lodge sites and both Dryclough Road sites together under one roof so to speak. At the moment the two Thornton Lodge sites are separate.</li> </ul>

<b>Responses from members of staff at Moor End Academy</b>	
Strongly Support	<ul style="list-style-type: none"> <li>I agree with the proposals and think it is an excellent idea to merge these three schools and have a single leadership team and governing body</li> <li>Great schools and very happy children.</li> </ul>

<b>Responses from Governors at Crosland Moor Junior School</b>	
Strongly Support	<ul style="list-style-type: none"> <li>Continuity for pupils. Less stress for parents of 'registering' accessing places. Would like to see all the nursery provision on one site - easier for families and supports hub working. Need to look at parking/drop off zones/access. Road networks very difficult round here.</li> <li>Yes for all the criteria listed "benefits of all through primary school". I would hope that the bringing together of all schools would play to the strengths of all staff. I would hope the accommodation is upgraded. Whilst I appreciate money is not plentiful, the other 2 proposals will be 5 star. I would hope the LA budget for some refurbishment in the project.</li> <li>As the governing body of Crosland Moor Junior School we are fully aware of the need for additional places and understand the complexity of all the schools involved. Bringing the three schools together can only benefit our local community. A through school will improve the learning experience for pupils with no transition between the ages of 2-11. Relationships and communication to parents and staff can only benefit from this approach. We do have concerns as a governing body however over the safety of pupils and wish to express this. Dryclough Road is extremely busy and hazardous road and the start and end of the day and we have already experienced several near misses over the years. We want to ensure that careful consideration is given to the safety of pedestrians and motorists when planning access to the new primary academy and the additional traffic and pedestrians this will generate is taken into account.</li> <li>Having worked in and led the school for 5 years I strongly feel that it is the best thing for the children/parents and community within the area. It will give the opportunity for reduced transition points, save parents from having the stress of applying to move from the Infant to the Junior school and ultimately raise the standards of attainment and progression for the pupils.</li> </ul>

The solution has been driven by the schools within the local area as part of a pyramid wide solution. \*Also identified as Staff at Crosland Moor Junior School

**Response from the Federation of Dryclough CE(VC) Infant and Thornton Lodge Nursery Schools**

Support

- Response from the Federation of Dryclough CE (VC) Infant and Thornton Lodge Nursery Schools: Thank you to the officers who attended the recent Governing Body meeting of Dryclough CE(VC) Infant School and Thornton Lodge Nursery School, and responded to questions raised. We have asked that individual governors respond to the consultation personally should they wish, however this letter provides a response from the Governing Body as a whole. We support proposals to provide for additional school places in this locality, to ensure local families can access school places locally. However, there are a number of points we would like to be considered within the ongoing planning process. 1) The creation of a new school within 5 minutes' walk of our school site will give choice to parents, which will require an element of comparison in making that choice. That will undoubtedly lead to creating competition between schools. The new school site will be a new build, with associated new fixtures and fittings within it. therefore immediately putting our school at a disadvantage. In querying the investment to be made into our proposed 'new' school we were informed that though each of the schools to be brought together to create the 'new' school have a number of older buildings which will all be retained, there will be minimal, if any, investment. We would like further information and join discussion about the requirement for investment in our existing buildings. 2) As there will be comparison, as part of a proposed 'new' school, we need to develop our own unique selling point to enable us to market the all through school effectively, including attracting parents to the early learning and childcare places. Within that it would be helpful to consider how the Children's Centre on our site can be incorporated into a full campus approach. We would like further early discussion with the authority about the support that can be provided to achieve this, and to jointly develop a range of options. 3) Also linked to the above point, the Yews Hill site, due to its location some distance away from what will be the main focus site of the new school, requires active inclusion and careful consideration during all areas of planning, due to the added difficulties resulting's from being a satellite site. This relates to details of building investment, future curriculum planning and ongoing and future staff support and management. 4) As you are aware we are currently working with interim leadership from a shared acting Head Teacher role, within the context of a recent Ofsted inspection, which in itself is challenging across the 3 sites. Due to the nature of our schools having Early Years provision plus day care provision that should be self-financing, there will be ongoing implications for the new school in relation to both curriculum and income generation, so it is important these factors are considered as part of the development of the new school. It is therefore vital that our current leadership can inform that development, to ensure the best outcomes for local children starting with us from age 2. They currently would not have capacity to do this therefore we would like further early discussion with the authority about the support that can be provided to enable our leaders and skilled staff to inform future development effectively, within anticipated time constraints. 5) Towards the end of the meeting there was reference to the reception children being housed within

temporary accommodation on the Moor End site, (2016/17) prior to the new build being in place for a potential September 2017 start. That would lead to what appears to be an earlier than necessary reduction in reception children from Dryclough in that year, without the new school being in place. As part of the argument for the bringing together of our schools is to reduce transition points and ensure continuity for children leading to better outcomes, we feel it would be in their best interests to utilise the capacity of the available PAN in 2016/17, in a current fully functioning school, rather than temporary accommodation within a construction area. We would therefore request that for 2016/17 we retain our full PAN of 140. If this is not acceptable then we require further discussion on this issue. 6) In relation to the proposed PAA, as we are aware that there are significant numbers of children in the local area who have previously not been able to access a local school, we believe it is essential that local families should have priority for the most local schools. Therefore the Governing Body recommend that Option 1 - a shared PAA, would be of most benefit to local families, by giving priority for admission to both schools. We would request that parents of children in all the schools involved receive regular progress updates on the proposals and next steps. Also that such communications are clear about exactly how any views expressed will impact on proposals, or not. Finally, the Governing Body would like to state our absolute priority is to provide the best possible outcomes for local children and families. We consider the implementation of the proposals to be foregone conclusion, i.e. the bringing together of the 3 schools and the creation of a new school on the Moor End site, regardless of this current consultation process. Though we may not agree with some elements of the proposals, we wish to be clear that we will work constructively to positively influence the proposed developments, from supporting our younger children to be school ready, to then achieving the highest standards of care and education for current and future children attending our local schools.

#### **Response from Governors from Mount Pleasant Primary**

- Response from Mount Pleasant Primary School & Local Community: As you are aware Mount Pleasant Primary School expanded from a two to a three form primary school from September 2010. Since then our School has received an Ofsted grading of 'Good' overall with 'Outstanding' for Leadership and Behaviour and is continuing on its journey to overall outstanding. In the recent past we were very interested in engaging with the two year funding initiative and advocated strongly for this to be facilitated at Mount Pleasant Primary School given our School's expertise in this field. We were disappointed to learn that our proposal was not taken further but instead the two year funding was allocated to a local academy chain which had no previous expertise in this area. Your Primary Pupil Places Consultation document states that the new proposals "have been developed in close partnership with schools and providers in Huddersfield South West". However, based on feedback we have received through consultations within our school and from our local community, we feel that more work still needs to be done through fully engaging consultations that involve all the stakeholders so that the best outcomes can be achieved. In addressing some of the views that have been highlighted by our parents, it is the view of Mount Pleasant Primary School that given that the school has been successfully listed for a complete and imminent rebuild on the current site as part of the Priority Schools Building Programme, it seems to be a tremendous, feasible and cost-saving opportunity to include a 4th form extension to the existing 3 form new-build plans. This would greatly enhance the provision at the school benefitting children, staff and the Lockwood and Thornton Lodge

communities. We firmly believe that as soon as we become an outstanding school, we expect demand to rise and this also needs to be catered for, for future children's benefit. A fourth form extension to the plans will secure the future of our school and ensure that families are not split between schools as would ultimately become the case when Mount Pleasant becomes full in the near future. We believe that the school has sufficient land to accommodate this and that logistically a four form entry school would present far better in terms of organisation and resources. With most of the families living within walking distance to the school we do not expect traffic congestion to be a problem. Nevertheless, we are happy for a traffic measure exercise to be carried out if needed and would ask that this be compared to current congestion spots such as on Dryclough Road. Although Mount Pleasant PAN has increased to 90, the nursery still remains at 78 places meaning that 12 children each academic year are from other settings. We are proposing that if the PAN still remains at 90 then at the very least Nursery places should increase to 90 as well. This will ensure smooth transition for all children entering our Reception. We are aware of plans for a through school academy in the vicinity and would ask the Local Authority to seriously consider the long term impact that supporting such a proposal would have on our School if our concerns and needs are not addressed in the first instance. In conclusion we strongly recommend that the Local Authority consider the benefits of our proposals and work with the relevant bodies to support the fourth form entry extension to the existing new-build plans and for Mount Pleasant Nursery places to be increased also. We would be happy to facilitate any further discussions that may be required with the consultation team so that we can share our proposals in more depth, as required. Whilst we are trying to address the needs identified within the local community, if the consultation exercises are likely to be lengthy in time, we would like to be very clear that we would not want our three form plan and agreed start dates with EFA to be further delayed. The longer we stay as we are, we fear that we may have to incur costs in repairing parts of the building that are due for demolition and therefore a waste of money. We look forward to your urgent response.

**Response from Governor at Crow Lane Primary and Foundation Stage School**

Strongly Oppose	<ul style="list-style-type: none"> <li>I cannot see how three distinct sites and schools will lead to the improvements suggested. The larger the school the less personal the care and continuity. Appears to be a money saving exercise. No educational research given.</li> </ul>
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**Responses from Local Residents**

Strongly Support	<ul style="list-style-type: none"> <li>3 schools, sharing their facilities and staff experience, becoming 1 effective school would simplify the primary school provision in this area</li> </ul>
Neither Support nor Oppose	<ul style="list-style-type: none"> <li>I'm not opposed to bringing schools together so long as it is in the best interests of the children to be educated; and not just a cost reduction exercise.</li> </ul>
Strongly Oppose	<ul style="list-style-type: none"> <li>Ideally schools should be as close as possible to the communities they are in so children can be walked to school not driven. Larger schools create larger and larger traffic issues and by their size can become impersonal institutions may be unavoidable for older children but not for younger tender minds.</li> <li>Worried about traffic as, at the moment trying to get on Dryclough Road at start and finish times is a big problem and concern.</li> </ul>

**Response from Local Residents:**

- In response to the current consultation on plans to expand school places and early year's

facilities in South West Huddersfield we the undersigned (attached) wish to register concern about the local impacts of such a development. Traffic and environmental implications - Part of the consultation proposes a new 630 place primary school to be constructed in the grounds of Moor End Academy. If this goes ahead it would result in an increase in the volume of traffic on roads leading to Dryclough Road. This road would eventually have two large primary schools as well as Moor End Academy if the proposals in the consultation are approved. Even if access to the new primary schools is on another part of the site, there will be peak time congestion, parking pressure and disruption to local residents. We think consideration needs to be given to ways of avoiding this disruption, which is common to some other school locations in the Kirklees area. Solutions proposed in the consultation - There are ways to reduce unnecessary vehicular traffic to and from the expanded school population in the Dryclough Road area but they need to be planned, supported by the schools and adequately resourced. We believe there are examples of successful use of safe routes to schools, including "walking buses", car sharing and support for cycling in schools which all have a role in reducing car traffic. We think the design of these routes for walking and cycling are important and should be developed with local residents and local community and amenity organisations. However recent experience suggests that support for travel planning in schools is not a priority within Kirklees Council or WYCS as these services have been reduced or cut. New developments at St Lukes Hospital site - Planning approval of a housing development on the St Luke's Hospital site with additional supermarket and petrol station will bring additional residents to the area. We hope the developers of the site, which could have 200 new houses, will make a contribution to the provision of additional local services and help fund traffic and transport improvements and travel planning through the planning agreement (S.106). Existing traffic and road safety issues - In the Beaumont Part area there is already a need for the introduction of traffic management measures, such as a 20mph zone and traffic calming, as the park becomes more popular and the amount of traffic that uses these roads to avoid Meltham Road and Blackmoorfoot Road increases. Existing problems also include: \* speeding traffic on Beaumont Park Road, where park pedestrian entrances are directly onto the road; \* speeding on part of Woodside Road and on Dryclough Road; \* peak time congestion on Hanson Lane and the lower narrow part of Woodside Road; \* congestion caused when parking is at a peak for park visitors on Butternab Road; \* overweight vehicles frequently using Hanson Lane which has a 3 tonne limit (an alternative inward route via Swan Lane has a low bridge by Lockwood railway station). Conclusion - Building a new school on this site will have a detrimental effect on the local area unless radical measures are adopted to reduce the impact of traffic and parking pressures, particularly at peak times. The growing popularity of Beaumont Park and the increased amount of through traffic raise some existing environmental and road safety issues even before new school developments. A plan to address these issues has been developed in outline by Friends of Beaumont Park, a charity and community enterprise assisting in the management of the park. Educational implications - this new primary academy will be outside the local authority family of schools. Sadly this plan may in future result in two adjacent primary schools on Dryclough Road competing for pupils. We think this is regrettable and not in the public interest. A merger of Dryclough Infants School, Crosland Moor Junior School based in the Dryclough Road, with Thornton Lodge Nursery School, which has centres also in Dryclough Road and in Thornton Lodge is also proposed, but with an enhanced role for the Church of England across the merged school, which again is a dilution of the role of the accountable local authority. We support the continued role of the local authority in the provision of quality early years education. There is a promise from the government of additional funding for some parents, which means there is likely to be a need for more nursery places, although the government funding is unlikely to meet the real costs of providing such places. We think the local authority must

maintain standards in this area at a time even when government is effectively seeking to lower standards through its funding formula, although we recognise this will provide the authority with some difficult challenges.

### Responses from Other category of respondents

Strongly Support	<ul style="list-style-type: none"> <li>I have arrived at this view as I consider that it will: 1. be the best way of promoting best outcomes for young people 2. Allow a greater consistency of management and education for young people 3. Develop locally good practice, 4. Protect jobs in local schools, 5. Enhance and develop links between the schools 6. Enhance pre existing positive links 7. Allow the dissemination of best practice 8. Create career opportunities and career developments for staff 9. Allow for cross school CPD 10. Allow economies of scale for procurement 11. Provide an opportunity for greater efficiency in the use of resources 12. Why change a model that is already working.</li> </ul>
Support	<ul style="list-style-type: none"> <li>I have decided this is my view. As a member of staff I think it's a really good idea to amalgamate all sites improving communication to parents and establishing stronger links from the onset. One message to all families, one ethos and would ease the logistics of dropping off and picking up children. My only criticism is that the consultation booklet produced for our families is a very wordy document, considering that 62% of our children speak English as an additional language I wonder how many parents can read it fully and understand it?</li> </ul>

### Responses from UNISON

<ul style="list-style-type: none"> <li>UNISON welcomes the response from the authority to address the demand for primary pupil places in Huddersfield South West. We wish to make particular reference on this occasion to the merger of Thornton Lodge Nursery School, Dryclough CE(VC) Infant School and Crosland Moor Junior School, in that we must make it clear that we do not anticipate any losses to our members in regard to their jobs, pay and terms and conditions.</li> </ul>
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## Q2) Do you support or oppose the proposal to create a new primary academy on the site of Moor End Academy

### Responses from parents / carer from Moor End Academy

Strongly Oppose	<ul style="list-style-type: none"> <li>I have a child that is in Year 7. As yet we haven't been informed as to the whereabouts of the proposed build on the Academy site. Nevertheless I feel that it would cause disruption to the pupils at the Academy on a few levels. 1) it will take away some of the land currently used by the Academy; 2) whilst the build is ongoing, the pupils are likely to be disturbed by the noise and more interested in 'what's going on outside' than what is going on in the classroom; 3) the area around the school entrance is already saturated by cars and parents dropping off/picking up. Adding to this already high number would only cause more disruption to local residents, buses trying to manoeuvre and stay to their timetables as well as 'passing through' traffic.</li> </ul>
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### Responses from parents / carers from Dryclough CE(VC) Infant School

Strongly Support	<ul style="list-style-type: none"> <li>I think it is a good idea although I am surprised it will not be a through school with the high school</li> </ul>
Oppose	<ul style="list-style-type: none"> <li>There needs to be another primary school but I am undecided on whether an academy is the right choice. Will the children attending that school have a higher priority admission to the high school? * Also identified as parent /carer from Crosland Moor Junior*</li> </ul>

Strongly Oppose	<ul style="list-style-type: none"> <li>• Having a primary school near high school is not a good idea because younger children will be seeing teenagers when going to school and at home time. Teenagers environment is not suitable for younger children</li> <li>• Having a primary school near high school is not a a good idea because it is not suitable for younger children to see teenage environment around younger children.</li> </ul>
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<b>Responses from parent / carers from Crosland Moor Junior</b>	
Strongly Support	<ul style="list-style-type: none"> <li>• CMJS and as far as I know the other schools in these proposals, are too big already and cannot take on anymore pupils therefore it makes most sense to build a new one.</li> </ul>
Oppose	<ul style="list-style-type: none"> <li>• There needs to be another primary school but I am undecided on whether an academy is the right choice. Will the children attending that school have a higher priority admission to the high school? * Also identified as parent /carer from Dryclough CE(VC) Infant School *</li> </ul>

<b>Response from parent / carer from Mount Pleasant Primary</b>	
Oppose	<ul style="list-style-type: none"> <li>• I have genuine concerns about the old building for Mount Pleasant and health &amp; safety. Only oppose because I don't want Mount Pleasant to go without a new building because this new school building will have to be paid for. If we could have a new Mount Pleasant school and a new building on Moor End site then I would support this option.</li> </ul>

<b>Responses from parents / carers not stated a school</b>	
Strongly Oppose	<ul style="list-style-type: none"> <li>• Having 2 large schools in close proximity will lead to traffic congestion. It's highly likely that other schools in the catchment area may apply to Moor End. Moor End will not have the capacity to take on other children from other schools.</li> <li>• I would worry about what the academy could offer with a Primary school, when the existing primaries offer a much better deal.</li> </ul>

<b>Responses from members of staff at Moor End Academy</b>	
Strongly Support	<ul style="list-style-type: none"> <li>• With a growing number of families in the Crosland Moor area we need more primary school places</li> </ul>
Strongly Oppose	<ul style="list-style-type: none"> <li>• concerns about staffing.</li> <li>• Concerns over staffing and leadership for a primary.</li> </ul>

<b>Responses from members of staff at Crosland Moor Junior School</b>	
Strongly Support	<ul style="list-style-type: none"> <li>• More primary places are required. Part of a pyramid wide solution to best meet the needs of the children within the area. *Also identified as Govern from Crosland Moor Junior School</li> </ul>
Support	<ul style="list-style-type: none"> <li>• If the area needs extra primary pupil provision then Moor End seems the only available site to build on. It is already an established educational site.</li> </ul>

<b>Responses from Governors at Crosland Moor Junior School</b>	
Strongly Support	<ul style="list-style-type: none"> <li>• More primary places are required. Part of a pyramid wide solution to best meet the needs of the children within the area. *Also Identified as Member of staff at Crosland Moor Junior School</li> </ul>
Support	<ul style="list-style-type: none"> <li>• The growing population of school aged children within the community and surrounding area.</li> <li>• Our only concern is that parents within the community may favour a newly</li> </ul>



	<p>built school to our existing schools and we may risk losing pupils. We would hope that the amalgamated schools are refurbished to a reasonable condition which will improve the aesthetics and appeal to both new and existing parents.</p> <ul style="list-style-type: none"> <li>• I do support this but have some concerns about how the selection of schools will work - 2 different areas. Beaumont Park, more prestigious post code could have big implications. Would hate to see the area divided again as it used to be before the 2 infant schools i Crosland Moor amalgamated.</li> </ul>
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<b>Response from Governor at Crow Lane Primary and Foundation Stage School</b>	
Strongly Oppose	<ul style="list-style-type: none"> <li>• Schools very different in ethos and expectation to secondary. No evidence given that this will lead to any educational or social improvement.</li> </ul>

<b>Responses from local residents</b>	
Strongly Support	<ul style="list-style-type: none"> <li>• There is a need for a new school and using an existing school site is ideal as the neighbourhood is already familiar with the school's presence.</li> </ul>
Neither Support nor Oppose	<ul style="list-style-type: none"> <li>• I'm not opposed to the creation of a new school; but the impact upon the local infrastructure will need to be carefully considered. As the school proposed is a junior school, there will be a significant increase in the amount of vehicular traffic coming into and driving within the catchment area of the new school. In addition the facilities in the area to assist in the welfare; health and education (ie local shops; bus stops; parks; play areas etc) of those new pupils will be used more than they currently area. Current access to and from those facilities and the current state and speed of roads and traffic is totally unsuitable for an increased influx of 400-500 new vehicles (for a school with a proposed pupil intake of 600) every morning and evening. Beaumont Park are currently undertaking a study and will be proposing increased traffic calming/parking measures later this year - it would be good to see a bit of joined up/collaborative thinking between the schools proposals and the Park to ensure that pedestrians (be they pupils or other members of the public) in the area can access the respective facilities without being mown down by a speeding vehicle or because vehicles had parked inadequately. In addition the local residents should be consulted on what the increased traffic could/would mean to them.</li> </ul>
Strongly Oppose	<ul style="list-style-type: none"> <li>• Traffic congestion in the area already creates significant problems at school opening and closing times, which I believe makes the area unsafe for pedestrians. Additional numbers will only exacerbate the situation. Particularly on Dryclough Road, where local traffic struggles to pass cars which are poorly or inconsiderately parked. If the entrance to the new school was situation in Woodside Road the situation would be even worse as this road becomes very narrow towards the bottom. Residents' cars are parked on the roadside, because the houses do not have off street parking, leaving a narrow single lane for moving vehicles - the buses have been re-routed, down Beaumont Park Road due to this problem. I would like a different site considered. The site of the old St Luke's Hospital. This would mean that the new school would be adjacent to the new housing area and would avoid the need for pupils to travel by car or bus as it would be on their doorstep.</li> <li>• Because I experience the congestion mayhem on Dryclough Road at school starting and finishing times - to add to it seems sheer lunacy. Why not site it nearer to its most densely populated catchment area i.e. St Lukes and/or</li> </ul>

	<p>put some of that housing on the Moor End fields instead. Or although I'm not a fan of monster schools, put all young children together at Dryclough but with a separate site access from St Lukes/Blackmoorfoot?</p> <ul style="list-style-type: none"> <li>• Worried about traffic as, at the moment trying to get on Dryclough Road at start and finish times is a big problem and concern.</li> </ul>
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<b>Responses from Other category of respondents</b>	
Support	<ul style="list-style-type: none"> <li>• Main concerns are regarding road safety. The road outside school is already heavily congested at a peak school times with near miss accidents being recorded. Another school on the same road can only increase the risk of serious accident and be a nightmare for parents pupils and residents.</li> </ul>
Oppose	<ul style="list-style-type: none"> <li>• I do not support the establishment of a new academy because: 1. There are already schools in the area that can develop the additional capacity 2. The sponsor would be unknown until after the option had been chosen 3. It is unnecessarily expensive 4. It would be needlessly compete with local schools 5. It could / would be an isolated academy 6. A new staffing force could draw on local schools and staffing complement thus weakening them 7. Why change what is already working 8. The period for the new academy to develop a full age range is too long.</li> </ul>

**Q3) As explained on page 13, there are 2 options for the admission policy for the new primary academy. Which option do you prefer?**

<b>Response from Parent/carer at Moor End Academy</b>	
Option 1	<ul style="list-style-type: none"> <li>• As stated above, with having a child at the Academy, I don't want to see the disruption and the cut in grounds.</li> </ul>

<b>Response from Parent/carer at Mount Pleasant Primary</b>	
Option 1	<ul style="list-style-type: none"> <li>• It seems fairest approach to ensure people who live in the catchment area and require the additional places actually get benefit of the new places created.</li> </ul>

<b>Response from Parent/carer at Crosland Moor Junior School</b>	
Option 1	<ul style="list-style-type: none"> <li>• It is only fair. Why should people living closest have to travel if it is oversubscribed (if it was their first choice school).</li> </ul>

<b>Response from Local Resident</b>	
Option 1	<ul style="list-style-type: none"> <li>• I believe that schools should serve the immediate locality in order that: the school is a true community school; the need to travel by car is reduced thus avoiding congestion.</li> </ul>

<b>Response from member of staff at Crosland Moor Junior School</b>	
Option 2	<ul style="list-style-type: none"> <li>• Under Option 1 parents will prefer their children to attend the brand new school with its new facilities. That would be unfair to the older school building of Crosland Moor Junior.</li> </ul>

<b>Response from Governor Crosland Moor Junior School</b>	
Option 1	<ul style="list-style-type: none"> <li>• Equality of access. Concern re 'new building' compared to old building- could mean issues re 'choices' for parents opting for new - we could be poor relatives.</li> </ul>
Don't Know	<ul style="list-style-type: none"> <li>• My worry is Moor End Academy will be a new build/top quality - attractive to</li> </ul>

	ALL (CM TL Dry) will be the POOR relation as far as accommodation is concerned. A possible shift of families. <ul style="list-style-type: none"><li>• I've not decided which one I prefer yet.</li></ul>
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<b>Response from Governor at Crow Lane Primary and Foundation Stage School</b>	
Option 1	<ul style="list-style-type: none"><li>• Community schools work best. Children able to walk to school.</li></ul>

## Notes of staff and governor consultation meetings

### Moor End Academy Consultation with the Trustees about primary pupil places in Huddersfield South west 30th April 2015 5.00 pm

Present: 6 Trustees, 3 Council Representatives

An explanation of the proposals was outlined by the council representative. There is a need for additional primary pupil places in the Huddersfield south west area. In order to meet the demand Kirklees Council propose the following:

- Bring together Thornton Lodge Nursery School, Dryclough CE (VC) Infant school and Crosland Moor Junior School to create one primary school
- Create a new primary academy school on the site of Moor End Academy.

If the proposal is to go ahead then the new school on Moor End Academy site would be an Academy under new legislation Kirklees Council would write a specification for interested sponsors to bid against. The final decision will be made by the Schools Commissioner on behalf of the Secretary of State. The specification will include feedback from the consultation process.

Questions and comments were invited from those attending.

Q) How will a new school be built for May 2016?

The proposed implementation date for the proposals is May 2016. The new school building would not be ready by this date. Initially, the first intake would be housed in the short term in temporary accommodation. It is expected that children would be placed in modular accommodation on the site until the new school is built.

Q) The trust is interested in running the primary school on the site, what would be the next steps ?

Following the consultation an outcome report will be presented to Kirklees Council Cabinet and subject to approval to move to the next stage the LA will publish an invitation to bid document which will outline the specification for the new school. There will be a window when proposals from interested sponsors can be submitted about how they would meet the specification. There would be a local process for evaluating the proposals, and a preferred sponsor determined but ultimately the final decision making rests with the Office of the Schools Commissioner on behalf of the Secretary of State.

Q) How many additional places area need in the area?

Additional 60 places are need in the local area of Huddersfield South West, this is part of an overall place planning strategy across the wider area of Huddersfield.

Q) That's an additional 60 places and in the future these numbers then would feed through to the academy. The academy's PAN is 180 with the additional 60 that would be 240? The academy does not have the capacity to for the additional pupils?

Secondary place planning needs to be considered carefully across Kirklees as the growth in primary works its way through the system. It is recognised that this is something that would need to be explored further and we are likely to begin engagement in the Autumn about the future basic need for secondary age pupils.

Q) Parents from other areas send their children to this High school, with the increase of numbers that will start coming through to the High school this will push them out?

The oversubscription criteria for the Academy gives a higher priority for young people who live in the schools Priority Admission Area (PAA), if there are more youngsters locally who express a preference for the school then they would have a higher chance of getting a place if the school is oversubscribed.

Q) There is talk of the benefit of all-through schools then why are we creating a separate school?

The proposals that are being consulted upon were formulated after exploring all options for creating additional primary places following a series of collaborative discussions with all the schools in the area. The preferred option was not to look at an all-through Academy.

Q) Is this first time that Kirklees Council is proposing to open a new school under the academy presumption.

This is the first time we have carried out this process yes. We do liaise with other neighbouring Authorities who have gone/are going through this in order that we have a robust consultation model and we can learn from best practice.

q) Has the consultation brought up any issues that we should be aware of?

Travel and transport is a key theme that has been raised given the current traffic already on Dryclough Road. The Council does recognise that there needs to be detailed planning for this and this would emerge as part of the formal planning process as part of the new build.

Q) What would happen if the planning process is delayed? What impact would that have on the timescale?

As we move to the next stage of the process, the Council will begin to draw up a programme for delivering a new building. It is felt that the timescales for securing planning permission can be carried out within this. Risks will be managed and it is not anticipated that this would impact upon the intake of children proposed for 2016.

Q) So the aim is to start for September 2016?

Yes there would be a temporary accommodation until the new build.

Q) Why was St Luke's site not considered for the new Primary School?

It has been considered, along with a range of options that have been explored and discounted. The land is not in Council ownership. The total cost of purchase and new build would not have been affordable within the funding envelope the Council has from Basic Need Grant and borrowing to ensure there are enough places across the district.

Q) By taking land from the high school you are taking away playing fields and in the long run taking land away that the high school could build on to meet future demand?

Where building takes place on schools fields then Sports England are highly likely to raise objections and we will need to demonstrate how we intend to mitigate against this, often by improving existing facilities or re-providing. This could have positive benefits for the community if there could be opportunities for 3<sup>rd</sup> party usage, for example by community groups.

Q) When will we know who has expressed an interest in becoming a sponsor for the new school?

The LA will communicate all those who have submitted proposals at the end of the invitation to bid stage. It is anticipated that this could be sometime in September.

Q) What would happen if there was a change in national government policy following the election?

The LA would have to respond accordingly.

Attendees were thanked for their contributions and encouraged to feedback collectively and/or individually to the process.

Crosland Moor Junior School  
Staff Consultation  
Wednesday 6 May 2015 3:30-4:30pm

Present: 4 LA Officers, 50 staff members, 5 Trade Union Representatives (Unison, Voice, ATL, NUT, NASWT)

The LA gave an overview of the proposals, including noting the additional places put in as an interim measure at Dryclough CE(VC) Infant School and Crosland Moor Junior School, and the permanent expansion of Mount Pleasant Primary School. There is still a need for further additional forms of entry across Huddersfield. These proposals would offer a net gain of 60 places in the area.

Q. Would all staff simply move across from the existing schools' employment to the new school? Would any staffing changes take place gradually?

*To a degree – an important factor to consider is that a permanent Head Teacher would need to be employed. But there would be the same number of pupils on site on 1 May 2016 as there were on 30 April, so it would be anticipated that current staffing levels would still be required.*

Q. Would staff receive new contracts? If so, is this simply a formality?

*Staff would receive a new contract with the same rights as currently, and there would be no interruption of service.*

Q. Why has the implementation date been proposed as 1 May rather than 1 September 2016?

*There is currently an issue around leadership in that there is no substantive head, which the LA wishes to address. It also maximises the budget for the school. It allows time for re-branding and a re-launch for the September. Occasionally, feedback from consultation suggests an implementation date can be too soon, and there can be a delay. This also allows time for planning for the new school and for example if there was to be a new school uniform this could be announced, but not implemented until the September, and there would be time for planning timetables and curriculum for the new school year.*

Q. It would be unsatisfactory for parents to buy a new school uniform in September 2015, and then this be superseded in May 2016.

*If a new uniform was announced after 1 May, it would not need to be brought in until the school's re-launch in September 2016.*

Q. Who deals with the re-branding?

*This would be done in an open and collaborative way. The name is decided by the Governing Body, and we would strongly advocate Governors involve the pupils, staff and the community in suggesting ideas. In terms of governance, the existing Governing Bodies would establish a temporary Governing Body that would work towards the implementation of the new school.*

Q. Are there any guidelines regarding when Ofsted inspects new schools?

*As things stand, if a new school is opened, then the school would have at least 5 terms. This would begin with the summer term of 2016. Therefore, there would be time for the new school to get settled, and the curriculum established.*

- Q. Indoor PE and hall provision is difficult now – will anything be put in place to alleviate this?  
*The LA cannot make any promises on this, but if the proposals are agreed, then colleagues in the LA would visit the schools to assess what may be needed. There would, of course, be an element of shrinkage as the larger year groups move up and out of the school, as the Published Admission Number (PAN) drops down to 120.*
- Q. Can the ample football pitches be built upon?  
*No, this would not be possible due to objections from Sports England.*
- Q. It is understood that the LA wishes to improve pupil outcomes by removing transition points; but the school would still be based in the existing buildings, how could it effectively become one school?  
*There would be a specification drawn up as part of the selection process for the new Head Teacher. This will specify that the site must not be run as two separate schools. The Head would be encouraged to work with other Head Teachers who have been through similar situations.*
- Q. Would Senior Leaders have responsibility for the whole site, or just a particular phase?  
*This would depend on how roles are decided by Governors. It would be a gradual process, getting to know colleagues in the other schools.*
- Q. Could staff be asked to work in different key stages?  
*It would not be in any manager's interests to move someone from where they are established and from the age groups they are trained to teach. But if staff are keen for experience then there could be professional opportunities.*
- Q. From 1 May, would all resources be shared?  
*Yes, all resources would belong to the one organisation.*
- Q. There is concern about the practicality of working across 4 buildings; are there any examples of this in Kirklees?  
*Windmill CE Primary School has more than one building. Westmoor Primary School has two separate sites a distance away from each other. At implementation, all the current buildings would be required by the new school. Going forward, there could be opportunities to look at whether all buildings are required.*
- Q. Do these proposals involve the Children's Centre?  
*We would always look collectively at how the Council can best use all buildings.*

Staff were thanked for their attendance and encouraged to feedback formally to the consultation.



Crosland Moor Junior School  
Governor Consultation Meeting  
Wednesday 6 May 2015 5:00-6:00pm

Present: 4 LA Officers, 8 Governors

- Q. There are concerns that this site could be the 'poor relation,' and consequently find ourselves with surplus places, if there is no investment in the buildings, given that the new primary academy would be a brand new build. There would already be a disadvantage due to postcode (the new academy would come under Beaumont Park, whereas this site is Crosland Moor).  
*The LA would work with the schools to make the merger a success. There is a commitment for colleagues to come out on site to see what can be done to look strategically at the physical accommodation to make it work as a through primary. There would not need to be any work completed for the opening of the new CE school, but going forward there could be opportunities that would support re-organisation.*
- Q. If, for example, the first intake into Reception at the new primary academy was 45, and these then moved up to Year 1 – could there be in-year transfers in to Year 1?  
*It is not in anyone's interests to create mobility, but parents would have a right to preference.*
- Q. Has any thought been given to losing the Yews Hill Road site, as pupils have a big transition to move up to infant school? Proceeds from the site could even be put towards supporting the proposals.  
*The way buildings are used and where provision is located across the school is being fed back as a key theme, and opportunities for the future is something that could be teased out from consultation. The site would be needed initially. Views on this are encouraged in consultation responses. There is however, legislation about the disposal of school sites. Unfortunately where school sites are no longer needed they are transferred to the Council's land bank for managing as part of an asset management strategy.*
- Q. Could the Children's Centre be brought under the umbrella of the school, creating a hub for children from birth through to Year 6?  
*The Council is keen for schools to become hubs for their communities, and there is opportunity for schools to shape and drive how this can be delivered. There is to be a session for school leaders and Governors, giving examples of hubs that have been set up thus far.*
- Q. The proposals mean 1470 primary pupils will access Dryclough Road rather than the current 1050. Will there be any additional parking or drop-off points?  
*The detail of just where the new primary academy would be located has not been decided, this would be planned should the current proposals be approved to move to the next stage. Initial discussions with Highways have indicated that the proposals are possible, but that mitigation will be required. As an example, at Royds Hall Community School the entrance is being widened, the flow of pupils has been investigated, staff parking and infrastructure has been thought through. Planning will not give permission if appropriate measures are not in place.*

- Q. Would all staff on a substantive contract automatically transfer to the new school?  
*Yes. The proposals are about strengthening what is already good within the existing schools. This is not a staff reduction exercise. A new Head would be appointed, and then the process could begin for the rest of the team.*
- Q. There is a large number of support staff here on fixed term contracts. What would happen if a new Head Teacher disagreed with this and wished to reduce numbers?  
*All staff on substantive contracts have substantive rights. HR can offer advice on these issues. Moreover, it would be unlikely a new Head would want to displace staff that are contributing to the success of the schools. There would still be the same number of pupils, so staffing levels would likely need to be maintained.*
- Q. The new primary academy proposal is creating the additional places; the merger of our schools is not adding places, which is perhaps making some people believe that this is a cost cutting exercise.  
*This is absolutely not a cost cutting exercise. There needs to be additional places established in the area and because there is a proposal to bring the 3 schools on this site together there was an opportunity to think carefully about the optimum size of the through school. The LA is keen to provide excellent provision for all pupils in the area. There would be no saving to the Council as schools are funded from the Dedicated Schools Grant which comes direct from central government.*
- Q. At one time the LA was looking to create a 'super school' at this site – why was this never progressed?  
*It was not cost effective, and there is not sufficient access into the site to allow for those levels of pupils. The panel that appoints the new Head Teacher would ensure that the focus would be on one organisation – not treating the buildings as separate entities. By way of support, the LA uses a project team model, where school leaders, Governors, LA Officers (HR, Finance, Buildings, and School Improvement) meet regularly to ensure a coordinated implementation. Examples of where this has worked successfully in bringing schools together include the former Brownhill schools, Ashbrow schools, Bradley schools, and Westmoor/Knowles Hill. Head Teachers and Governors are welcome to talk to any of these schools.*
- Q. Could the outcome of the election affect the proposals?  
*The legislation about bringing schools together has been around for some time, and changes are not anticipated – although they can't be predicted. Locally, outcomes are fed back to Cabinet for decision making. It is not known whether this will change, but school places in the area are required regardless of the political administration. Academies are not likely to go away, but if there are changes to the Academies Act, then the Council would respond accordingly.*
- Q. Historically, there were two infant schools on this site, each serving very different communities, which was divisive. It is hoped that having two primaries in the area would not bring about a return to that situation.  
*The additional places required means this is really the only option. Also, when an additional form of entry was investigated for these schools and Mount Pleasant Primary School, the costs were huge, as well as logistically impossible at Mount Pleasant.*
- Q. The temporary Governing Body of the new CE school needs to have a representational balance.

*The current Governing Bodies could meet, facilitated by the LA. This could be a positive step forward, for both sets of Governors to get to know each other, and to lead to open and meaningful conversation.*

Governors were thanked for their attendance and encouraged to feedback formally to the consultation.

Dryclough CE(VC) Infant School / Thornton Lodge Nursery School  
Joint Staff Consultation  
Tuesday 19 May 2015 4:00-5:10pm

Present: 4 LA Officers, 40 staff members, 4 Trade Union Representatives (Unison, ATL, NUT, NASUWT), Canon Wildey (Diocese of West Yorkshire & The Dales)

The LA gave an overview of the proposals, including noting the additional places put in as an interim measure at Dryclough CE(VC) Infant School and Crosland Moor Junior School, and the permanent expansion of Mount Pleasant Primary School. There is still a need for further additional forms of entry across Huddersfield. These proposals would offer a net gain of 60 places in the area.

- Q. Clarification was sought on the admission number, would this mean a 4 form entry?  
*Over a period of time (7 years) it was confirmed that the admission number at Dryclough CE(VC) Infant School would be 120 across all year groups*
- Q. Would excess space at Crosland Moor Junior School mean the eventual closure of the Dryclough building?  
*There is no scheme in place to come out of any of the buildings. It may mean the removal of the modular in time or this being used for intervention for example.*
- Q. What is the benefit for this school if the PAN is to drop to 120?  
*Expanding the new all-through school to a PAN of 180 would mean a very large primary the size of a secondary school. A 4 form entry school allows for positive school organisation to support teaching and learning.*
- Q. Would this mean restructure of staff as per the Dryclough/Thornton Lodge review?  
Would we need to apply for our own jobs?  
*The intention would be for all staff from both schools to transfer to the new all-through primary school. If the proposed all-through primary school is approved for implementation then the staffing structure for the all-through primary school would then be considered.*  
  
*It is an advantage as there are more career opportunities and space for manoeuvre within the all-through school. Reduced transition points have worked well at other schools that have amalgamated. We are keen to strengthen an already strong relationship between the schools.*
- Q. Staff felt strongly that 4 year olds coming up from the nursery wouldn't see any difference. It is still a change of building for them. Already strong pyramid arrangements for transition to Junior School in place.  
*Positive outcomes have been achieved up to year 6 where amalgamations have taken place due to the reduction in transition points*
- Q. Will staff reduce as class numbers reduce?  
*This will take place over a long period of time. This is not a cost cutting exercise. As staff move on, the structures would be reviewed.*
- Q. Support staff/admin staff – concerned re duplicity across the sites

*The interim governing body would have the responsibility to appoint a new head teacher. At this point, decisions would be made as regards structure and staffing. No council savings as funding is from DSG and is dependent on pupil numbers. Would be done in a calm and measured way. The logistics of having separate buildings may demand staff at each site. At St Thomas Primary, following amalgamation there were slight changes to roles but no change in numbers. At another through primary, admin staff have become more specialist in their roles. The process would be very transparent, rationale would be clear and would have to go through a process. Any changes in role would be implemented in a transparent way through agreed procedures in full consultation with staff and TU representatives.*

- Q. We assume the implementation will take place before the new school is built?  
*Yes, we are going through a period of statutory consultation, cabinet make the decision whether to proceed to the next stage, statutory notices, representation, and then back to Cabinet for final decision. Proposed implementation is 1/5/16, as part of the consultation it may be decided to move this date forward or back. This was determined to be the best date due to funding and the time needed to establish a new governing body and head teacher. Proposed reduction in PAN from Sept 16.*
- Q. When 2 new schools are built, what will happen if we are not full? Will this mean a further reduction in admission numbers?  
*Forecasts show the numbers are there. Many families go to appeal for places at Dryclough.*
- Q. Would the admissions policy mean one school would become 'elite'?  
*We would report to cabinet the need for all schools in the area to work collaboratively regarding admissions. We have put 2 proposals in the consultation for people in the area to comment on. To share catchment with the new school at Moor End, or the new school to work on distance from the school only. The admissions policy would need to serve the needs of the local community.*
- Q. The new academy will come with an 'appeared' prestige and we are concerned this will cause a cultural divide  
*We want to create harmony and don't want to repeat issues that have existed between schools in the area in the past.*
- Q. A sponsored academy rather than forced, linked to an outstanding academy, would have 'prestige'  
*Nothing has been decided with regards to the sponsor of the new primary school. The Council wants high quality school places for children across Kirklees and this underpins the proposals in Huddersfield South West.*
- Q. Pressure on secondary places, we will have more primary places per cohort group than available places in the secondary school, how will you deal with the shortfall?  
*Not currently as issue but logic tells us this will be something to be reviewed in the future.*
- Q. Would children at the new school get preference for Moor End Academy, the new school alone would half fill the high school. Is this not going to put other schools at a disadvantage?  
*As regards admissions, Moor End Academy's policy mirrors KMC and works on catchment area and goes on home address rather than school attended.*

- Q. When our intake is reduced, what happens if there are too many staff for pupils?  
*We would look at the structure at the time and go through consultation of necessary.*
- Q. Staff felt it was unfair to have to go through this again as it had already happened with the federation of Dryclough and Thornton Lodge. Staff did not feel that had been involved in the process and it was thrown at them.  
*LA officers took the points on board and reiterated that anxieties would be minimised and the process would be totally clear and transparent.  
 It was also clarified that the staff review at Thornton Lodge was due to nursery sustainability and not actually linked to the 2 schools being federated.  
 There can be no guarantee at this stage but through the HR framework there have been no job losses through the Almondbury schools re-organisation. Restructuring of staff is not the primary objective, we understand it creates uncertainty. It may require a managed staff reduction over time. There is actually a staff shortage across schools in the area.*
- Q. Why implement in May when September is the natural break, coming back to a new head teacher, staff structure etc.?  
*Opportunity to put in place transitional arrangements. Re staff working together, engaging with parents, change of uniform, recruitment of head teacher and senior leadership. A launch of a new name, logos etc. would make sense to take place in September, and gives children and families an opportunity to get excited about a fresh start.*
- Q. Leadership – The new head teacher would have to have a certain set of skills to lead such a large school. What would happen if no-one could be appointed, would current leadership continue?  
*LA doesn't make that decision, it is the governing body. The role would be advertised nationally. We think it is an attractive proposition for local heads to move up to a larger school. There isn't a 'person in mind' for the post. We would expect the leadership team to support the new head teacher.*
- Q. Would there be financial incentives for parents as regards the cost of new uniforms?  
*We aim to provide one-off support for parents. We work with governing bodies and leaders to give the best start. Signage and rebranding would also be funded.*
- Q. Would the nursery be expected to have the uniform also?  
*That would be consulted on with parents. School would work with parents as per the new Denby Dale F&N School and involve them in the process.*
- Q. How are the governing bodies amalgamated?  
*As regards a 'new' school, we would establish a temporary governing body, usually from the existing governing bodies. This needs to be equally represented so not biased toward one governing body.*
- Q. Implications with link with church - would the new school be voluntary controlled?  
*Yes, re-organisations involving church schools continue to have involvement from the Diocese, the new school will be declared a voluntary controlled school as the LA cannot reduce denominational places in the area. The Board of Education at the Diocese of West Yorkshire and the Dales are currently considering the consultation and will respond as to whether they support the proposals or not. The best interests of*

*the children are what are most important, feedback from the staff is also very important. An informed decision will be made and the Diocese has a good working relationship with the authority.*

The LA agreed to distribute further copies of the consultation document to Dryclough Infant School and Thornton Lodge Nursery School for the staff as some members of staff hadn't been given their own copy, these were sent out the following day.

Staff were thanked for their attendance and encouraged to feedback formally to the consultation.

Dryclough CE(VC) Infant School & Thornton Lodge Nursery School  
Governor Consultation Meeting  
Tuesday 19 May 2015 5:15-6:15pm

Present: 4 LA Officers, 12 Governors, Canon Wildey (Diocese of West Yorkshire & The Dales)

- Q. Considering the 2 new schools, what money is available to spend on the existing schools? Old 60s buildings are notoriously difficult to maintain  
*We are in a privileged position to build 3 new schools as the council is borrowing money to enable us to do this (including Royds Hall). Money is not available to rebuild here. Over 7 years the numbers would be reduced at the new through school. Both schools are part of a PFI contract. Over time, physical accommodation would be freed up. Points have been made about bringing large numbers of staff and children together, commitment has been made to look at that.*
- Q. The governing body has concerns re getting numbers into the school, can we assume Moor End Academy would be sponsoring the new primary academy?  
*Forecasts show we need the extra places. Parents may preference other schools but admission policies would still apply. We cannot make an assumption re the primary academy, it is not intended to be a 3 to 16 through school. The new primary school would have its own head teacher.  
This school would also be the only church school in the area. The new school will be declared a VC school as the LA cannot reduce denominational places. The Diocese of West Yorkshire & The Dales would not want anyone 'forced' into a church school, the DfE may see it as a conflict of interest by amalgamating.  
The LA is proposing the technical closure. We have asked for a complimentary proposal by the Diocese for the new VC school. Elected members are the decision maker.  
Where there are proposals relating to VC/VA schools the Diocese can object.  
Windmill Primary was a successful collaboration of a maintained school and a VC school, forming a through VC school.*
- Q. So the council decides on the council's consultation?  
*There is a significant commitment by Kirklees to reduce the number of transition points. The cabinet will consider all responses to consultation.*
- Q. It's disappointing that no investment will be made at this school for a number of years. We feel a lot of parental movement towards a 'new school' due to new resources could impact upon us.  
*This is a well-established school with loyal families and a good reputation. Parents may make a judgment on appearance of the school, but the feel of the school and the teaching staff, the ethos are all important deciding factors. It is not envisaged that there will be no investment when the new school is established this will be reviewed when appropriate.*
- Q. The term 'new school' misleads in the consultation document, Parents don't look at DfE numbers, they need to understand it's not a 'new' building  
*The old schools technically close and their DfE numbers are no longer in existence. The new school is the opened in the existing buildings with a new DfE number. This is a new school. The governing body needs to be able to support parents and clarify that point.*



- Q. What is the future of the temporary classroom?  
*Holistically all accommodation on the site will be reviewed strategically. The physical assets in their entirety including Yews Hill Road.*
- Q. Has any consideration been given to the future of the St Luke's Site?  
*We understand it to be highly likely that housing development will take place. The new places take into account future demand.*
- Q. Part of the land belongs to the CofE, this issue has remained since 1993  
*Transference of sites have not been dealt with urgently historically by the Diocese. We understand this will have to be sorted out and should the new school go ahead, then the buildings would transfer to the Diocese as set out in law.*
- Q. What date would the new build primary school be open? Where will the 30 places be housed in the interim?  
*Temporary accommodation will be provided to house the first cohort, as per Royds where the first 2 years have been housed in temporary accommodation within the school. A process will have to be gone through as regards dining and amenities, planning processes etc. approx. a year to build.*
- Q. Could Dryclough not hold onto a 5 form entry for now rather than a temporary solution at Moor End for September 16?  
*Please make a note of that in your consultation response, it is a useful suggestion.*
- Q. It takes time to bring together different ethos and working practices and is a process that can't happen overnight  
*Opportunities exist to have something unique here in bringing 3 successful establishments together. You are already working together collaboratively, it's about making things better not worse. The new school needs to continue working with the other schools in the area.  
 Competition is not part of the Diocese's vocabulary.*
- Q. We are in an area of disadvantage. Concerns re diminished budget but with the same footprint. Nursery has a very vulnerable budget position currently. Budget/financing must be considered for the next few years.  
*This depends on formulas but currently heavily weighted toward pupil premium and free school meals. Potential for some areas of the school to be utilised for community use?  
 The establishment of a project team including colleagues from HR, Capital, Finance, learning and communications would take place, so everything is in view alongside school leaders.*
- Q. Staff/school leader time? What would time requirements be regarding the re-organisation? Difficulties as acting head teachers in place and we can't currently go out to recruitment due to the impending re-organisation  
*We support the schools through re-organisation, school improvement is so important. Establishment of a temporary governing body could mean extra work for current members, all parties need to be represented alongside current business. One of the first tasks would be to recruit a new head teacher. A Project team is a concentrated*

*managed approach. Measured timelines to be followed. A shared message and understanding.*

Q. Priority admission areas – Please explain options.

*New academy would be an own admission authority. New VC School would have the same admission area and VC admission criteria as present. The 2 options for the new academy would be a) Academy and VC school to share a PAA, and b) Academy admissions to be determined on distance from school  
Opportunity for annual consultation through determined arrangements.*

Q. Could the new academy select on aptitude?

*No, all schools must adhere to the Admissions Code. The LA could object to the admissions policy.*

Q. When will the report go to Cabinet?

*The consultation closes on 5<sup>th</sup> June. 30<sup>th</sup> June is the aim for the Cabinet report to be considered but is a tight deadline. The governing body is welcome to make representations at council meetings. The LA are keen to take the report to decision before the summer holiday so schools know what the next steps will be..*

The LA officers thanked the governing body for raising their concerns, it is the discussions that help us to work together. Please respond to the consultation collectively as a governing body if you wish. The Diocese also encouraged feedback regarding these proposals.

## **Appendix D – Response from Leeds Diocesan Board of Education**

The response below was submitted by the Leeds Diocesan Board of Education and is not included in the numerical analysis of the main report. This confirms that having reviewed the full responses to the consultation, and, subject to Cabinet approval to moving the statutory processes to the next stage, that the Diocesan Board of Education is supportive of publishing linked proposals to establish a replacement all through Church of England Primary School.

**THE LEEDS DIOCESAN BOARD OF EDUCATION**  
**RESPONSE TO THE CONSULTATION BY KIRKLEES LOCAL AUTHORITY TO**  
**BRING TOGETHER**  
**THORNTON LODGE NURSERY, DRYCLOUGH CE VOLUNTARY CONTROLLED**  
**INFANT SCHOOL**  
**AND CROSLAND MOOR JUNIOR SCHOOL**  
**TO FORM A SINGLE CHURCH OF ENGLAND VOLUNTARY CONTROLLED**  
**PRIMARY SCHOOL**  
**WITH NURSERY PROVISION FOR PUPILS 2-11 YEARS**

The Leeds Diocesan Board of Education commends the Local Authority for conducting a thorough consultation process and collating the questions, comments and views expressed at the 9 meetings.

With specific reference to the element of the proposal to create an all through Church of England Voluntary Controlled Primary School:

The Leeds Diocesan Board of Education initially agreed in principle to propose an all through VC Primary School, officers having previously discussed in detail the benefits as listed in 4:2 of this report.

Having read the detail of support expressed in response to the consultation listed in Appendix C of this report, the Leeds Diocesan Board of Education agrees that the provision of an all through Church of England Voluntary Controlled Primary School with Nursery will benefit the children and families of the local community.

Members of the Leeds Diocesan Board of Education are content to act as the Proposer of the new school within the Diocese of West Yorkshire and the Dales.

The officers of the Leeds Diocesan Board of Education will work closely with the officers of the Local Authority, governors and staff of the three schools to bring about the successful implementation of this proposal.



Name of meeting: Full Cabinet  
Date: 30 June 2015

Title of report: Establishing the Kirklees Economy and Skills Board

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	N/A
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	Alison O'Sullivan – 15 <sup>th</sup> June 2015
Is it signed off by the Director of Resources?	David Smith – 17 <sup>th</sup> June 2015
Is it signed off by the Assistant Director – Legal, Governance & Monitoring?	Julie Muscroft – 19 <sup>th</sup> June 2015
Cabinet member <a href="#">portfolio</a>	Cllr David Sheard, Leader Cllr Peter McBride, Transportation, Skills, Job and Regional Affairs Cllr Shabir Pandor, Schools and Learning

Electoral [wards](#) affected: N/A

Ward councillors consulted:

Public or private: Public

## 1. Purpose of report

- 1.1 To propose the establishment of the Kirklees Economy and Skills Board (KESB) with associated terms of reference and proposed membership (see Appendix 1).

## 2. Key points

- 2.1 The Kirklees Economic Strategy (KES) provides the Council, its partners and local businesses with the framework for driving economic growth and resilience in the district.
- 2.2 The KES is closely aligned to the Joint Health and Wellbeing Strategy and the strategies share joint outcomes. The intention, through the

KESB, is to establish effective planning, governance and accountability arrangements to drive the delivery of the economic strategy. These arrangements will be similar to the Joint Health and Wellbeing Board. However, the KESB will not have any statutory duties relating to its economic and skills focus, it will not be a Council Committee and its decisions will be advisory and not binding.

- 2.3 The Board will also have a primary responsibility to maximise the influence of the district within the West Yorkshire Combined Authority (WYCA) and Leeds City Region Local Enterprise Partnership (LEP) structures. The Board will act as the local vehicle for strategic engagement with WYCA / LEP providing a local focus for the City Region's aspiration to reverse the current position and become a net contributor to the nation's wealth. The Board will enable Kirklees to position itself as a vital component in the successful implementation of the Leeds City Region Strategic Economic Plan. The Board will enhance Kirklees' reputation for successful programme delivery and will help to maximise investment into the district from existing growth programmes and any future devolution deals / freedoms and flexibilities. The intention is for the Board to present local, consistent, and combined private and public sector leadership to deliver the economic vision for Kirklees as outlined in the KES:

***“to be recognised as the best place to do business in the north of England and one where people prosper and flourish in all of our communities”.***

- 2.4 The KESB, whilst retaining a small nucleus of senior representatives, will involve partners from the education and private sectors alongside senior elected members and officers of the Council. The Board will have a minimum of five and maximum of 9 members. It is proposed that:
- The Portfolio Holder for Transportation, Skills, Jobs and Regional Affairs oversee recruitment to the Board;
  - A significant private sector leader is tasked with Chairing the Board with the Council Leader as vice-Chair with appropriate deputising arrangements;
  - Other private and public sector representatives act as “champions” for elements of the strategy and galvanise their networks to bring wider leadership and influence; and
  - A formal recruitment exercise is undertaken to attract Board members with a clear description of the role, clear expectations around attendance and a two year limit placed upon membership.
- 2.5 An important consideration in formalising the structure and membership of the Board is the ability of members to collectively maximise influence with WYCA / LEP building upon existing local representation.
- 2.6 The Board will meet quarterly and will be administered by an officer secretariat. The Board will be supported by a wider reference group drawn from appropriate partner agencies and Council services.

Focussed task and finish groups will be established, where appropriate, to drive delivery of the KES.

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

3.1 The establishment of the Kirklees Economy and Skills Board will:

- Enable the Council to establish the governance, direction and capacity to realise the ambitions set out in the economic strategy;
- Provide the platform for the Council and partners to work locally, nationally and internationally to deliver economic growth resilience;
- Allow the Council and partners to maximise influence with and investment from WYCA / LEP and provide a vehicle for strategic engagement on city-region economic growth and devolution agendas; and
- Allow the Council and partners to align this governance with the established arrangements to deliver the Health and Wellbeing responsibilities and to integrate this with the work being undertaken to establish New Council (see Appendix 2 – Structure Diagram).

3.2 There are no associated legal or financial implications arising from the establishment of the Board.

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

4.1 The Leader of the Council and the Portfolio Holders for Transportation, Skills, Jobs and Regional Affairs and Schools and Learning have been consulted and are supportive of the proposals..

4.2 The Chief Executive, Place Directorate Management Team and Learning and Skills Leadership Team support the proposal to establish the KESB.

### **5. Next steps**

5.1 Following Cabinet approval, the next step will be to develop a recruitment exercise to attract sufficient and appropriate private sector representatives. A communications plan will be developed and agreed to formally announce the establishment of the Board and to coincide this with the launch of the adopted Kirklees Economic Strategy.

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

6.1 Cabinet is recommended to approve the establishment of the KESB and the proposals for recruitment to the Board. The Board will enable the Council to put in place the necessary governance and oversight for the delivery of the KES, aligned to the Joint Health and Wellbeing Board and the work underway to support the economic resilience and

early intervention and prevention themes. The KESB will strengthen the district's influence and representation in the City Region LEP / WYCA structures and support increased levels of investment in the district.

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

- 7.1** The Leader of the Council and the Portfolio Holders for Transportation, Skills, Jobs and Regional Affairs and Schools and Learning have been consulted and are supportive of the proposals

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

Martin Green, Deputy Assistant Director – Skills, Progression and Enterprise, Learning and Skills

[martin.green@kirklees.gov.uk](mailto:martin.green@kirklees.gov.uk)

01484 221000

## **9. Assistant director responsible**

Gill Ellis, Assistant Director – Learning and Skills / Place



## Kirklees Economy and Skills Board

### Terms of Reference – June 2015

#### Purpose and Functions of the Board

- To provide the local leadership and ambition to achieve the vision for Kirklees to be recognised as a great place to do business in the North of England and one where people prosper and flourish in all of our communities.
- To work closely with and maximise influence upon the Leeds City Region Enterprise Partnership (LEP) and West Yorkshire Combined Authority (WYCA). This will enable Kirklees to position itself as an economic success in a strong city-region and resurgent northern economy and a vital delivery agent for the LEP's Strategic Economic Plan.
- To advise on the strategic direction and commissioning framework for the delivery of the priorities in the Kirklees Economic Strategy (KES).
- To ensure alignment with the Kirklees Health and Wellbeing Board and that the delivery of the KES reinforces the associated Joint Health and Wellbeing Strategy and supports resilience in our businesses, communities and individuals.
- To determine local freedoms and flexibilities and secure investment from government, business and key national and local agencies.
- To provide commissioning direction and champion activities to support the 5 priorities of the KES, namely:
  1. **Precision engineering and innovative manufacturing** - strength in depth and excellence;
  2. **Innovation and enterprising businesses** - championing creativity, entrepreneurship and resilience;
  3. **Workforce, skills and employment** - extending opportunities and powering business success;
  4. **Infrastructure** - making it easier for businesses to succeed and for people to access work; and
  5. **Quality places** - locations of choice for people, business and investment.
- To provide lead accountability arrangements for the delivery of 6 headline initiatives set out in the KES:
  1. Consolidate Kirklees at the heart of a growing **innovative manufacturing and engineering cluster** in Leeds City Region with stronger supply chains and radically improved innovation and exports activity;
  2. Maximise the impact of a **suite of high quality innovation and enterprise assets**, including a University-led Enterprise Zone and the National Process Engineering Facility at Kirklees College
  3. Implement an action programme to enhance **enterprise, skills and opportunities for young people**, in order to maximise their economic contribution, ensure routes for progression and tackle youth unemployment;
  4. Develop **strategic employment sites to stimulate jobs and growth**, with focus on manufacturing and engineering supported by associated major infrastructure improvements;
  5. **Revitalise Huddersfield** town centre including through an enhanced independent retail, cultural and leisure offer; mixed use development of the Waterfront Quarter and other key sites; and next generation digital connectivity; and
  6. Kick start the **transformation of Dewsbury** building on its strategic location and driven by integrated housing and economic development in the town centre.

#### Membership

The Board will be small and focussed with a minimum of 5 and maximum of 9 attendees drawing upon membership from key stakeholders in the future economic success of the district. It will seek to maximise Kirklees influence upon the City-Region agenda and will seek to maximise the value of existing representation on WYCA / LEP structures. It will include: the Leader of the Council (or a nominated Cabinet Member as deputy);

the Chief Executive of the Council (or a nominated Director as Deputy); key leaders in statutory, further and higher education; and private sector business leaders. Senior Council Officers will provide a Secretariat function for the Board.

### **Format of Meetings**

Meetings will be held quarterly and will be chaired by a private sector representative. The Leader of the Council (or Cabinet Member) will be the deputy chair. The meetings will be scheduled for two hours and the agenda constructed to enable the Board to fulfil its purpose and function. Members will need to declare any interests in agenda items.

### **Reference Group**

A Reference Group, drawn from Council staff and partner agencies, will be established to support the Board and drive delivery of its priorities. Membership will be extended to: employer networks and representative bodies active in the district; statutory, further and higher education; private sector training bodies; the community and voluntary sector; business support agencies; Jobcentre Plus; Skills Funding Agency; and appropriate housing / infrastructure bodies operating in the city-region with a focus upon the priorities in the economic strategy.

### **Overview and Scrutiny**

A more formal relationship between the KESB and scrutiny will be determined once the Board is established and reporting channels into Overview and Management Scrutiny Committee (OSMC). In developing a relationship and enabling OSMC to maintain an overview of the work of the board, as a minimum, the deputy Chair (or nominated portfolio holder) will attend OSMC to present and discuss the Economy and Skills Board's Annual report.

### **Relationships to Other Boards, Structures and Stakeholders**

The Board will keep in view the most appropriate relationships and links that need to be established. In particular, relationships with the following boards, structures and stakeholders will continue or be developed:

- West Yorkshire Combined Authority and Committees
- Leeds City Region Local Enterprise Partnership Board and Panels
- Leeds City Region European Structural Investment Funds (ESIF) Local Sub Committee
- Kirklees Joint Health and Wellbeing Board



**Cabinet: 30<sup>th</sup> June 2015**

**Term Dates for the Academic Years  
September 2016 to July 2017 and September 2017 to July 2018**

<b>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>No</b>
<b>Is it in the <a href="#">Council's Forward Plan?</a></b>	<b>Yes April 2015</b>
<b>Is it eligible for call in by <a href="#">Scrutiny?</a></b>	<b>Yes</b>
<b>Date signed off by <u>Director</u> &amp; name</b>	<b>Alison O'Sullivan</b>
<b>Is it signed off by the Director of Resources?</b>	<b>David Smith</b>
<b>Is it signed off by the Assistant Director – Legal, Governance &amp; Monitoring?</b>	<b>Julie Muscroft</b>
<b>Cabinet member <a href="#">portfolio</a></b>	<b>Children's Services Cllr Shabir Pandor</b>

**Electoral wards affected and ward councillors consulted:** All wards

**Public or private:** Public

## 1. Purpose of report

Kirklees Local Authority as the admission authority determines term dates for community, special and voluntary controlled schools. The governing bodies of voluntary aided schools and trust schools and the academy trusts of academies and free schools, are able to determine their own dates and in the interests of pupils and their families and staff the majority of own admission authority schools coordinate with those dates set by the Council.

This report is being presented in order to approve the term dates for the academic years 2016/2017 and 2017/2018.

## 2. Key points

Statutory regulation requires that 195 school days are identified in any academic year. Pupils attend for a statutory 190 days and the five additional days are pupil occasional holidays determined by the governing body of the school.

The Kirklees (1993) policy for determining school term dates is set out in Appendix 1.

The Local Government Association (LGA) urges Authorities to try to achieve a Coordinated approach when determining term dates and there is increasing pressure to try to agree a common calendar across the country. Officers have liaised with neighbouring authorities to inform the consultation process in Kirklees and this has highlighted that because of differing policies and approaches to those that are operated in Kirklees some of the dates proposed, do not match with those in other LAs.

When applying the Kirklees policy, the dates proposed for our school term dates for the 2016/2017 and 2017/2018 school years indicated that there are common dates between Kirklees and its neighbours, there was, however, a mismatch between the 2016/2017 Autumn term start date (as determined by the Kirklees policy) compared with the dates set by our neighbouring local authorities. The Kirklees policy determines that the school year shall start on the first week day in September which is Thursday 1 September 2016, however as set out in Appendix 2 it can be seen that our neighbouring local authorities propose to start the Autumn term on the first Monday in September which is Monday 5 September 2016. Following discussions during consultation, and with the Place Planning and Admissions Group, it is now proposed that the pattern of the start of the autumn term date for 2016/2017 and 2017/2018 should follow that of our neighbouring local authorities and start on the first Monday in September each year.

### 2.1 Academic Year 2016/17

<b>Proposed Term Dates 2016/2017</b>	
<u>Autumn Term</u>	
Begins	Monday 5 September 2016
Half Term	Monday 24 October 2016 to Friday 28 October 2016 inclusive
Ends	Friday 16 December 2016
<u>Spring Term</u>	
Begins	Tuesday 3 January 2017
Half Term	Monday 20 February 2017 to Friday 24 February 2017 inclusive
Ends	Friday 7 April 2017
<u>Summer Term</u>	
Begins	Monday 24 April 2017
Half Term	Monday 29 May 2017 to Friday 2 June 2017 inclusive
Ends	Tuesday 25 July 2017

## Autumn Term 2016/17

- Following consultation Kirklees proposes to begin the autumn term on Monday 5 September. All neighbouring authorities also propose to start on Monday 5 September.
- The dates proposed for the half term holiday are coordinated with the exception of Bradford who set shorter half terms to enable schools to have greater flexibility in the use of pupil occasional holidays.
- Kirklees and all neighbouring authorities propose to end the term on 16 December

## Spring Term 2016/17

- Kirklees and all neighbouring authorities propose to begin spring term on 3 January
- The dates proposed for the half term holiday are coordinated with Calderdale and with Bradford (although there is still a shorter half term week in Bradford to allow for flexibility), Leeds and Wakefield propose to finish for the half term holiday a week earlier.
- Kirklees propose to finish for the Easter break on 7 April, the same as Calderdale, Bradford and Wakefield, this is a week later than Leeds.

## Summer Term 2016/2017

- Kirklees proposes to begin the summer term on 24 April, the same as Bradford, Calderdale and Wakefield. This is a week later than Leeds
- The dates proposed for the half term holiday are coordinated with all neighbouring authorities.
- The last day of the academic year is proposed to be 25 July, the same as Calderdale and Wakefield. Other neighbouring authorities finish either 1 or 2 days earlier or later, with the exception of Bradford which is the 21 July.

It is proposed therefore that the pattern of term dates for 2016/17 and 2017/2018 should follow that set by the Kirklees Policy with the exception of the start of the Autumn Term date in 2016/17 and the start of the Autumn Term date in 2017/18.

## 2.2 Academic Year 2017/18

<b>Proposed Term Dates 2017/2018</b>	
<u>Autumn Term</u>	
Begins	Monday 4 September 2017
Half Term	Monday 23 October 2017 to Friday 27 October 2017 inclusive
Ends	Friday 22 December 2017
<u>Spring Term</u>	
Begins	Monday 8 January 2018
Half Term	Monday 19 February 2018 to Friday 23 February 2018 inclusive
Ends	Thursday 29 March 2018

<u>Summer Term</u>	
Begins	Monday 16 April 2018
Half Term	Monday 28 May 2018 to Friday 1 June 2018 inclusive
Ends	Tuesday 24 July 2018

Term dates for the 2017/2018 school year have not yet been determined by our neighbouring local authorities, however, it has been proposed during consultation that in Kirklees dates are set for a 2 year period. This proposal to determine term dates for a two year period has been welcomed by consultees as it would assist parents with child care planning and enable schools to strategically plan academic study for pupils.

### **2.3 Own Admission Authority Schools**

The majority of own admission schools, continue to align their term dates with those of the Local Authority, however, there are two Kirklees Academies who have informed the Local Authority recently that they will be changing their term dates for the 2015/2016 school year. This means that there may be some significant differences between the term dates set for these Academies and the majority of other schools in Kirklees as well as those schools in neighbouring authorities during the school year 2015/2016.

### **3. Implications for the Council, Human Resources implications**

The HR implications have been considered through the consultation process in conjunction with HR and trade unions

#### **Financial Implications**

There are no financial implications in relation to this report.

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

The main route for consultation regarding proposed school term dates has been with the main school Professional Associations and Trades Unions through the respective Education Liaison Groups and Headteacher Group Meetings. All Headteachers of all schools in Kirklees have been consulted during the process as well as members of the Place Planning and Admissions Group made up of Headteachers, Diocese representatives and officers.

There was some concern expressed as part of the consultation where there were significant differences between the dates proposed for Kirklees and those in neighbouring authorities as this has the potential to impact on families who may have children in school in more than one authority (eg a child at a primary school in Kirklees and a sibling at a secondary school in Leeds) as well as affecting school staff who live in neighbouring authorities and have children at school as this may create problems with childcare.

This could have potential impact on attendance of pupils for some schools. However, this has been addressed following the consultation period by making adjustments to the proposed dates for approval by Cabinet.

It is generally recognised that it is challenging to fully co-ordinate dates with neighbouring Authorities where different policies are being applied however the recommendation to move the start of the Autumn Term dates in 2016/17 and 2017/18 to the first Monday in September, will bring Kirklees more in line with the majority of our neighbouring local authorities.

## **5. Next steps**

When determined the 2016/2017 and 2017/2018 term dates will be communicated to the governing bodies of all schools as well as neighbouring local authorities.

The Kirklees term dates for 2016/2017 and 2017/2018 Appendix 3 and Appendix 4 will appear on the Kirklees Council website and include details of the bank holidays during the 2016/2017 and 2017/2018 school years.

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

### **Members are requested to;**

- Note that the dates proposed meet with the required number of school days as in statutory regulation.
- Note that the Kirklees policy for school term dates generates dates for 2016/2017 and 2017/2018 where there are some variations between the proposed dates in Kirklees when compared with the dates set by neighbouring local authorities.
- Note that following consultation, the recommendation is to adjust the start date of the Autumn Term in 2016/2017 and 2017/2018 to the first Monday in September which supports the learning and attendance for our children and will also bring Kirklees more in line with the majority of our neighbouring local authorities.
- Note that the collective view of the majority of consultees welcomes and supports the adoption of the term dates for both 2016/17 and 2017/18.
- Approve the proposed term dates for the school year 2016/2017 and 2017/2018 as set out above (and shown in Appendix 3 and Appendix 4)

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

I am content that a robust consultation has taken place with our school stakeholders. I am aware that it is increasingly difficult to coordinate term dates with all neighbouring authorities as there are a range of policies that are in place, and therefore a pragmatic approach to make minor adjustments following feedback as part of the consultation supports our schools and our

families to maximise opportunities for learning. I welcome that our schools are mindful of, and are keen to collaborate in arrangements that support our families and what that means for them in making very practical arrangements; for example where families have children in both primary and secondary schools. I would strongly encourage this to continue so as far as is practicable so that the arrangements that we approve for community and voluntary controlled schools for the term dates for 2016/17 and 2017/18 are reflected by all schools across Kirklees.

## **8. Contact officers**

Jo-Anne Sanders  
Deputy Assistant Director Learning and Skills  
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Juliet Stott  
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**Assistant Director responsible**  
Gill Ellis  
Assistant Director for Learning and Skills  
Directorate for Children and Young People

## **9. Background Papers**

Appendix 1 -.Kirklees Policy for setting Term Dates

Appendix 2 – 2016/2017 Term Dates Kirklees and Neighbouring Local Authorities Comparison

Appendix 3 - Recommended term dates for 2016/2017 (includes bank holiday dates)

Appendix 4 - Recommended term dates for 2017/2018 (includes bank holiday dates)



**Directorate for Children & Young People****POLICY FOR SCHOOL TERM DATES**

The policy for determining the 195 school days was approved by Education Committee on 10 August 1993.

The school year shall consist of 195 school days. Pupils must attend on 190 of those days. In nominating the five pupil occasional holidays, governing bodies must accommodate the use of the school as a polling station, where needed.

**1. Start of the School Year**

The school year shall start on the first week day in September.

**2. Autumn Half Term Holiday**

The Autumn half term holiday shall be the five days which are the last period Monday to Friday in October. According to the year October half term can start as early as Monday 21 and as late as Monday 27 October.

**3. Christmas Holiday**

The Christmas holiday shall start on the Friday which is on, or otherwise immediately prior to, 22 December and shall include at least 10 school days (three weekends) and any New Year's day holiday which is outside that period.

**4. February Half Term Holiday**

The February half term holiday shall be five days Monday to Friday which divides the term as far as possible into two equal parts.

**5. Easter Holiday**

If Easter Sunday falls on or before 8 April the term shall end at the close of the afternoon session on Maundy Thursday (the day before Good Friday) and be closed for 11 school days. If Easter Sunday falls after 8 April the term shall end at the close of the afternoon session on the Friday before Good Friday. The holiday will be 10 school days.

**6. Spring Bank Half Term Holiday**

The Spring Bank half term holiday shall be five days Monday to Friday from the statutory holiday which falls as the last Monday in May.

**7. The Start of the Summer Holiday**

Taking into account the holidays given above, the start of the Summer holiday shall be such that the school year consists of 195 school days of which five days shall be declared as pupil occasional holidays by the governing body of each community, controlled and special school.

DRAFT Term Date Calendars for 2016-17 Terms												
2016/17	2016				2017							
	Autumn Term				Spring Term				Summer Term			
	Half Term				Half Term				Half Term			
	School Opens	First Day of Holiday	Last Day of Holiday	School Closes	School Opens	First Day of Holiday	Last Day of Holiday	School Closes	School Opens	First Day of Holiday	Last Day of Holiday	School Closes
Bradford	05/09/2016	24/10/2016	26/10/2016	16/12/2016	03/01/2017	20/02/2017	22/02/2017	07/04/2017	24/04/2017	29/05/2017	02/06/2017	21/07/2017
Calderdale	05/09/2016	24/10/2016	28/10/2016	16/12/2016	03/01/2017	20/02/2017	24/02/2017	07/04/2017	24/04/2017	29/05/2017	02/06/2017	25/07/2017
Kirklees	05/09/2016	24/10/2016	28/10/2016	16/12/2016	03/01/2017	20/02/2017	24/02/2017	07/04/2017	24/04/2017	29/05/2017	02/06/2017	25/07/2017
Leeds	05/09/2016	24/10/2016	28/10/2016	16/12/2016	05/01/2017	13/02/2017	17/02/2017	31/03/2017	18/04/2017	29/05/2017	02/06/2017	26/07/2017
Wakefield	05/09/2016	24/10/2016	28/10/2016	16/12/2016	03/01/2017	13/02/2017	17/02/2017	07/04/2017	24/04/2017	29/05/2017	02/06/2017	25/07/2017

**SCHOOL CALENDAR (TERM DATES) FOR COMMUNITY, CONTROLLED AND COMMUNITY SPECIAL SCHOOLS**

<b>Academic Year 2016/2017</b>									
AUTUMN TERM			SPRING TERM			SUMMER TERM			
35 Days		35 Days	34 Days		30 Days	24 Days		37 Days	
FIRST DAY	HALF TERM	LAST DAY	FIRST DAY	HALF TERM	LAST DAY	FIRST DAY	HALF TERM	LAST DAY	
<b>Mon 5 Sept</b>	Mon 24 Oct to Fri 28 Oct inclusive	<b>Fri 16 Dec</b>	<b>Tues 3 Jan</b>	Mon 20 Feb to Fri 24 Feb inclusive	<b>Fri 7 Apr</b>	<b>Mon 24 April</b>	Mon 29 May to Fri 2 Jun inclusive	<b>Tues 25 July</b>	

195 DAYS - FIVE OF WHICH ARE TO BE PUPIL OCCASIONAL HOLIDAYS.

**Note:** Two of the five days may be disaggregated. If schools wish to disaggregate additional days, a written request giving details must be submitted to Pupil Admissions by email to [pupiladmissions@kirklees.gov.uk](mailto:pupiladmissions@kirklees.gov.uk) for the attention of the Deputy Assistant Director: LA Statutory Duties

**Bank Holidays**

Christmas Monday 26 December 2016  
 Christmas Tuesday 27 December 2016  
 New Years Day Monday 2 January 2017  
 Good Friday Friday 14 April 2017

Easter Monday  
 May Day  
 Spring Bank  
 August Bank Holiday

Monday 17 April 2017  
 Monday 1 May 2017  
 Monday 29 May 2017  
 Monday 28 August 2017

**SCHOOL CALENDAR (TERM DATES) FOR COMMUNITY, CONTROLLED AND COMMUNITY SPECIAL SCHOOLS**

<b>Academic Year 2017/2018</b>								
AUTUMN TERM			SPRING TERM			SUMMER TERM		
35 Days		40 Days	30 Days		24 Days	29 Days		37 Days
FIRST DAY	HALF TERM	LAST DAY	FIRST DAY	HALF TERM	LAST DAY	FIRST DAY	HALF TERM	LAST DAY
<b>Mon 4 Sept</b>	Mon 23 Oct to Fri 27 Oct inclusive	<b>Fri 22 Dec</b>	<b>Mon 8 Jan</b>	Mon 19 Feb to Fri 23 Feb inclusive	<b>Thurs 29 Mar</b>	<b>Mon 16 Apr</b>	Mon 28 May to Fri 1 Jun inclusive	<b>Tues 24 July</b>

195 DAYS - FIVE OF WHICH ARE TO BE PUPIL OCCASIONAL HOLIDAYS.

**Note:** Two of the five days may be disaggregated. If schools wish to disaggregate additional days, a written request giving details must be submitted to Pupil Admissions by email to [pupiladmissions@kirklees.gov.uk](mailto:pupiladmissions@kirklees.gov.uk) for the attention of the Deputy Assistant Director: LA Statutory Duties

**Bank Holidays**

Christmas Day	Monday 25 December 2017	Easter Monday	Monday 2 April 2018
Boxing Day	Tuesday 26 December 2017	May Day	Monday 7 May 2018
New Years Day	Monday 1 January 2018	Spring Bank	Monday 28 May 2018
Good Friday	Friday 30 March 2018	August Bank Holiday	Monday 27 August 2018

The expected date for elections will be the first Thursday in May



**Name of meeting:** CABINET  
**Date:** 30 June 2015

**Title of report:** Proposed introduction of Public Space Protection Orders

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
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 – 16 June 2015
Is it signed off by the Director of Resources?	David Smith – 17 June 2015
Is it signed off by the Assistant Director - Legal & Governance?	Julie Muscroft – 17 June 2015
Cabinet member <a href="#">portfolio</a>	Housing and the Relief of Poverty

Electoral [wards](#) affected: ALL  
Ward councillors consulted: NONE

Public or private: PUBLIC

## 1. Purpose of report

To seek Cabinet authorisation to introduce Public Space Protection Orders (PSPO), as set out in the Anti-Social Behaviour, Crime and Policing Act 2014, within the Kirklees district and delegate authority for future orders to officers as defined within the schedule of delegated authority.

## 2. Key points

- 2.1 Under the Anti-Social Behaviour, Crime and Policing Act 2014, there is provision for local authorities to introduce measures to address anti-social behaviour in public spaces. As relevant to this report, the Act replaces three existing powers with one new power – the Public Space Protection Order.
- 2.2 The new orders are more flexible and can be applied to a much broader range of issues, with local authorities having the ability to design and implement their own prohibitions or requirements where certain conditions are met these being that:

The Council must be satisfied on reasonable grounds that activities carried out in a public space will have or are likely to have:

- A detrimental effect on the quality of life of those in the locality
- Are persistent or continuing in nature
- Are unreasonable
- And justify the restrictions imposed

(Appendix A sets out the activities that will have controls placed upon them and the geographical areas covered by the orders).

2.3 The orders to be replaced are listed below, it should be noted that if the act was not introduced any existing orders would transfer over to the new legislation in three years:

- Designated Public Place Orders - these place controls on street drinking.
- Dog Control orders.
- Gating orders (Appendix B sets out the revised criteria for introduction of controls on public rights of way).

2.4 We are proposing to use the new Public Space Protection Orders to:

Extend the controls on street drinking to cover the route of the Ale Trail as well as the existing control zones of Huddersfield town centre, Dewsbury town centre and Batley. It will allow West Yorkshire Police to respond to the identified concerns along the route of the so called Ale Trail. (See appendix C setting out reported issues and mapping the areas).

Extend the current dog control orders to include a restriction on multiple dog walking in response to increasing problems caused by commercial dog sitters/walkers.

Put in place an easier route for action on public urination, these areas, to correspond with those within the controls on street drinking.

Put controls on nuisance caused by amplified busking.

2.5 Failure to abide by these orders will result in the issue of a fixed penalty of £100 with an early repayment reduction to £60, which if not paid may then result in prosecution (maximum fine £1000 for most offences). The FPN's can be issued by any duly authorised officer with agreement in place between the Local Authority and the Police, that both will issue these. Offences relating to alcohol will be the responsibility of the Police.

2.6 The Authority has recently introduced a good citizen course, this may allow those issued with an FPN to attend this as a means of discharging the offence. This will only be offered once, and failure to attend or repeat offences will result in prosecution. This is intended to modify people's behaviour whilst not criminalising them.

- 2.7 If it is agreed to proceed with the introduction of PSPO's there will be a full public and interested party consultation over the summer, with the intention of introducing the orders in October 2015.
- 2.8 The orders can be in place for a maximum of three years, with no minimum time limit and are designed to be flexible and responsive to need. There is no limit on the number of times that orders can be renewed, as long as the need is still present. This will require a further consultation. Variation of orders can be done at any time to respond the changing needs of public spaces. As such, it is proposed that the variation, renewal or introduction of future orders is delegated to officers, with this being informed to the member led enforcement steering group.

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

The implications for the Council are:

- 3.1 Legal - The implementation of the PSPO can be challenged by any interested person within 6 weeks of the making of the Order, the challenge is made at the High Court. Anyone who is directly affected by the making of the PSPO can challenge the order. A challenge can be made on the basis that the Council does not have the power to make the order, or that the particular prohibitions or requirements are unnecessary or that procedurally the order is defective.
- 3.2 Financial - there is a financial implication in that the control zones will need to be signed to allow enforcement, this is expected to be in the region of £10,000, with the signage targeted at identified hotspots and specific control areas. Any income generated by payment of FPN's will be directed back into management of the process.
- 3.3 Human resources - none.
- 3.4 Information technology - use of the Council's website and social media presence to undertake part of the consultation.

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

- 4.1 Town centre Management - in favour.
- 4.2 Regeneration and Investment (Licensing) - in favour.
- 4.3 West Yorkshire Police - in favour.
- 4.4 Streetscene and Housing - in favour.

### **5. Next steps**

- 5.1 Undertake a public consultation exercise, the statutory minimum for this is to consult with West Yorkshire Police, the office of the Police and Crime Commissioner and any immediately affected parties.
- 5.2 It is intended, to go wider than this by:
- Presenting the proposals to public meetings of each of the district committees.

- Specific public meetings to be scheduled in localities.
  - Affected special interest groups to be contacted – e.g. residents associations, park user groups etc.
- 5.3 There will be information on the Council's website and the opportunity to comment.
- 5.4 Sign posting to the web site on the Council's social media presence.
- 5.5 Engage with local media to further direct people to the website.
- 5.6 The Police will undertake an internal consultation exercise and will contact the Police and Crime Commissioner, to set out the proposals; they will feed this back into the process.

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

- 6.1 Move forward with the consultation, then introduce the orders, with such amendments as are required, this will meet the Council's legal obligations for introduction under the act and will allow a more joined up and cohesive response to ASB within the district, between West Yorkshire Police and the Council.

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

The portfolio holder, Councillor Cathy Scott, supports the officer recommendations, to move forward with the consultation, then introduce the orders, with such amendments as are required and for the report to proceed to Cabinet on the 30 June 2015.

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

Rob Dalby  
Streetscene Action Team Manager  
Tel: 01484 221000  
Email: [rob.dalby@kirklees.gov.uk](mailto:rob.dalby@kirklees.gov.uk)

<http://www.legislation.gov.uk/ukpga/2014/12/part/4/chapter/2/enacted>

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/352562/ASB\\_Guidance\\_v8\\_July2014\\_final\\_2\\_.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/352562/ASB_Guidance_v8_July2014_final_2_.pdf)

## **9. Assistant director responsible**

Joanne Bartholomew  
Assistant Director – Place  
Tel: 01484 221000  
Email: [joanne.bartholomew@kirklees.gov.uk](mailto:joanne.bartholomew@kirklees.gov.uk)



### Appendix A

<b>Proposed Public Space Protection Orders</b>		
Activity to be control	location	Requesting partner
Street drinking	Existing street control zones plus locations along the Ale Trail	Police
Dog fouling	As per DCO's	LA
Dogs on leads at all times	As per DCO's	LA
Dogs on leads by request	As per DCO's	LA
Dogs excluded from specified areas	As per DCO's	LA
Dogs excluded from specified areas at specific times	As per DCO's	LA
Walking multiple dogs	identified area's	LA
public urination	Existing street control zones plus locations along the Ale Trail	Police
Busking with use of electronic amplification	Within Dewsbury and Huddersfield Ring road	LA
Highway access restrictions due to ASB	Various	LA

Mapping available at (web address *awaiting information* )

## Appendix B

### Criteria to be met for controls on PROWS

- a) Activities carried out on the PROW have had a detrimental effect on the quality of life of those in the locality, or
- b) it is likely that activities will be carried on in a public place within that area and that they will have such an effect.

The second condition is that the effect, or likely effect, of the activities:

- a) is, or is likely to be, of a persistent or continuing nature,
- b) is, or is likely to be, such as to make the activities unreasonable and
- c) justifies the restrictions imposed by the notice.

Activities can include things that a person or a group does, has done or should do (in order to reduce the detrimental effect).

Any controls must be supported by a robust evidence base and those controls reviewed as appropriate.

The areas' of concern would include:

- Illegal deposition of waste.
- Unauthorised use.
- Use of PROW to facilitate ASB by means of either providing a route or a gathering area.

**Appendix C**

Reported ASB in relation to street drinking  
(Awaiting information from West Yorkshire police)

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**Name of meeting:-** Cabinet 30th June 2015

**Title of report:** Capital Outturn and Rollover 2014/15  
Capital Investment Plan 2015/16 – 2019/20 Inclusive of Rollover

<b>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
<b>Is it in the <a href="#">Council's Forward Plan</a>?</b>	Yes
<b>Is it eligible for "call in" by <a href="#">Scrutiny</a>?</b>	No
<b>Date signed off by Director</b>	5 <sup>th</sup> June 2015
<b>Is it signed off by the Director of Resources?</b>	David Smith, Director of Resources
<b>Is it signed off by the Assistant Director – Legal, Governance &amp; Monitoring</b>	No legal implications
<b>Cabinet member <a href="#">portfolio</a></b>	Resources

**Electoral [wards](#) affected and ward councillors consulted:** All

**Public or private:** Public

## 1. Purpose of the Report

- 1.1 This report details the Council's capital expenditure and funding for the year 2014/15 and explains variances from the Capital Plan approved by Council in July 2014 and updated during the year. Relevant prudential indicators are also reported.
- 1.2 The report highlights a headline underspend of £51.9m (38% variance compared to budget).
- 1.3 As in previous years, the Assistant Director (AD) Strategic Investment Group has reviewed the outturn position in order to identify any 'uncommitted' resources that could potentially be used to reduce overall corporate borrowing. Of the total underspend, £12.8m was identified as being 'uncommitted' and the Group recommends £7m of this 'uncommitted' rollover is removed from the Capital Plan.

- 1.4 In addition, the AD Strategic Investment Group considered any areas where further capital investment may need to be considered in the Capital Plan. This analysis highlighted a pressure on the site clearance/demolition works budget (funded within the Strategic Asset Utilisation priority) which helps to deliver the transformational change to New Council and a gap was identified in that no capital funds currently exist which are available to match-fund European Grant opportunities. These two new investments total £5m.
- 1.5 Members are asked to approve the attached revised Capital Plan for the 5 year period 2015/16 to 2019/20, after taking into account the rollover of over- and under-spending in 2014/15 and the re-phasing of schemes.

## 2. Key Points

- 2.1 A 5 Year Investment Plan was endorsed at Council on 18<sup>th</sup> February 2015. The Plan is structured between strategic investment needs, risks & pressures and baseline programmes of work.

**Table 1. Capital Investment Plan (Pre 2014/15 Rollover)**

<b>OVERALL EXPENDITURE SUMMARY</b>					
	<b>2015/16 £'000</b>	<b>2016/17 £'000</b>	<b>2017/18 £'000</b>	<b>2018/19 £'000</b>	<b>2019/20 £'000</b>
<b>Strategic Priorities</b>	14,128	30,355	31,282	13,074	4,162
<b>Baseline</b>	38,216	32,501	33,243	30,150	30,031
<b>Risks &amp; Pressures</b>	2,500	2,500	2,500	2,500	2,500
<b>One-Off Projects</b>	53	0	0	0	0
<b>TOTAL (excl HRA)</b>	<b>54,897</b>	<b>65,356</b>	<b>67,025</b>	<b>45,724</b>	<b>36,693</b>
<b>Housing Revenue Account</b>	23,042	19,590	22,669	17,936	18,311
<b>TOTAL (incl HRA)</b>	<b>77,939</b>	<b>84,946</b>	<b>89,694</b>	<b>63,660</b>	<b>55,004</b>

- 2.2 When the Capital Plan was presented to Council in February 2015, the proportion of overall budget taken up with interest and debt repayment was estimated to reach 14.28% by 2019/20.
- 2.3 The prudential indicator (PI) indicates what percentage of available revenue resources are spent on debt charges. This equated to spending just over 14p out of every available £1 revenue funding to meet the costs of borrowing.
- 2.4 The net impact on borrowing through adopting the report's recommendations is marginal i.e. revenue savings of approximately £18k p.a. However, other factors influence the PI ratio and these include use of a £2.1m RCCO (revenue contribution to capital outlay) to reduce borrowing, the repayment of £5m debt using accumulated capital receipts and lower interest rates (an estimated 0.50% lower by 2019/20). The impact of the above, is that the PI falls 0.48% by 2019/20 i.e. the ratio is now estimated at 13.80%.

**3 Implications for the Council**

**Background**

3.1 The Capital Plan for 2014/15 (inclusive of rolled over funds from 2013/14) was revised by Council on 16<sup>th</sup> July 2014 and totalled £126.7m. Following adjustments reported at Quarter 3, the Capital Plan Control Total stood at £134.6m. Subsequent adjustments (Appendix 1) have been made, taking the total to £136.5m by the end of the financial year.

**Capital Investment and Funding in 2014/15**

3.2 The actual level of investment in 2014/15 was £84.6m and this can be compared to the control total as follows:

**Table 2. 2014/15 Capital Outturn Summary**

	<b>Budget £000s</b>	<b>Actual £000s</b>	<b>Variance £000s</b>	
<i>Capital Plan Control Total</i>	136,485	84,567	-51,918	38.0%

3.3 Detailed variances from the Capital Plan Control Total are shown, service by service, in Appendix 2, with the principal variations described in Appendix 3.

3.4 The financing of new capital investment in 2014/15 compared with the borrowing assumptions in the MTFP show the Council has borrowed £37.7m less than expected in 2014/15. Of this total, £26.3m was provided for corporately in the Treasury Management Budget with the remaining £11.4m being 'self or externally funded' capital schemes i.e. the financing costs of the investment are met by services directly or recovered externally.

3.5 As a consequence of lower borrowing, there is expected to be an under-spend in the Treasury Management Budget in 2015/16 of around £1.7m.

**Prudential Indicators**

3.6 The Council is able to undertake borrowing without central government approval under a code of practice called the Prudential Code. This requires prudential indicators (indicators/limits which help manage the Council's borrowing and treasury management activities) to be set as part of the budgeting process, monitored through the year and reported at outturn. Appendix 4 provides a schedule of the indicators applicable to affordability and prudence which have been reported as part of capital monitoring in 2014/15. Indicators applicable to treasury management are reported in the Annual Report on Treasury Management.

## Updated Capital Investment Plan

- 3.7 When the Council approved the Capital Investment Plan in February 2015 for the 5 year period from 2015/16 to 2019/20, it made provision for a level of investment of £371.2m.
- 3.8 The Plan now needs to be updated to take account of slippage from 2014/15 and changes in the estimated levels of resources available. Services have also taken the opportunity to review progress on programmes and schemes with a view to achieving a more realistic spending profile over the Plan period.
- 3.9 As in previous years, an assessment of rollover requests has been carried out by the AD Strategic Investment Group to identify what commitments exist against the £51.9m underspend. The results are summarised below.

**Table 3. Summary of 2014/15 Rollover**

<b>Contractually Committed £'000</b>	<b>Ringfenced/ Legal Agreement £'000</b>	<b>Self Funded £'000</b>	<b>Uncommitted Balance £'000</b>	<b>Total £'000</b>
21,992	15,943*	1,200	12,783	51,918

[\* includes HRA underspends]

- 3.10 The AD Strategic Investment Group reviewed the £12.8m 'uncommitted' rollover and make the following recommendations:-
- a) £7m uncommitted rollover be removed from the Capital Plan. Details of the proposals are summarised in Appendix 5. Specific attention is brought to the following proposals:
- i) The uncommitted balance of grant (mainly Schools Broadband) in CHYPS be earmarked to offset the capital elements of a rollover bid for additional resources to complete the ongoing Digital Infrastructure project (this £444k bid is covered in the Revenue Outturn & Rollover Report).
- ii) The potential liability for BIS grant repayment is to be transferred to risks and pressures whilst negotiations continue on extending the term of the Funding Agreement for the Waterfront site.
- b) The spend profile (including rollover) for Pioneer House has been amended and the scheme now recognises the £2m bid to the Growth Deal fund (the outcome of which is expected in July 2015). The project will deliver the redevelopment of a landmark building; providing a mixed use space, including offering new commercial space at the heart of Dewsbury Town Centre.
- c) The Huddersfield Town Centre Action Plan includes £997k rollover from the 'disused/redundant buildings brought back into use' strategic priority.
- d) The AD Group recommended that the balance of unringfenced grant (£141k) for the expansion of places for free early education for 2yr olds is



rolled forward into 2015/16. However, the previous principle of looking for alternative funding sources i.e. revenue, before applying capital solutions should be reconsidered and capital should now take precedence over revenue options.

- e) In accordance with the Budget Council decision on 18<sup>th</sup> February 2015 all Area Committee rollover, irrespective of whether it is committed or not, is rolled forward into 2015/16.

3.11 The proposal to remove £7m of investment generates ongoing revenue savings of £353k per annum.

3.12 As part of the AD Strategic Investment Group review, risks and pressures were re-appraised to identify issues that either may materialise in the next 5 yrs or any further areas where capital investment may need to be recognised in the Capital Plan. Two potential areas for additional capital investment were identified:

- i) Additional £2m capital resources required in recognition of site clearance cost pressures on a number of strategic sites to enhance site security, reduce property holding costs and facilitate disposal and redevelopment. [profiled £1m 2015/16, £1m 2016/17 within Strategic Asset Utilisation]
- ii) The create a new line within Strategic Priorities to act as match funding to secure European Grant Funding [profiled £500k 2015/16, £2.5m 2016/17]

3.13 The proposals identified in 3.12 increase borrowing levels by £5m and the revenue cost of financing these investments is £335k p.a. (once all the capital expenditure has been incurred).

3.14 The Plan has also been updated to include additional resources (approx. £9m) that provides the Council an option to offer a loan facility to KSDL for the development of specific HD One schemes in advance of the main development. The loan would be on a commercial basis and secured against the specific developments.

3.15 Strategic Priorities to be funded via the West Yorkshire Transport Fund (WYTF) are still at variable stages of development and many details are still to be confirmed. Much of the early work relates to feasibility and option appraisal studies i.e. the M62/Kirklees/Calderdale corridor. The specific schemes and their phasing will still need confirmation but an opportunity has been taken to re-profile spend profiles for these Strategic Priorities based on current knowledge. Revised profiling assumptions are listed below:

- a) West Yorkshire Transport Fund - A644/A62 Cooper Bridge junction; the design work due to commence May 2015 has been delayed and is dependent on the outcome of option appraisal study. Total scheme cost has risen to £58m due to a major increase in statutory diversion and bridgework costs. The majority of spend is now anticipated from 2019/20 onwards.

- b) West Yorkshire Transport Fund - A644/A62 Corridor improvements (including Ravensthorpe relief road); the total scheme cost has been lowered to £39m with over 75% of this value assumed to fall beyond Year 5 of this Plan.
- c) West Yorkshire Transport Fund - A653 Dewsbury to Leeds Corridor; investment in the next 5yrs has been revised downwards (£4.2m compared to £5m) with spend more heavily profiled into 2018/19 and 2019/20. The total scheme cost is estimated at £19m.
- d) Development of South Dewsbury Strategic location; the spend profile has been pushed backwards with the consequence that the level of funding assumed within the 5 Yr Capital Plan has been lowered from £3m to £750k. The total scheme cost is estimated at £2m.
- e) West Yorkshire Transport Fund - A629 Huddersfield to Halifax Corridor (Cavalry Arms to Ainley Top); the estimated scheme cost has risen to £11.5m but the spend profile has been brought forward with Phase I assumed to commence from 2017/18.

3.16 The government grant allocations built into the 5 Year Capital Plan approved by Council on 18<sup>th</sup> February 2015 have been revisited. A number of these assumptions require updating.

**Table 4. External Resource Allocation to Major Spending Areas**

Capital Plan		2015/16 £'000	2016/17 £'000	2017/18 £'000	2018/19 £'000	2019/20 £'000
<b>Housing Private -</b> Disabled Facilities Grant	<i>Feb Plan</i>	1,362	1,362	1,362	1,362	1,362
	<i>Rollover Plan</i> <i>(no change)</i>	1,362	1,362	1,362	1,362	1,362
<b>CHYPS –</b> Basic Need, Capital Maintenance, Devolved Formula Capital	<i>Feb Plan</i>	11,233	11,483	10,866	10,866	10,866
	<i>Rollover Plan</i>	10,340	10,590	13,951	9,973	9,973
<b>Highways –</b> Local Transport Plan	<i>Feb Plan</i>	7,613	7,125	6,437	5,921	5,921
	<i>Rollover Plan</i>	9,502	7,076	6,437	5,921	5,921
<b>TOTAL</b>	<i>Feb Plan</i>	<b>20,208</b>	<b>19,970</b>	<b>18,665</b>	<b>18,149</b>	<b>18,149</b>
	<i>Rollover Plan</i>	<b>21,204</b>	<b>19,028</b>	<b>21,750</b>	<b>17,256</b>	<b>17,256</b>

3.17 The Department for Education announced on 9<sup>th</sup> February 2015 that the level of Capital Maintenance grant for the next 3 years was being set at £4.2m per annum (a reduction of £860k p.a. compared to the previous assumption of £5.1m). This announcement was too late to incorporate in the 5 year Capital

Plan approved at February's Budget Council. However, the baseline Plan for CHYPS now includes the annual allocation of £4.2m p.a. across all 5 years.

- 3.18 On 12<sup>th</sup> February 2015, the Department for Education confirmed the basic need grant allocation for 2017/18. Previously, an indicative amount of £4.6m had been built into the Plan. The announcement was for a grant settlement of £8.6m in 2017/18. The additional £4m grant is now built into the Plan.
- 3.19 Devolved Formula Capital allocations are £1.1m and have fallen slightly by £33k p.a.
- 3.20 As reported in the February Capital Plan, the Department of Transport (DfT) are due to change the basis for allocating the 2015/16 – 2020/21 LTP (Local Transport Plan) maintenance grant. Direct allocations to local authorities will decrease and a **Needs/Incentive** formula is to be applied.
- **Needs** = length of roads in a district (all classifications), number of highway bridges, number of street-lights etc.
  - **Incentive** = evidence of how efficiently allocations are used and Highways asset management procedures are followed.
- 3.21 The effect of the changes for Kirklees **Needs/Incentive** based funding is that LTP maintenance grant will gradually decrease from £6.1m in 2015/16 to £4.9m by 2018/19. These figures remain consistent with those quoted in the current Capital Investment Plan.
- 3.22 The Integrated Transport (IT) grant is profiled across the 5 years at £3.4m, £1.5m, (a decrease of £49k) £1m, £1m, £1m respectively. The 2015/16 capital allocation has increased from a base assumption of £1.5m due to the following factors:
- i) Cabinet approval was given on 16<sup>th</sup> December 2014 to re-profile £750k IT grant into 2015/16 in recognition of delays to a scheme delivering improved Town Centre Access and Connectivity.
  - ii) The 2015/16 programme includes £125k IT grant for an extended programme of traffic signal improvements and air quality management.
  - iii) Additional grant of £150k is allocated to improve bus hot spots.
  - iv) Several IT schemes planned for 2014/15 have slipped and are now programmed to start early 2015/16. As a consequence the financial profile of the grant income from West Yorkshire Combined Authority (WYCA) has been revised with £865k deferred from 2014/15 being added to the 2015/16 allocation. The schemes relate to Safer Roads, Town Centre Access & Connectivity, and Cycle Links programme.
- 3.23 Other significant changes incorporated into the Plan relate to:
- i) Adults capital baseline now includes an annual allocation of £1m to recognise the social care capital grant that is received as part of the

Better Care Fund. It should be noted that there has been no confirmation about the future of the Better Care Fund beyond 2016/17.

- ii) Opportunity has been taken to update the phasing of the basic need programme and strategic priorities relating to new pupil places in primary schools.
- iii) A successful DfT bid was made by the WY Combined Authority for Cycle City Ambition Grant (CCAG). The bid covered a package of cycle infrastructure works including Huddersfield Town Centre and a route to Golcar. The definitive WY programme has yet to be approved but it is anticipated that £100k of works will be implemented in Kirklees in 2015/16.
- iv) A combined bid with City of Bradford MDC was made to the Challenge Fund which led to Kirklees securing £1.6m maintenance grant for the reconstruction of retaining wall structures. The phasing of the grant across the next three years is £400k, £700k, £500k respectively.
- v) A grant bid to the Environment Agency for £50k flood alleviation works has been successful
- vi) Additional road safety grant of £36k has been secured.

3.24 The Capital Plan includes a £15m commitment to sports facilities in the Spenborough area. The current phasing of the spend is £1m in 2015/16, £12m in 2016/17 and £2m in 2017/18.

3.25 The Capital Plan included an assumption that £4.5m non-earmarked capital receipts would be generated in 2014/15 to support the overall funding of the capital investment programme. At year-end, capital receipts from land and buildings totalled £6.4m.

3.26 The revised Capital Investment Plan (excluding PFI) for the period 2015/16 to 2019/20 (inclusive of the rollover proposals) totals £459.9m. The Plan is summarised below (see Appendix 6 for detail)

**Table 5. Capital Investment Plan Summary 2015/16 to 2019/20 (incl. Rollover from 2014/15)**

<b>OVERALL EXPENDITURE SUMMARY</b>					
	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>
	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
Strategic Priorities	24,094	41,161	33,416	19,782	33,132
Baseline	58,094	34,689	34,067	30,323	30,204
One-off Projects	640	0	0	0	0
Risks & Pressures	2,500	2,500	2,500	2,500	2,500
<b>Sub-Total</b>	<b>85,328</b>	<b>78,350</b>	<b>69,983</b>	<b>52,605</b>	<b>65,836</b>
Housing Revenue Account	26,487	22,260	22,742	17,978	18,355
<b>Total</b>	<b>111,815</b>	<b>100,610</b>	<b>92,725</b>	<b>70,583</b>	<b>84,191</b>

- 3.27 The impact on borrowing through adoption of the proposed 5 Year Capital Plan 2015/16 – 2019/20 is summarised below:

**Table 6. General Fund Prudential Indicators**

	<b>2015/16 £'000</b>	<b>2016/17 £'000</b>	<b>2017/18 £'000</b>	<b>2018/19 £'000</b>	<b>2019/20 £'000</b>
Revenue Debt Charges	32,506	34,034	35,684	37,688	38,575
New Borrowing	24,615	39,560	31,319	15,203	12,151
Debt repayment in Yr	25,164	23,843	24,992	26,260	26,335
Debt Outstanding (excl. PFI)	440,505	456,222	462,549	451,492	437,308
Debt Outstanding (excl. PFI and ext loans)	418,180	427,795	434,803	424,462	411,031
Net Revenue Stream (excl. PFI)	301,472	290,354	283,900	279,580	279,580
<b>Ratio of Financing Costs (excl. PFI)</b>	<b>10.78%</b>	<b>11.72%</b>	<b>12.57%</b>	<b>13.48%</b>	<b>13.80%</b>

- 3.28 The ratio for 2019/20 has fallen from 14.28% reported in the February Capital Plan Report to 13.80%. The reduction is due to the £2.1m RCCO used to reduce borrowing in 2014/15, the application of £5m from the capital receipts reserve to repay historic debt, and interest rate rises being deferred (an estimated 0.50% lower in 2019/20). The recommendations to remove £7m uncommitted rollover and re-invest £5m to support other areas of the Plan are broadly neutral in PI terms.
- 3.29 The PI of 13.80%% demonstrates that the Council spends just under 14p out of every £1 revenue funding on meeting the costs of borrowing. As revenue resources are under considerable pressure, close scrutiny will need to continue to ensure borrowing fulfils the criteria of being affordable, prudent and sustainable

#### **4. Implications for the Council**

- 4.1 The level of corporately funded borrowing required over the five year period of the Plan remains consistent with the assumptions made during the preparation of the MTFP.

#### **5. Consultees and their opinions**

This report has been prepared by the Director of Resources

#### **6. Next Steps**

Report to be submitted to Directors Group on 2<sup>nd</sup> June 2015, AD Strategic Investment Group 3<sup>rd</sup> June, Portfolio Holders 15<sup>th</sup> June 2015.

## 7. Officer Recommendations and Reasons

It is recommended that:-

- i) £7m uncommitted rollover be removed from the Capital Investment Plan. (para 3.10 a) and Appendix 5)
- ii) The £127k uncommitted balance of grant (Schools Broadband) is applied against the capital elements of the Digital Infrastructure rollover bid (£444k) being considered as part of the Revenue Outturn & Rollover report. (para 3.10 a) i))
- iii) The potential liability for BIS grant repayment be transferred to Risks and Pressures. (para 3.10 a) ii))
- iv) £2m of additional capital investment be included within the Strategic Asset Utilisation priority to meet cost pressures relating to clearance works at strategic sites. (para 3.12 i))
- v) A new Strategic Priority be established which provides match-funding for European Grant opportunities. The priority to be allocated £3m over two years. (para 3.12 ii))
- vi) Resources of £9m be included within the Plan so that an option to offer a loan facility to KSDL can be explored. (para 3.14)
- vii) The updated Capital Investment Plan is approved and referred to Council on 15<sup>th</sup> July 2015. (para 3.10 – 3.23 & Appendix 6)

## 8. Cabinet portfolio holder's recommendation

The report and recommendation be submitted to Council.

## 9. Contact officer and Relevant Papers

David Smith Director of Resources	01484 221124	(72300)
Philip Deighton Strategic Council Finance Manager	01484 221000	(72734)
Tim Mitchell Accountancy Services Manager	01484 221000	(73675)
Safaira Majid Senior Finance Officer	01484 221000	(73634)

## 10. Assistant Director Responsible

01484 221000

Assistant Director Financial Management Risk & Performance

**AMENDMENTS TO 2014/15 CAPITAL PLAN SINCE THOSE REPORTED AT QUARTER 3**

*Revenue Contribution to Capital Outlay (RCCO) – (+£876k)*

- Investment in Buildings (+£450k)  
£268k contribution from the SOAR reserve to fund Civic Centre 3 refurbishments, £57k for the Huddersfield and Dewsbury re-refrigeration scheme, £50k contribution towards tarmac at Alder Street Depot, £41k for Queensgate Market fire doors, £31k for cemetery path and driveway improvements, £3k for Claremont House security door card entry system
- Huddersfield Sports Centre – (+£162k)  
Various contributions towards Huddersfield Sports Centre including resources for sports equipment and contribution towards car parking
- Parks & Open Spaces (+£114k)  
£32k for new equipment to enable woodland work, £30k for Peace Pit Lane, £24k for East Bierley pond and £28k for Victoria Tower
- Regeneration (+£90k)  
£90k to finance the Funding Circle Loans scheme
- One-Off Projects (+£35k)  
£35k contribution towards Almonbury High All-Through School
- Housing Private (+£17k)  
£35k contribution towards Choice Based Lettings system
- Highways (+£6k)  
£6k contribution from Area committees for Longley Traffic calming
- Area Committees (+£2k)  
£2k contribution from Area committees revenue budget for Spen Valley Green Park

*Additional / Re-profiling of Grant Funding – (+£1m)*

- Parks & Open Spaces (+£717k)  
Inclusion and allocation of various Section 106 funding approved at Cabinet on 3rd July 2012, 15<sup>th</sup> July 2014 and 27<sup>th</sup> January 2015
- Regeneration (+£126k)  
£57k grant received from Woodland Trust for Dewsbury Country Park Woodland works, entranceway and car park. £40k grant received for the Waterfront quarter scheme, £29k received from SITA Trust for Thornhill paving.
- KAL Self-funded (+£214k)  
Grant funding received from the trustees of Clayton Swimming Pool Charity, as contribution towards Scissett Baths Development
- Area Committees (+£21k)  
Grant funding received towards Milnsbridge Climbing Boulder
- Adults (+£18k)  
Non-recurrent Autism Grant received from the Department of Health to fund new electrical equipment or IT developments, or for making environments used by people with autism, more autism friendly
- Highways (+£17k)

- Developers contributions received for Liley Lane
- Environment & Strategic Waste (+£10k)  
Capital receipts received during the year from the sale of wheeled bins
  - Regeneration (+£9k)  
Inclusion of additional Capital Allowances funding



**CAPITAL PLAN (2014/15) OUTTURN**

**APPENDIX 2**

Overall Capital Plan	Revised Budget	Actual	Variance	Un-committed Element of Total Variance
	£'000	£'000	£'000	£'000
<b>Strategic Priorities</b>	<b>40,921</b>	<b>23,043</b>	<b>-17,878</b>	<b>2,506</b>
<b>Baseline</b>	<b>62,067</b>	<b>37,101</b>	<b>-24,966</b>	<b>7,777</b>
<b>Risks &amp; Pressures</b>	<b>2,500</b>	<b>2,500</b>	<b>-2,500</b>	<b>2,500</b>
<b>One-Off Initiatives</b>	<b>1,962</b>	<b>390</b>	<b>-1,572</b>	<b>0</b>
<b>Housing Revenue Account</b>	<b>29,035</b>	<b>24,033</b>	<b>-5,002</b>	<b>0</b>
<b>Overall Total</b>	<b>136,485</b>	<b>84,567</b>	<b>-51,918</b>	<b>12,783</b>

Baseline Capital Plan	Revised Budget	Actual	Variance	Un-committed Element of Total Variance
	£'000	£'000	£'000	£'000
<b>Children &amp; Adults</b>				
Children & Young People Services	17,150	11,255	-5,895	396
Adults	266	135	-131	131
<b>Children &amp; Adults Total</b>	<b>17,416</b>	<b>11,390</b>	<b>-6,026</b>	<b>527</b>
<b>Place</b>				
Housing (Private)	4,850	3,080	-1,770	1,077
Highways	16,038	13,546	-2,492	465
Regeneration	1,716	593	-1,123	1,117
Council Carbon Reduction	1,006	540	-466	323
Parks & Open Spaces	1,740	741	-999	0
Bereavement Services	1,150	852	-298	67
Environment & Strategic Waste	104	100	-4	4
Transport Services	4,077	384	-3,693	0
Investment in Buildings	3,751	2,530	-1,221	148
KAL KC-Funded	816	218	-598	176
School Catering	284	57	-227	227
<b>Place Total</b>	<b>35,532</b>	<b>22,641</b>	<b>-12,891</b>	<b>3,604</b>
<b>Communities, Transformation &amp; Change</b>				
KAL Self-Funded	2,901	1,347	-1,554	255
Area Neighbourhood Teams	1,164	446	-718	300
<b>Communities, Transformation &amp; Change Total</b>	<b>4,065</b>	<b>1,793</b>	<b>-2,272</b>	<b>555</b>
<b>Resources</b>				
IT Enabled Change	3,180	1,277	-1,903	1,217
<b>Resources Total</b>	<b>3,180</b>	<b>1,277</b>	<b>-1,903</b>	<b>1,217</b>
<b>Leeds City Region Revolving Fund</b>				
	1,874	0	-1,874	1,874
<b>Baseline Total</b>	<b>62,067</b>	<b>37,101</b>	<b>-24,966</b>	<b>7,777</b>

**ANALYSIS OF MAJOR VARIANCES FROM UPDATED CAPITAL PLAN 2014/15**

Principal variations exceeding £1.0m are described below:

**Strategic Priorities (-£17.9m)**

*Organisational Risk (-£4.5m)*– Due to slippage and timing of the Kirklees College Loan.

*Huddersfield Sports Centre (-£4m)* – The project is underspent due to timing of final payments & retention money. Expenditure is fully committed and the opening date of the Sports Centre was 18<sup>th</sup> May 2015.

*Pioneer House (-£2.7m)* – A feasibility study has been undertaken for Pioneer House and a preferred option for development is now being developed. The design stage will take approx. 14 months with a proposed start on site date in quarter 2 2016/17, subject to necessary approvals. The grant contribution from Connect Housing (£1.5m) is no longer available but a bid for £2m to the Growth Deal fund has been submitted, the outcome is expected in July 2015.

*New Pupil Places in Primary Schools (-£2.6m)* - Royds Hall Summer Scheme has an underspend of -£2.5m due to expenditure for this year being limited to option appraisal costs. Cabinet reports for Royds Hall School were approved on 8th April 2014 and 16<sup>th</sup> December 2014. Rollover is required to enable the rolling programme on the Schools Investment Needs Strategy to be delivered.

*Bringing Commercial Properties into Use (-£1.5m)* –The process of bringing commercial properties into use in our town centres is progressing. The nature of the buildings being dealt with means that to achieve the quality outcome takes time and a number of the projects are showing a slight delay in delivery.

**Risks & Pressures (-£2.5m)**

No claim was made against this contingency budget in 2014/15. It is recommended that these resources be removed from the rollover process.

**Baseline Programmes (-£25m)*****Directorate of Children and Young People (-£5.9m)***

*New Pupil Places (Basic Need) (-£2.3m)* – On 22<sup>nd</sup> October 2013 Cabinet approved a range of works to alleviate basic needs pressures across a number of schools in 2013/14 and 2014/15. The underspend relates to slippage in delivering several of these projects. A subsequent Cabinet report was approved on 24<sup>th</sup> March 2015 to agree the 2015/16 work programme.

*Completed Schemes (-£1.3m)* – It is difficult to accurately forecast expenditure as this is dependent on final accounts being settled / retentions being paid / outstanding contractual disputes being resolved.

## **Directorate of Place (-£12.9m)**

### *Transport (-£3.7m)*

Actual spend totalled £384k but procurement frameworks are in place to award contracts for the remainder of the replacement programme. All resources were committed during the financial year i.e. vehicles have either been ordered (but not yet delivered) or are subject to a current tendering process.

### *Highways (-£2.5m)*

A number of projects to be funded via Integrated Transport grant (-£865k) were re-scheduled to 2015/16 i.e. schemes relating to Promoting Sustainable Transport, Safer Roads, Mobility Walking & Cycling. In addition budget underspends occurred in Ward Members schemes (-£390k due to delays in projects being identified and/or spend being committed), streetlighting (-£410k arising from site issues on column replacement), CCTV (-£270k scheme slippage).

Of the total underspend, only £465k is uncommitted. It is recommended that bids are supported to rollover the uncommitted balance of funding within Ward Members schemes (£210k), Streetlighting (£210k) and to carry forward the £45k unadopted road underspend so it can be combined with the 2015/16 budget allocation to deliver a £90k priority scheme in James St, Slaithwaite.

### *Housing Private Sector (-£1.8m)*

The underspend on Disabled Facilities Grant (-£982k) is consistent with the reduced level of resources allocated in the Capital Plan from 2015/16 onwards (as approved at 18<sup>th</sup> February 2015 Budget Council). These resources along with minor underspends on Discretionary Assistance (-£90k) and Minor Adaptations (-£6k) are recommended for removal from the Capital Plan

The main remaining budget variance relates to Section 106 contributions (-£533k) where, due to the restrictions placed on their use, there is currently not enough contribution in any particular area to make up a viable scheme.

### *Regeneration (-£1.1m)*

Mainly made up of:

- Dewsbury THI has an underspend of -£230k. It is recommended that £55k is used to complete heritage protection work at McKinnons Mill and the remaining £175k helps to deliver projects to improve buildings within the THI area.
- Growth & Jobs Board Funding Circle Loans has a budget of £150k but spent £20k in 2014/15. The majority of the underspend is phased to be provided as loans in 2015/16 and therefore is recommended to be rolled forward.
- Wellhouse Farm Barn is projected to underspend by -£218k. The original offer of a loan to the Kirklees Historic Buildings Trust has never been taken up so the budget is recommended for removal from the Capital Plan.
- Other underspends (-£545k) relate to Green Infrastructure, Huddersfield Town Centre and Markets. These budgets are also recommended for removal from the Capital Plan.

### *Investment in Buildings (-£1.2m)*

A variety of boiler replacement, lift and roofing works that are contractually committed in 2014/15 have slipped into the following financial year.

### *Parks & Open Spaces (-£1m)*

The baseline budget was subject to a number of funding increases during the last quarter of the year i.e. Cabinet on 27<sup>th</sup> January 2015 approved £535k of s106 funding be allocated to 18 sites (play areas and recreation grounds), it received £114k of RCCOs and £46k capital virement from Area Committees. Spend in these areas was limited albeit resources are all contractually committed. These factors plus slippage on other projects contributed to the overall year-end variance.

### ***Directorate of Communities, Transformation & Change (-£2.3m)***

*KAL Self Funded (-£1.6m)* – the underspend is due to a variety of schemes not progressing beyond the development stage in 2014/15. An amount of £255k has not been earmarked to a specific scheme and is recommended for removal from the Capital Plan.

*District Committees (-£718k)* - each District Committee allocates funds to individual capital projects over a programme and services then deliver the projects drawing down funding over a period of time appropriate to the individual project. Of the underspend, £418k is contractually committed. In accordance with Council decision on the 18<sup>th</sup> February, all rollover is to be rolled forward into 2015/16.

### ***Directorate of Resources (-£1.9m)***

*IT (-£1.9m)* - £686k is due to slippage on the Digital Infrastructure scheme and is contractually committed. Budget Council, on 18<sup>th</sup> February 2015, approved that the IT baseline be reduced to £900k p.a which was the level the Service was budgeting to spend at. Removing the remaining 2014/15 variance of £1.2m is consistent with the decision taken at Budget Council.

### ***Leeds City region Revolving Fund (-£1.9m)***

All the underspend is contractually committed and is to be reprofiled into 2015/16.

### **Housing Revenue Account (-£5m)**

*Estate Regen (-£1.9m)* – Deighton Brackenhall Initiative (-£1.1m) is subject to delays with the procurement process. Initial costing returns were significantly above the allocated budget. A new procurement exercise has been developed and the work is now out to tender.

Tenant Led Environmental (-£460k) schemes were placed on hold pending the outcome of a review of the budget.

*Health Safety and Misc (-£5.9m)* – Photovoltaic (PV) programme (-£3.1m) works commenced in early 2015 following an EU compliant procurement exercise for

materials and formal Cabinet approval (which was received in September 2014). The spend in 2014/15 was £238k.

*Private Finance Initiative (-£1.2m)* – capital expenditure on the scheme is now largely complete. £100k of this underspend is to be rolled forward to support future works.

*High Cost Voids (Empty Homes) (+£1.1m)* - The average cost of a high cost capital empty home has increased in comparison to last year. This overspend has been controlled since quarter 2 by reducing rewires.

*Overprogramming (+£3.4m)* - The current gross plan is £32.4m, with £3.4m over programming.

## APPENDIX 4

### **PRUDENTIAL INDICATORS ACTUALS 2014/15**

#### **Capital Expenditure, Capital Financing Requirement and External Debt**

The table below draws together the main elements of Capital Plan expenditure, highlighting the supported and unsupported elements of borrowing and other financing arrangements. The table also shows the Capital Financing Requirement (CFR), which is the Council's underlying external indebtedness for a capital purpose, compared with the expected borrowing position.

	2013/14	2014/15	
	Actual £000s	Estimate £000s	Actual £000s
Capital Expenditure			
General Fund	64,628	107,450	60,534
General Fund - PFI	1,201	0	1,692
HRA	32,659	29,035	24,033
HRA – PFI	18,091	8,991	-76
Total	116,579	145,476	86,183
Financed by -			
Borrowing	26,081	61,546	23,847
PFI	19,292	8,991	1,616
Other	71,206	74,939	60,720
Total	116,579	145,476	86,183
CFR as at 31 March			
General Fund excl PFI	447,470	475,568	441,054
General Fund PFI	63,911	60,833	60,834
HRA excl PFI	203,328	197,069	196,579
HRA PFI	62,824	57,851	60,918
Total CFR	777,533	791,321	759,385
External debt as at 31 March			
Borrowing (excl interest accrued)	460,869	492,364	443,715
Other LT Liabilities	131,429	123,520	126,285
Total debt	592,298	615,884	570,000

The difference between the CFR and total debt reflects the amount of internal balances that are being “borrowed” to finance capital indebtedness. The General Fund CFR is less than estimated primarily due to capital expenditure slippage.

#### **Limits to Borrowing Activity**

The first key control over the Council's borrowing activity is a Prudential Indicator to ensure that over the medium term, net borrowing will only be for a capital purpose. Net external borrowing should not, except in the short-term, exceed the total CFR. This allows some flexibility for limited early borrowing for future years. As can be seen from the table above, the Council kept its total debt within the CFR and this has also been the case in previous years.

A further two Prudential Indicators control overall level of borrowing. These are the Authorised Limit and the Operational Boundary. The Authorised Limit represents the limit beyond which borrowing is prohibited. It reflects the level of borrowing which, while not desired, could be afforded in the short-term, but is not sustainable. It is the expected maximum borrowing need with some headroom for unexpected movements. This is the statutory limit determined under section 3(1) of the Local Government Act 2003.

The Operational Boundary is based on the probable external debt during the course of the year. It is not a limit and actual borrowing could vary around this boundary for short times during this year.

	2013/14 Actual (max) £m	2014/15	
		Limits/ Boundary £m	Actual (max) £m
<u>Authorised limit for external debt</u>			
Borrowing	460.9	586.5	460.9
Other Long Term Liabilities	131.4	123.5	131.4
Total	592.3	710.0	592.3
<u>Operational boundary for external debt</u>			
Borrowing	460.9	525.1	460.9
Other Long Term Liabilities	131.4	123.2	131.4
Total	592.3	648.3	592.3

The Council was well within its Authorised limit and Operational Boundary for the year.

There is also a limit on HRA indebtedness set by the Department for Communities and Local Government under the recent HRA self-financing reform. The limit is set at £247.6 million for the HRA CFR excluding PFI liabilities. The actual HRA CFR excluding PFI liabilities as at 31 March 2015 is £196.6 million which is well within the limit.

**Affordability Prudential Indicators**

Ratio of financing costs to net revenue stream

This indicator identifies the cost of capital (borrowing costs net of investment income) against the net revenue stream. The net revenue stream for General Fund is defined as the amount to be met from unringfenced government grants, local taxpayers and balances, and for HRA it refers to the total HRA income (rent, other income and grant).

	2013/14	2014/15	
	Actual	Estimate	Actual
<u>Ratio of financing costs to net revenue stream</u>			
General Fund	12.32%	13.29%	12.88%
General Fund excl PFI	10.42%	11.19%	10.79%
HRA	30.58%	33.81%	34.31%
HRA excl PFI	27.24%	29.35%	29.90%

The actual for General Fund for 2014/15 was less than estimated mainly because of lower borrowing due to capital expenditure slippage and because the net revenue stream was marginally higher than estimated.



**APPENDIX 5****SUMMARY OF £7m 'UNCOMMITTED' RESOURCES PROPOSED FOR REMOVAL  
FROM 2014/15 ROLLOVER**

	Source of Funding	Total Capital £'000	Annual Revenue Impact £'000	Comments
<b>TOTAL PROPOSED REDUCTION</b>		<b>6,987</b>	<b>353</b>	
<b>STRATEGIC PRIORITIES</b>		<b>435</b>	<b>29</b>	
Dewsbury Greenspace Initiative.	Borrowing	195	13	This budget was rolled forward last year following the submission of a business case to fund site enabling works e.g. access road, site drainage etc. to allow completion of wider site facilities. These resources are no longer required.
Heart of West Yorkshire	Borrowing	240	16	No spend in 14/15. Budget Council on 18.02.15 approved a recommendation to remove funding from 15/16 onwards.
<b>BASELINE</b>				
<b>CHILDRENS &amp; YOUNG PEOPLE</b>		<b>127</b>	<b>0</b>	
Various	Grant	127	0	Net position across various budgets (Schools Broadband, Aiming High). Recommend that the underspend is used to offset capital elements of the Digital Infrastructure bid being considered in the revenue rollover process.
<b>PLACE</b>		<b>2,453</b>	<b>156</b>	
Housing Private Sector	Borrowing	1,077	72	Uncommitted rollover for Disabled Facilities (£981k), Discretionary Assistance (£90k) and Minor Adaptations (£6k) is being offered up. The outturn of £2.4m on Disabled Facilities is consistent with the (reduced) level of resources allocated in the 5 Yr Capital Plan approved at Budget Council on 18.02.15.
Regeneration	Borrowing	757	51	The underspend is across various programme areas. Uncommitted rollover is being offered up with the potential liability to repay BIS grant on

	Source of Funding	Total Capital £'000	Annual Revenue Impact £'000	Comments
				the Waterfront site now to be recognised within risks & pressures.
Environment & Strategic Waste	Borrowing*	4	0	The uncommitted element of rollover is recommended for removal.
Bereavement	Borrowing	67	5	The uncommitted element of rollover is recommended for removal.
Council Carbon Reduction	Borrowing	300	20	The uncommitted element of rollover is recommended for removal. The annual baseline budget (15/16 onwards) is now £800k rather than £1m as per Budget Council's decision on 18.02.15.
KAL – KMC Funded	Borrowing	126	8	Uncommitted rollover totals £176k but a bid has been made to retain £50k to fund concrete repairs at Dewsbury Sports Centre swimming pool. The remaining balance (£126k) is offered up to fund the wider Capital Plan.
Catering	Borrowing*	122	0	Of the total underspend (£227k) the Service requires £105k to be rolled forward to support a number of school kitchen projects.
<b>COMMUNITIES, TRANSFORMATION &amp; CHANGE</b>		<b>255</b>	<b>0</b>	
KAL – Service Funded	Borrowing*	255	0	The £255k is not earmarked to a specific scheme and is recommended for removal.
<b>RESOURCES</b>		<b>1,217</b>	<b>0</b>	
IT Enabled Change	Borrowing*	1,217	0	Existing baseline is £2.1m p.a. but the Service has been budgeting to spend at £900k p.a. The revenue budget is set to fund this lower level of investment so no associated revenue saving exists. Budget Council approval given on 18.02.15 to reduce baseline allocation levels to £900k p.a..
<b>RISKS &amp; PRESSURES</b>		<b>2,500</b>	<b>168</b>	No spend in 2014/15. Uncommitted rollover is recommended for removal.

**Borrowing\*** These programmes have previously been described as service funded borrowing. Work is ongoing to remove this category and have one overall system of prudential borrowing. No additional savings are associated with these areas of rollover as the funding is held within service activity revenue budgets.

**CAPITAL INVESTMENT PLAN 2015/16 - 2019/20  
(Inclusive of Rollover from 2014/15)**

**OVERALL EXPENDITURE SUMMARY**

Area	2015/16 Budget £'000	2016/17 Budget £'000	2017/18 Budget £'000	2018/19 Budget £'000	2019/20 Budget £'000	Total Budget £'000
Strategic Priorities	24,094	41,161	33,416	19,782	33,132	151,585
Baseline	58,094	34,689	34,067	30,323	30,204	187,377
One-Off Projects	640	0	0	0	0	640
Risks & Pressures	2,500	2,500	2,500	2,500	2,500	12,500
	85,328	78,350	69,983	52,605	65,836	352,102
Housing Revenue Account	26,487	22,260	22,742	17,978	18,355	107,822
<b>TOTAL PLAN</b>	<b>111,815</b>	<b>100,610</b>	<b>92,725</b>	<b>70,583</b>	<b>84,191</b>	<b>459,924</b>

**FUNDING SUMMARY**

	2015/16 Budget £'000	2016/17 Budget £'000	2017/18 Budget £'000	2018/19 Budget £'000	2019/20 Budget £'000	Total Budget £'000
<b>Direct/Earmarked Contributions to Schemes</b>						
Capital Grants / Contributions						
- In year	24,473	29,169	32,596	31,336	47,617	165,191
- Funding brought forward from previous year	16,412	5,996	2,081	1,971	1,861	28,321
- Funding carried down to following year	-5,996	-2,081	-1,971	-1,861	-1,751	-13,660
Earmarked Capital Receipts	3,341	1,390	2,602	733	740	8,806
Revenue Contributions (HRA)	12,028	9,523	2,506	7,657	4,770	36,484
Revenue Contributions (GF)	18,790	0	0	0	0	18,790
Reserves (HRA)	13,152	11,553	17,592	9,544	12,803	64,644
<b>Pooled resources</b>						
Non Earmarked Capital Receipts	5,000	5,500	6,000	6,000	6,000	28,500
Corporate Prudential Borrowing	24,615	39,560	31,319	15,203	12,151	122,848
<b>TOTAL FUNDING REQUIREMENT</b>	<b>111,815</b>	<b>100,610</b>	<b>92,725</b>	<b>70,583</b>	<b>84,191</b>	<b>459,924</b>

\* Finance is currently working to remove the service-funded borrowing category and have one system of prudential borrowing. The above work is ongoing but presentationally all borrowing is now recorded in the Plan against the prudential borrowing category. The planned changes will have an overall net nil revenue consequence although repayment profiles may require amendment

## CAPITAL INVESTMENT PLAN 2015/16 - 2019/20 (Inclusive of Rollover from 2014/15)

### STRATEGIC PRIORITIES SUMMARY

	Funding	2015/16 Budget £'000	2016/17 Budget £'000	2017/18 Budget £'000	2018/19 Budget £'000	2019/20 Budget £'000	Total Budget £'000	Budget Beyond 5Yrs £'000
West Yorkshire Transport Fund - A644/A62 Cooper Bridge Junction	G	300	2,000	3,000	7,000	21,000	33,300	24,700
West Yorkshire Transport Fund - A644/A62 Corridor Improvements (including Ravensthorpe Relief Road)	G	350	2,000	2,000	2,000	3,000	9,350	29,650
West Yorkshire Transport Fund - A653 Dewsbury to Leeds Corridor (including Development at Chidswell)	G	80	520	450	1,050	2,050	4,150	14,850
Development of South Dewsbury strategic location - highways improvements to support housing developments	G	0	50	100	100	500	750	1,250
West Yorkshire Transport Fund - A629 Huddersfield to Halifax Corridor Phase 5 (Cavalry Arms to Ainley Top)	G	100	400	2,000	2,000	2,000	6,500	5,000
Bringing Commercial Properties into Use	B/G	552	0	0	0	0	552	
Pioneer House	B/G	250	2,200	2,365	0	0	4,815	
Huddersfield Town Centre Action Plan	B	350	2,887	7,250	500	0	10,987	
Dewsbury Town Centre Action Plan	B	0	0	4,000	1,000	0	5,000	
Town & Village Centres	B	110	0	0	0	0	110	
New Huddersfield Sports Centre	B	4,644	0	0	0	0	4,644	
Huddersfield Sports Centre Connectivity	B	220	0	0	0	0	220	
Sports Facility (Spenborough area)	B	1,000	12,000	2,000	0	0	15,000	
New Pupil Places in Primary Schools	B/G	5,500	8,554	10,037	6,132	4,582	34,805	
Reprovision of Lydgate Special School	B	3,105	1,300	214	0	0	4,619	
Powerhouse	B	276	0	0	0	0	276	
Organisational Risk	B	4,507	0	0	0	0	4,507	
HD-One (KSDL)	B	2,250	6,750	0	0	0	9,000	
European Grant Funding Opportunities	B	500	2,500	0	0	0	3,000	
<b>TOTAL</b>		<b>24,094</b>	<b>41,161</b>	<b>33,416</b>	<b>19,782</b>	<b>33,132</b>	<b>151,585</b>	<b>75,450</b>

### ONE - OFF PROJECTS

Almondbury Through School	B	640	0	0	0	0	640	
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### RISKS & PRESSURES

Risks & Pressures	B	2,500	2,500	2,500	2,500	2,500	12,500	
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KEY : **B** = **Borrowing**      **G** = **Grant**      **R** = **Capital Receipts**      **B\*** = These programmes were previously categorised as **service funded**. Work is ongoing to remove this category and have one system of prudential borrowing.

**CAPITAL INVESTMENT PLAN 2015/16 - 2019/20**  
(Inclusive of Rollover from 2014/15)

**BASELINE SUMMARY**

Portfolio	Funding	2015/16 Budget £'000	2016/17 Budget £'000	2017/18 Budget £'000	2018/19 Budget £'000	2019/20 Budget £'000	Total Budget £'000
<b>Children &amp; Young People</b>							
Basic Need	G	2,467	500	500	500	500	4,467
Capital Maintenance	G	4,947	4,243	4,243	4,243	4,243	21,919
Devolved Formula Capital	G	1,721	1,098	1,098	1,098	1,098	6,113
One-Off Initiatives	G/S106	3,422	710	337	119	0	4,588
<b>Children &amp; Young People Total</b>		<b>12,557</b>	<b>6,551</b>	<b>6,178</b>	<b>5,960</b>	<b>5,841</b>	<b>37,087</b>
<b>Adults</b>	B/G	<b>1,167</b>	<b>1,036</b>	<b>1,036</b>	<b>1,036</b>	<b>1,036</b>	<b>5,311</b>
<b>Place</b>							
<b>Housing Private Sector</b>							
Disabled Facilities Grants	G/B/R	2,400	2,400	2,400	2,400	2,400	12,000
Discretionary Assistance	B	100	100	100	100	100	500
Minor Adaptations	R	290	290	290	290	290	1,450
PPS3	G	693	160	160	160	160	1,333
Other	G/B/R	160	0	0	0	0	160
		3,643	2,950	2,950	2,950	2,950	15,443
<b>Highways</b>							
<b>Maintenance</b>							
Principal Roads	G	2,000	1,864	2,037	1,805	1,805	9,511
Roads Connecting Communities	G	2,652	2,278	1,935	1,651	1,651	10,167
Local Community Roads	B	2,856	2,425	2,425	2,425	2,425	12,556
Structures	G	1,825	1,900	1,700	1,200	1,200	7,825
Street Lighting Replacement Strategy	B/G	2,487	2,029	2,029	2,029	2,029	10,603
Unadopted Roads	B	95	50	50	50	50	295
CCTV	B	270	0	0	0	0	270
<b>Integrated Transport</b>							
Integrated Public Transport	B/G	1,342	0	412	412	412	2,578
Network Management	B/G	1,045	875	323	323	323	2,889
Cycling & Walking	B/G	427	43	118	118	118	824
Safer Roads	B/G	1,537	949	545	545	545	4,121
Town Centre Car Parking	B	152	150	150	150	150	752
Flood Management and Drainage Improvements	B	540	450	450	450	450	2,340
	B/G	17,228	13,013	12,174	11,158	11,158	64,731
<b>Economic Delivery</b>							
Huddersfield Town Centre	B	301	300	300	300	300	1,501
Dewsbury Town Centre	B	480	250	250	250	250	1,480
Markets	B	100	100	100	100	100	500
Green Infrastructure	B/G	105	100	100	100	100	505
North Kirklees	B	100	100	100	100	100	500
South Kirklees	B	100	100	100	100	100	500
Project Feasibility	B	50	50	50	50	50	250
Growth & Jobs Board	B	130	0	0	0	0	130
Green Council	B	966	800	800	800	800	4,166
		2,332	1,800	1,800	1,800	1,800	9,532
<b>Parks &amp; Open Spaces</b>	B/G	1,149	150	150	150	150	1,749
<b>Bereavement</b>	B	406	175	175	175	175	1,106
<b>Investment in Buildings</b>	B	3,221	2,000	2,000	2,000	2,000	11,221
Strategic Asset Utilisation/Rationalisation	B	2623	2220	810	300	300	6,253
KAL - KC Funded	B	872	400	400	400	400	2,472
<b>Environment &amp; Strategic Waste</b>	B	100	100	100	100	100	500
<b>Transport</b>	B	6,270	2,577	2,577	2,577	2,577	16,578
<b>School Catering</b>	B	305	200	200	200	200	1,105
<b>Place Total</b>		<b>38,149</b>	<b>25,585</b>	<b>23,336</b>	<b>21,810</b>	<b>21,810</b>	<b>130,690</b>

**CAPITAL INVESTMENT PLAN 2015/16 - 2019/20**  
**(Inclusive of Rollover from 2014/15)**

**BASELINE SUMMARY**

Portfolio	Funding	2015/16 Budget £'000	2016/17 Budget £'000	2017/18 Budget £'000	2018/19 Budget £'000	2019/20 Budget £'000	Total Budget £'000
<b>Communities, Transformation &amp; Change</b>							
KAL - Self Funded	B*	1,916	617	617	617	617	4,384
Area Committees	B	718	0	0	0	0	718
<b>Communities, Transf &amp; Change Total</b>		<b>2,634</b>	<b>617</b>	<b>617</b>	<b>617</b>	<b>617</b>	<b>5,102</b>
<b>Resources</b>							
Information Technology	B*	1,713	900	900	900	900	5,313
<b>Resources Total</b>		<b>1,713</b>	<b>900</b>	<b>900</b>	<b>900</b>	<b>900</b>	<b>5,313</b>
<b>Leeds City Region Revolving Fund</b>	B	<b>1,874</b>	<b>0</b>	<b>2,000</b>	<b>0</b>	<b>0</b>	<b>3,874</b>
<b>TOTAL BASELINE</b>		<b>58,094</b>	<b>34,689</b>	<b>34,067</b>	<b>30,323</b>	<b>30,204</b>	<b>187,377</b>

KEY :

<b>B =</b> Borrowing	<b>G =</b> Grant	<b>R =</b> Capital Receipts
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**B\*** = These programmes were previously categorised as **service funded**. Work is ongoing to remove this category and have one system of prudential borrowing.



**Name of meeting:** Cabinet 30 June 2015

Corporate Governance and Audit Committee 10 July 2015

Council 29 July 2015

**Title of report:** Annual Report on Treasury Management 2014-15

<b>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>	No
<b>Is it in the <a href="#">Council's Forward Plan</a>?</b>	No
<b>Is it eligible for "call in" by <a href="#">Scrutiny</a>?</b>	No
<b>Date signed off by Director</b>	David Smith, Director of Resources 28 May 2015
<b>Is it signed off by the Director of Resources?</b>	Yes 28 May 2015
<b>Is it signed off by the Assistant Director – Legal, Governance &amp; Monitoring</b>	No legal implications
<b>Cabinet member <a href="#">portfolio</a></b>	Resources – Cllr Graham Turner

**Electoral [wards](#) affected and ward councillors consulted:** All

**Public or private:** Public

**1. Purpose of report**

1.1 Financial Procedure Rules require that the Council receives an annual report on Treasury Management activities for the previous financial year. The report reviews borrowing and investment performance.

**2. Key points**

2.1 Background

2.1.1 The Council has adopted the CIPFA Code of Practice on Treasury Management and operates its treasury management service in compliance with this Code and various statutory requirements. These require that the prime objective of the activity is to secure the effective



management of risk, and that borrowing is undertaken on a prudent, affordable and sustainable basis.

2.1.2 Financial Procedure Rules require that the Council receives a report on Treasury Management activities for the previous financial year. Cabinet is responsible for the implementation and monitoring of the treasury management policies. Corporate Governance and Audit Committee undertake a scrutiny role with regard to treasury management.

2.1.3 In reviewing performance, reference will be made to the Treasury Management Strategy Report approved by Council on 19 February 2014.

## 2.2 Borrowing and Investment Strategy 2014/15

2.2.1 With the continuation of instabilities in the financial markets and fragility of economic activity, the over-riding policy was one of ensuring the security of the Council's balances. The Council chose to invest externally balances of around £30 million, largely for the purpose of managing day-to-day cash flow requirements, with any remaining balances invested "internally", offsetting borrowing requirements. The investment strategy was designed to minimise risk, investments being made primarily in instant access accounts or short-term deposits, with the major British owned banks and building societies, or Money Market Funds.

2.2.2 It was expected that the Council would have an external borrowing requirement of up to £46 million, arising from the need to finance capital expenditure, replace long term borrowing due to mature and replace balances used. Short term borrowing rates were forecast to stay low and it was suggested to look for opportunities to take short term loans either at fixed or variable rates. However, with long term rates forecast to rise in the coming years, any such short term savings would need to be balanced against potential longer term costs.

## 2.3 The economy and interest rates

2.3.1 The UK economy showed a continued period of growth through domestically driven activity and strong household consumption. Inflationary pressure was benign and unemployment levels continued to drop (5.7% from 7.2% a year earlier). The Bank of England's MPC maintained interest rates at 0.5% and its minutes reiterated its stance that the economic headwinds for the UK economy and the legacy of the financial crisis meant that increases in the Bank Rate would be gradual and limited, and below average historical levels.

2.3.2 Gilt yields, and correspondingly long term borrowing rates, were driven lower by a combination of factors: geo-political risks emanating from the Middle East and Ukraine, the slide towards deflation within the Eurozone and the big slide in the price of oil.



2.3.3 At the beginning of each quarter, interest rates for the UK were as follows:

		<u>Base rate</u>	<u>50 year PWLB (maturity)*</u>
2014	Apr	0.5%	4.27%
	Jul	0.5%	4.16%
	Oct	0.5%	3.84%
	Jan	0.5%	3.32%
2015	Apr	0.5%	3.11%

\*Includes the 0.20% discount that the Council can access as part of the “certainty rate” scheme.

## 2.4 Investment activity

2.4.1 The Council’s investments totalled £38.7 million as at 31 March 2015 (£33.1m 31 March 2014). The Council invested an average balance of £54.8 million externally during the year (£57.3 million 2013/14) – higher than expected due to Central Government paying a large proportion of Revenue Support Grant upfront rather than more evenly through the year. For 2015/16, the payment profile has been changed and is much flatter. Income of £0.229 million was generated through these investments (£0.225 million 2013/14). Appendix 1 shows where investments were held at the beginning of April, the end of September and the end of March, by counterparty, by sector and by country. The Council’s average lending rate for the year was 0.42% (0.39% 2013/14), being below the weighted average 7 day London Interbank borrowing rate of 0.48%.

2.4.2 The year saw much fewer credit ratings decreases for financial institutions and one or two actually achieved increases, notably Lloyds and Bank of Scotland. Credit default swap spreads of banks and companies around the world also improved. In December, the Bank of England stress tested eight UK financial institutions to assess their resilience to differing economic conditions. Institutions which “passed” the tests but would be at risk in the event of a “severe economic downturn” were Lloyds Banking Group and RBS. There was little surprise when the Co-Operative Bank failed the test.

2.4.3 The effect of regulation changes towards the end of the year was to promote deposits of individuals and small/medium companies above those of public authorities and large corporates in the event of a bank bail-in. This re-emphasised the importance of diversification of investments amongst appropriate counterparties.

## 2.5 Borrowing requirement and debt management

2.5.1 In terms of borrowing, long-term loans at the end of the year totalled £422.6 million and short-term loans (excluding interest accrued) £21.1 million (£432.4 million and £29.6 million 31 March 2014). There was no new long-term borrowing taken during the year and repayments are detailed in Appendix 2. The actual external borrowing requirement for the year is compared to the estimate in the following table –

	Estimate £m	Actual £m
Increase(+)/Decrease(-) in Capital Financing Requirement excl PFI	20.7	-13.2
Long-term loans maturing	15.5	15.5
Decrease(+)/Increase(-) in net balances	10.0	-5.1
Net external borrowing requirement	46.2	-2.8

In the September treasury management monitoring report, the requirement estimate was reduced to around £40 million due to changes in the Capital Plan. The outturn position was that the Council did not need to take on any new borrowing and in fact slightly increased its investment balances (£5.6 million), net of a marginal decrease in temporary borrowing (£2.8 million). The lack of borrowing requirement was due to the Capital Financing Requirement decreasing due to capital expenditure reductions and slippage, the use of an additional revenue contribution to fund capital and the application of unapplied capital receipts to repay debt; and net balances (reserves, debtors, creditors) increasing marginally rather than decreasing.

- 2.5.2 Fixed rate loans account for 75% of total long-term debt giving the Council stability in its interest costs. The maturity profile for fixed rate long-term loans is shown in Appendix 3 and shows that no more than 10% of fixed rate debt is due to be repaid in any one year. This is good practice as it reduces the Council's exposure to a substantial borrowing requirement in future years when interest rates might be at a relatively high level.
- 2.5.3 The primary source of the Council's borrowing is from the Government ie Public Works Loan Board (PWLB). In January 2015, DCLG announced that the PWLB will be abolished in the near future but also confirmed that its lending function will continue unaffected. The Council also has £106.6 million of LOBO (Lender's Option, Borrower's Option) loans as at 31 March 2015. The lender has the option to propose an increase in the interest rate at set dates, following which the Council has the option to either accept the new rate or to repay the loan at no additional cost. No options were exercised during the year.
- 2.5.4 The Local Capital Finance Company was established in 2014 by the Local Government Association as an alternative source of local authority finance. It plans to issue bonds on the capital markets and lend the proceeds to local authorities. This will be a more complicated source of finance than the PWLB for three reasons: borrowing authorities may be required to provide bond investors with a joint and several guarantee over the very small risk that other local authority borrowers default on their loans; there will be a lead time of several months between committing to borrow and knowing the interest rate payable; and up to 5% of the loan proceeds will be withheld from the authority and used to bolster the Agency's capital strength instead. The Company is not yet operational and officers will continue to monitor developments.

2.5.5 In terms of debt rescheduling, the premium charge for early repayment of PWLB debt remained relatively expensive for the loans in the Council's portfolio and therefore unattractive for debt rescheduling activity.

2.5.5 The average borrowing rate for 2014/15 was 5.03% (5.07% 2013/14). The Council's temporary borrowing rate was 0.41% (0.33% 2013/14), lower than the weighted average 7 day London Interbank borrowing rate of 0.48%.

## 2.6 Trends in treasury management activity

2.6.1 Appendix 4 shows the Council's borrowing and investment trends over the last 8 years. The analysis shows that at the onset of the "Credit Crunch" (2008), the Council was externally investing over £100 million, with average investment rates over 5%. From 2009/10 onwards as the banking crisis grew worse and investment rates fell, the Council adopted a policy of holding external investments for cash flow purposes only, initially at around £50 million and then further reduced to £30 million. Any further balances have effectively been "invested internally" to offset new borrowing requirements. It can be seen that the current level of internal investment is nearly £194 million.

2.6.2 The Capital Financing Requirement (CFR) is the authority's underlying need to borrow for a capital purpose. It is funded by external borrowing and balances internally invested. The CFR for both General Fund and HRA has fallen since the end of 2011. The latter includes £31 million of debt repaid by Central Government in March 2012 as part of the housing finance reforms.

## 2.7 Revenue Budget Monitoring

2.7.1 The outturn shows an under-spend of £1.8 million on a budget of £41.2 million. The under-spend is due to savings on principal and interest arising from capital slippage, together with interest savings from higher than expected balances. This includes the full year effect of the £6 million Revenue Contribution to Capital Outlay (RCCO) agreed by Cabinet 3 June 2014.

## 2.8 Risk and Compliance Issues

2.8.1 The Council can confirm that it has complied with its prudential indicators for 2014/15, which were approved as part of the Treasury Management Strategy. Details can be found in Appendix 5. Indicators relating to affordability and prudence are reported in the Capital Outturn report.

2.8.2 Like many other local authorities, the Council has had a freedom of information request asking for details of its LOBOs (see 2.5.3). This follows some articles on websites/magazines questioning whether banks mis-sold these products to local authorities and at the extreme, whether local authorities had powers to enter into such arrangements. Whether anything will come of this is not known at this moment, but it

might be noted that local authorities as a whole held a total of £7.6 billion of these loans in June 2014.

2.8.3 The Council is expected to move its current account banking to Barclays in July 2015. Officers have been working with Barclays and the Co-Operative Bank to make the transition as smooth as possible. During 2014/15, officers continued to monitor the financial stability of the Co-Operative Bank following its major problems in 2013 and continued to manage the current accounts in such a way as to minimise risk. However, on a few occasions the Council has had to leave unexpected monies received late in the day in the Co-Op Business Reserve Account overnight because it has been too late to transfer to other deposit accounts on the counterparty list. Such surplus monies have always been transferred elsewhere on the next banking day.

2.8.4 Other than the circumstance noted above which was beyond the Council's control, the Council has complied with all of the relevant statutory, regulatory and internal requirements which limit the levels of risk associated with its treasury management activities. Officers have adapted investment policies during the year in order to minimise risk in light of changes in counterparty credit ratings and other changes in circumstances. The Council's adoption and implementation of both the Prudential Code and the CIPFA Code of Practice on Treasury Management means that its capital expenditure is prudent, affordable and sustainable.

2.8.5 The Council is aware of the risks of passive management of the treasury portfolio and, with the support of the Council's consultants (Arlingclose), has proactively managed the debt and investments over the year.

2.8.6 The CIPFA Code of Practice requires that treasury management performance be subject to regular member scrutiny. The Corporate Governance and Audit Committee performs this role and members have received reports on strategy, half yearly monitoring and now the outturn for the year 2014/15. Arlingclose provided training to Members on 30 March 2015.

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

3.1 The effect of the reduced borrowing requirements, additional balances and the continuation of lower interest rates will be reflected in revenue budget monitoring reports during the year.

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

None.

### **5. Next steps**

Report submitted to Council.

**6. Officer recommendations and reasons**

Members are asked to note the review of treasury management activity for 2014/15.

**7. Cabinet portfolio holder recommendation**

The report be noted by Council.

**8. Contact officer and relevant papers**

Tim Mitchell 01484 221000  
Accountancy Services Manager

CIPFA's Code of Practice on Treasury Management in the Public Services.  
CIPFA's Prudential Code for Capital Finance in Local Authorities.  
Public Works Loan Board Website.

**9. Director responsible**

David Smith 01484 221000

## APPENDIX 1

Kirklees Council Investments 2014-15											
Counterparty	Credit Rating Mar 2015*	1 April 2014				30 September 2014			31 March 2015		
		£m	Interest Rate	Type of Investment	£m	Interest Rate	Type of Investment	£m	Interest Rate	Type of Investment	
<b>Specified Investments</b>											
LB of Merton	Local Govt							3.2	0.40%	1 mth fixed	
Birm'ham Council	Local Govt				5.0	0.35%	1 mth fixed				
Barclays	Bank	F1/A			8.0	0.39%	1 mth fixed				
Nationwide	Bldg Soc	F1/A			9.0	0.43%	1 mth fixed	6.5	0.43%	1 mth fixed	
Bank of Scotland	Bank	F1/A	6.0	0.40%	Instant Access	1.6	0.40%	Instant Access			
Handelsbanken	Bank	F1+/AA-	10.0	0.55%	Instant Access	9.0	0.45%	Instant Access	9.0	0.45%	Instant Access
Ignis	MMF**	AAAmf	10.0	0.43%	MMF-Inst Acc	10.0	0.48%	MMF-Inst Acc	10.0	0.47%	MMF-Inst Acc
Aviva	MMF**	Aaa-mf				4.7	0.41%	MMF-Inst Acc	5.0	0.39%	MMF-Inst Acc
Goldman Sachs	MMF**	AAAmf	3.8	0.38%	MMF-Inst Acc	4.4	0.42%	MMF-Inst Acc	5.0	0.41%	MMF-Inst Acc
<b>Non-specified investments</b>											
Coventry BS	Bldg Soc		3.0	0.41%	1 mth fixed	3.0	0.41%	1 mth fixed			
			<b>33.1</b>			<b>54.7</b>			<b>38.7</b>		
<b>Sector analysis</b>											
Bank			16.3	49		18.6	34		9.0	23	
Building Society			3.0	9		12.0	22		6.5	17	
MMF**			13.8	42		19.1	35		20.0	52	
Local Authorities/Cent Govt						5.0	9		3.2	8	
			<b>33.1</b>	100		<b>54.7</b>	100		<b>38.7</b>	100	
<b>Country analysis</b>											
UK			9.3	28		26.6	49		9.7	25	
Sweden			10.0	30		9.0	16		9	23	
MMF**			13.8	42		19.1	35		20	52	
			<b>33.1</b>	100		<b>54.7</b>	100		<b>38.7</b>	100	

\*Fitch short/long term ratings, except Aviva MMF (highest Moody rating). See next page for key. \*\* MMF – Money Market Fund. These funds are domiciled in Ireland for tax reasons, but the funds are made up of numerous diverse investments with highly rated banks and other institutions. The credit risk is therefore spread over numerous countries, including the UK. The exception to this is the Aviva Government Liquidity Fund which invests directly in UK government securities and in short-term deposits secured on those securities.

**Key – Fitch’s credit ratings:**

		<b>Long</b>	<b>Short</b>
Investment Grade	Extremely Strong	AAA	F1+
		Very Strong	
	AA		
	AA-		
	Strong	A+	F1
		A	
		A-	
	Adequate	BBB+	F2
		BBB	F3
BBB-			
Speculative Grade	Speculative	BB+	B
		BB	
		BB-	
	Very Speculative	B+	
		B	
		B-	
	Vulnerable	CCC+	C
		CCC	
		CCC-	
CC			
C			
Defaulting	D	D	

## Appendix 2

### MOVEMENT IN PWLB BORROWING

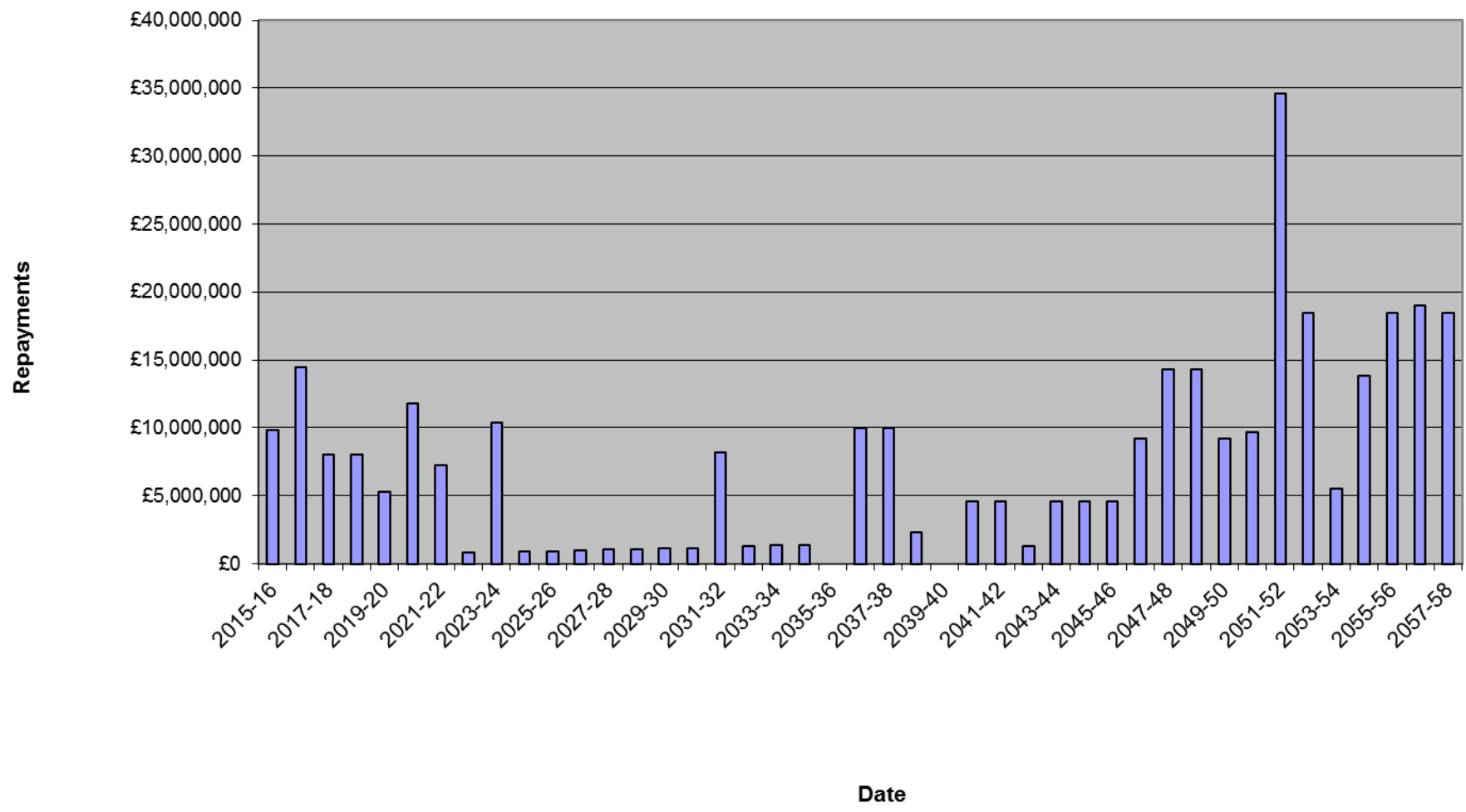
#### LOANS REPAYED 2014/15

	Rate %	Date repaid	Amount £000s
<b>Repayments on maturity</b>			
PWLB (462996)	9.0	31 Dec 14	14,921
<b>Repayments on annuity loans</b>			
PWLB (496956)*	4.58	29 Sep 14	281
PWLB (496956)*	4.58	30 Mar 15	288
<b>Total</b>			<b>15,490</b>

\* represents loan extended to Kirklees College, for which the College is making similar repayments to the Council



### KMC Loan Maturity Profile (Fixed-Rate)



**Appendix 4****Kirklees Council - Borrowing and Investment Trends**

<b>At 31 March</b>	<b>2015</b>	<b>2014</b>	<b>2013</b>	<b>2012</b>	<b>2011</b>	<b>2010</b>	<b>2009</b>	<b>2008</b>
Investments	38.7m	33.1m	30.2m	19.3m	42.7m	38.7m	102.1m	134.8m
ST Borrowing (excl interest accrued)	21.1m	29.6m	27.3m	30.6m	33.2m	18.6m	9.1m	1.8m
LT Borrowing	422.6m	432.4m	452.1m	471.5m	527.1m	525.1m	528.4m	553.4m
<b>Total Borrowing</b>	<b>443.7m</b>	<b>462.0m</b>	<b>479.4m</b>	<b>502.1m</b>	<b>560.3m</b>	<b>543.1m</b>	<b>537.5m</b>	<b>555.2m</b>
Capital Financing Requirement (excl PFI)								
General Fund	441.0m	447.5m	448.5m	458.6m	458.9m	435.9m	369.5m	327.8m
HRA	196.6m	203.3m	209.3m	215.6m	242.4m	241.0m	241.0m	241.0m
<b>Total CFR</b>	<b>637.6m</b>	<b>650.8m</b>	<b>657.8m</b>	<b>674.2m</b>	<b>701.3m</b>	<b>676.9m</b>	<b>610.5m</b>	<b>568.8m</b>
Balances "internally invested"	193.9m	188.8m	178.4m	172.1m	141.0m	133.8m	73.0m	13.6m
Ave Kirklees' investment rate for financial year	0.4%	0.4%	0.5%	0.6%	0.8%	1.5%	5.2%	5.9%
Base rate	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	5.25%
LT Borrowing rate	3.7%	4.3%	4.1%	4.4%	5.3%	4.7%	4.6%	4.4%

## **APPENDIX 5**

### **Treasury Management Prudential Indicators**

#### **Interest Rate Exposures**

While fixed rate borrowing can contribute significantly to reducing the uncertainty surrounding future interest rate scenarios, the pursuit of optimum performance justifies retaining a degree of flexibility through the use of variable interest rates on at least part of the treasury management portfolio. The Prudential Code requires the setting of upper limits for both variable rate and fixed interest rate exposure:

	Limit Set 2014-15	Actual 2014-15
Interest at fixed rates as a percentage of net interest payments	60% - 100%	80%
Interest at variable rates as a percentage of net interest payments	0% - 40%	20%

The interest payments were within the limits set.

#### **Maturity Structure of Borrowing**

This indicator is designed to prevent the Council having large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates.

Amount of projected borrowing that is fixed rate maturing in each period as a percentage of total projected borrowing that is fixed rate	Limit Set 2014-15	Actual Levels 2014-15
Under 12 months	0% - 20%	3% - 7%
12 months to 2 years	0% - 20%	3% - 4%
2 years to 5 years	0% - 60%	7% - 10%
5 years to 10 years	0% - 80%	9%
More than 10 years	20% - 100%	73% - 77%

The limits on the proportion of fixed rate debt were adhered to.

#### **Total principal sums invested for periods longer than 364 days**

The Council has not invested any sums longer than 364 days.

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**Name of meeting:** Cabinet 30 June 2015

**Title of report:** Revenue Financial Outturn & Rollover Report 2014-15

<b>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
<b>Is it in the <a href="#">Council's Forward Plan</a>?</b>	Yes
<b>Is it eligible for "call in" by <a href="#">Scrutiny</a>?</b>	No
<b>Date signed off by <a href="#">Director</a> &amp; name</b>	David Smith, 05 June 2015
<b>Is it signed off by the Director of Resources?</b>	Yes
<b>Is it signed off by the Assistant Director - Legal, Governance &amp; Monitoring</b>	No legal implications
<b>Cabinet member <a href="#">portfolio</a></b>	Resources

**Electoral [wards](#) affected:** All  
**Ward councillors consulted:** None  
**Public or private:** Public

## 1. Purpose of report

This report is the final in an agreed quarterly cycle of consolidated revenue budget monitoring statements to be presented to Cabinet during the course of the financial year.

This report, and the accompanying detailed report, (Appendix A plus further Appendices 1 to 3) presents the revenue outturn figures for 2014-15, and makes recommendations to Cabinet on the levels of "rollover" to be allowed in 2014-15, and use of reserves and balances, including the proposed re-designation of existing rollover reserves built up from previous year approvals. The Cabinet in turn is required to make recommendations to the Council meeting on 29 July 2015.

## 2. Key points

The Council's net revenue budget for 2014-15 is **£324.1 million (m)**. The approved budget reflected a planned net saving requirement of £14m in 2014-15.

There is a reported **net early achievement of savings of £4.5m or 1.4%**, across Directorates and Central Budgets, against **£321.4m** revenue budget, and reflects continued effective financial management, including some early savings made early in preparation for the £10.1m planned net savings requirement in the Council approved 2015-16 budget.

There is a reported saving of **£1.2m against £2.7m revenue budget**, relating to deferred spend commitments against a number of ring-fenced budgets. This report recommends rolling forward £1.0m of this amount into 2015-16.

Table 1 below gives an overview of both the year end position and revenue rollover proposals from the early achievement of savings.

*Table 1 – Overview of 2014-15 year end position*

Description	Early achievement of savings £m	Section reference Appendix A
Directorate	(4.3)	2.2–2.6
Central Budgets	(0.2)	2.7
<b>Sub-Total</b>	<b>(4.5)</b>	
Ring-fenced budgets (note 1)	(1.2)	2.8
<b>Grand Total</b>	<b>(5.7)</b>	
<b>Applied as follows:</b>		
Rollover proposals	5.7	2.12
<b>Total</b>	<b>5.7</b>	

Notes

1/ There are a number of specific activities that are effectively ‘ring-fenced’ within Directorate budgets, namely the Corporate Priority Budget, Energy and Water Council Wide Initiatives, and District Committee delegated budgets.

The overall pace and direction remains challenging over the medium term and beyond. The Chancellor has announced that there will be a Summer Budget announcement on the 8<sup>th</sup> July 2015. It is anticipated that this will outline the Government’s approach to public expenditure over the Parliament and that a review will take place over the summer.

**Rollover**

Council Financial Procedure Rules set out the following principles to annual rollover considerations:

- Total rollover proposals cannot exceed the overall net underspend position of the Council, and
- Rollover proposals by Directorate should not exceed the net underspend position by Directorate

Rollover proposals considered in this report (summarised at Appendix 3) reflect proposals which relate to one-off developments that will help to achieve Council forward budget plans. The majority of rollover proposals seek to address corporate challenges rather than address individual service issues within the overall savings figure achieved in 2014-15.

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

The Council faces considerable financial challenges and risks in the implementation and delivery of budget plans over the next 3 years and beyond.

The revenue rollover proposals set out in the accompanying detailed report recommend a balanced and prudent approach that takes these risks and challenges into account in terms of 'one-off' resources totalling **£5.7m** to be used as "rollover" ie used to support corporate, service and ring-fenced initiatives to help achieve forward budget plans.

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

This report has been prepared by the Director of Resources in consultation with the Directors Group.

### **5. Next steps**

Cabinet to make recommendations to Council on the rollover proposal contained within this report

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

It is recommended:-

- i) that the revenue outturn position for 2014-15, as per Appendices 1& 2 of the detailed report, is noted;
- ii) that revenue rollover proposals as set out in the detailed revenue rollover report and Appendix 3 be approved;
- iii) to note the use of other corporate reserves and balances; and
- iv) that these recommendations are referred to the Council on 15 July 2015, for approval.

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

Councillor Sheard & Councillor Turner support the officer recommendations above

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

Eamonn Croston, Strategic Council Finance Manager 01484 221000  
(internal 74231)  
Eamonn.croston@kirklees.gov.uk

**9. Director responsible**

David Smith, Director of Resources 01484 221000 (internal 72300)

David.smith@kirklees.gov.uk



## CONSOLIDATED REVENUE BUDGET MONITORING 2014-15

### 1. BACKGROUND

- 1.1 This report is the final report in an agreed cycle of consolidated revenue budget monitoring statements presented during the course of the financial year. It presents the outturn position at the end of the financial year.
- 1.2 The Council's net revenue budget in 2014-15 was **£324.1m**.
- 1.3 The overall revenue outturn for 2014-15 is **£316.9m** against a net budget of £321.4m, or 1.4%. This represents early achievement of savings across Directorates and Central Budgets totalling £4.5m.
- 1.4 There is a remaining **£1.2m** underspend against £2.7m revenue budget which relates to deferred spend commitments against a number of ring-fenced budgets. This report recommends rolling forward £1.0m of this amount into 2015-16.
- 1.5 Appendix 1 includes a more detailed summary of the outturn position across Council activity. Appendix 2 highlights the outturn position across a range of key demand-led activity indicators, which are significant cost drivers for a number of services.

#### **Rollover – General Principles and Rules**

- 1.6 The general principle applies that annual rollover proposals in total should not exceed the overall net underspend position of the Council.
- 1.7 Council Financial Procedure Rules take the individual Directorate net under (or over) spend position as the starting point for revenue rollover discussions, and that rollover proposals by Directorate should not exceed the net underspend position by Directorate
- 1.8 Appendix 3 summarises the rollover proposals for 2014-15. This includes rollover proposals totalling **£5.7m** which are intended to allow specific "one-off" Corporate and Directorate developments in 2015-16 to support the achievement of the Council's medium Term Financial Plan.

### 2. MAIN ISSUES

#### 2.1 Financial Context & Strategy

- 2.1.1 The effective budget management of Council revenue resources remains key given the context of the wider and continuing financial challenges facing this and many other councils and partner organisations over the next 3 years and beyond.
- 2.1.2 The Council's net revenue budget in 2014-15 was £324.1m, and the target revenue savings requirement for the Council was £14m. There was a net early achievement of savings across Directorates and Central Budgets of **£4.5m** (1.4%). This is summarised in Appendix 1 attached.

- 2.1.3 Within this total, there is a net Directorate early achievement of savings of £4.3m, or 1.7%, which is considered in more detail in sections 2.2 to 2.6 below.
- 2.1.4 Central budgets achieved early savings of £0.2m or 0.3%, and are covered in more detail in section 2.7 of this report.
- 2.1.5 There has been some slippage in a number of corporate or 'ring-fenced' budgets managed through Directorates totalling £1.2m. Effectively this amounts to deferred commitments and this report proposes that £1.0m of this amount be accommodated through rollover.
- 2.1.6 The outturn financial performance for 2014-15 represents a sound basis for achieving the Council approved 2015-16 budget plans. The overall pace and direction remains challenging over the medium term and beyond, reflected in the Council approved budget plans for 2015-18.
- 2.1.7 The following sections review the revenue outturn position in more detail across each of the Council's five Directorates, alongside any specific rollover proposals.

### **Directorates (excluding 'ring-fenced' budgets)**

## **2.2 Children & Young People**

- 2.2.1 The net outturn position for Children and Young People is **an early achievement of savings of £763k**, or 1.0% against a net budget of £78.0m.
- 2.2.2 **Learning and Skills** underspent by £1.5m; mainly early achievement of savings in preparation for 2015-16 target savings, including a range of Early Years budgets made savings of £584k across employees, third party payments and daycare support (the required 2015-16 savings are £1.02m). Attendance and Pupil Support generated a further £242k in additional income from academies and employee and supplies savings.
- 2.2.3 Learning Partners-Strategic service saved £203k (employees and third party payments) in anticipation of the £222k budget reduction in 2015-16. Other areas included Post-16 and Adult Learning at £72k, a range of Learning services traded with schools at £141k, Specialist Learning support at £145k and traded services at £96k.
- 2.2.4 **Family Support & Protection** overspent by £1.09m. There was a planned in-year reduction from the demand led placement budgets of £3.5m. Most of this reduction was achieved by securing more local placements for Looked after Children and, where appropriate, facilitating increased numbers of adoptions and child arrangement orders. The success in arranging permanent placements however has resulted in a net overspend of £307k on adoption allowances and £385k on arrangement orders. The pressure on external residential placements has continued resulting in a significant overspend of £989k.
- 2.2.5 Other pressures in this part of the service have been direct payments at £264k and the Child Protection Review Unit at £100k. However early MTFP savings in the

Early Intervention & Targeted Support at £1.03m, and Young People Service at £155k have provided offsetting savings to reduce the overspend, as well as savings on a range of other related services.

2.2.6 **Commissioning & Health Partnerships** early achievement of savings of £351k; includes £177k on employees across a range of headings, Child Poverty Fund saving of £43k, commissioned Calderdale and Kirklees Careers service £41k saving from additional income from schools and academies, and £33k saving in the Children's Fund and Director for Children's Services budget.

2.2.7 **Schools fixed budgets** had a final minor underspend of £19k arising from £12k miscellaneous income and an underspend of £7k on the premature retirements budget.

### 2.3 **Commissioning, Public Health & Adults**

2.3.1 The net outturn position for Commissioning, Public Health & Adults is a nil balance.

2.3.2 **Social Care & Well-being for Adults** overspent by £1.193m. Main factors include increased Placement-Equivalent costs at £1.158m, largely due to increased volumes. The overspend on Placement-Equivalent costs includes Older People at £400k, Learning Disabilities £600k, Mental Health £300k, offset in part by Physical Disabilities at £100k.

2.3.3 There were also overspends from the benefits from Best Partnering savings not yet realised, at £900k; and increased costs in Older People's residential units at £428k; largely agency costs arising from sickness/vacancy cover, together with additional staff to meet regulatory body (Care Quality Commission) requirements; offset by aggregate underspendings of £779k including savings on carephones / assistive technology (-£231k) and unfilled staff vacancies.

2.3.4 There was also an offset in part by the approved drawdown of earmarked reserves of £514k in-year.

2.3.5 **Commissioning & Health Partnerships** underspent by £1.13m; mainly savings in Extra Care Housing at £260k due to phased openings of new services and a lower than anticipated call on the domiciliary care element of the contract; savings in other contracted services at £451k, in particular day care services. In addition to these savings, NHS funding has been used to meet commissioning infrastructure costs at £353k.

2.3.6 **Public Health** is mainly funded by an annual ring-fenced grant of £23.5m and this was largely spent in-year on a range of services including the application of £3.5m to other current Council activity that falls within the grant criteria for eligible spend.

2.3.7 At year end there was a balance of £1.04m public health grant committed but not spent, and in accordance with NHS England grant guidance, this has been transferred to the grant reserve to be applied against deferred spend commitments falling in 2015-16.

2.3.8 Net of the above, there was a reported underspent of £63k; mainly relates to savings on staffing and supplies and services in Employee Healthcare.

## 2.4 **Place Directorate**

- 2.4.1 The net outturn position for Place is **an early achievement of savings of £0.1m**, or 0.2% against a net budget of £39.4m.
- 2.4.2 **Streetscene & Housing** savings totaled £942k. Within this figure, there were underspends on Housing Services at £363k; savings realised from a combination of efficient use of resources and changes resulting from wider capital budget review.
- 2.4.3 Streetscene Environmental savings were £352k; mainly vacancy management and savings within the Police and Community Support (PCSO's) contract of £188k, again reflecting early action associated with future budget challenges.
- 2.4.4 Parks and Open spaces savings of £309k was primarily due to part year effect of voluntary severance & early preparation for service re-design.
- 2.4.5 Waste Services overspend of £295k, reflects staff savings at £513k in preparation for 2015-16 savings target, offset by additional costs of £667k associated with Waste Disposal cost (SITA contract). Elsewhere, there were savings in **Investment & Regeneration** totalling £35k.
- 2.4.6 **Physical Resources & Procurement** overspent by £832k, mainly Schools Transport at £771k; Increased costs of home to school transport. The pressure on schools transport is due to increasing volumes of children being eligible for transport coupled with the needs of these children becoming greater.

## 2.5 **Communities, Transformation & Change Directorate**

- 2.5.1 The net outturn position for Communities, Transformation & Change is **an early achievement of savings of £1.2m**, or 8.8% against a net budget of £13.7m.
- 2.5.2 **Communities and Leisure (including the Policy Unit)** outturn reflects an early achievement of savings of £417k; includes Healthwatch at £101k and Anti-Social Behaviour at £160k; mainly as result of vacant posts.
- 2.5.3 **Support Services** underspent by £795k. This is mainly due to vacant posts in the Professional Human Resources Service, Organisational Change and Communications and Marketing. All the Support Services' underspending represents early savings for the 2015-16 budget.

## 2.6 **Resources Directorate**

- 2.6.1 The net outturn position for Resources is **an early achievement of savings of £2.3m**, or 6.2% against a net budget of £36.9m.
- 2.6.2 The main underspend was **Customer & Exchequer** at £1.463m. This includes benefit payments at £563k; largely related to recovery of housing benefit over-payments in year in excess of budgeted assumptions. This is not a sustainable saving due to the implementation of universal credit from April 2015 and the phased transfer of housing benefit payments administration from the Council to the Department of Pensions & Works.

2.6.3 The balance of Customer & Exchequer underspend largely relates to the Welfare Provision Fund at £324k, and is subject to member consideration for rollover into 2015-16. Actual total spend against this activity was £1.1m in 2014-15, and the MTFP 2015-18 had anticipated, and reflects an ongoing base budget provision of £1.1m per annum.

2.6.4 **Finance, Risk & Performance** underspent at £341k; early achievement of 2015-16 budget savings through vacancy management. **Corporate & Democratic Core, which** includes a number of specific activities such as external audit fee and other public body subscriptions, achieved early savings against 2015-16 budget, of £304k..

2.6.5 **Legal & Governance** had a net underspend of £173k. Legal Services, which currently operates as an internal traded service. Although the service made a trading surplus in that revenue exceeded costs, it did not make the target revenue because of vacancies held within service which resulted in a year end deficit position of £194k. Conversely, there are corresponding recharge 'savings' contained internal customer budgets. The Service is currently reviewing its current trading operating model and any change in approach will be incorporated from April 2016 onwards. Support for the Council as Democratic Organisation achieved early savings of £367k across a range of headings; including vacancy management at £115k and councillor allowances at £107k.

## 2.7 **Central Budgets**

2.7.1 **Central Budgets** achieved early savings of £170k. The outturn position reflects Cabinet approval on 2 June 2015 to fund a number of short-life asset capital schemes in-year (IT and Transport); £2.1m in total, from revenue, rather than borrowing; through a combination of in-year Treasury Management underspend of £1.8m and the balance of £0.3m funding from in-year contingency underspend.

2.7.2 This will release a further £295k annual treasury management budget savings from 2015-16 onwards, and will be factored into the Council's 2016-19 budget strategy update later in the year.

2.7.3 Cabinet on 2 June 2015 also approved to fund £3m in-year service expenditure relating to existing rollover approvals from previous years, from other "one-off" Central Budget underspends. The normal accounting process would have been for services to draw down matched funding from the rollover reserve.

2.7.4 This has freed up £3m existing rollover reserve for re-designation to a new reserve to support new Council developments, which was originally approved at full budget Council on 18 February 2015 as part of the 2015-18 budget plan approval.

## 2.8 **Corporate ('ring -fenced') budgets managed within Directorates**

- 2.8.1 Traditionally, these activities have been viewed as Council-wide activity with individual commissioned schemes managed at Directorate level; effectively 'ring-fenced' revenue budgets within the totality of Directorate managed budgets.
- 2.8.2 The approved budget plans for 2015-16 effectively means that Corporate Priority Budgets (CPB) and Energy Council Wide Initiatives will cease, but outstanding programme area commitments against the 2014-15 CPB underspend totaling £792k have been identified and it is recommended that this rolls forward in full into 2015-16. There are no existing commitments against Energy CWI to roll forward into 2015-16.
- 2.8.3 It is also recommended that the £213k District Committee underspend rolls forward in full.

## 2.9 **Collection Fund**

- 2.9.1 The Collection Fund is a ring-fenced revenue account. It is administered by the Council (the billing authority).
- 2.9.2 Responsibilities include council tax and business rates annual billing, income collection, and annual planned payments to the relevant precepting bodies (fire, police and parishes), and central government.
- 2.9.3 Council tax and business rates are treated as separate accounts within the Collection Fund, with no cross-subsidisation of surpluses or deficits allowable between the two accounts. This reflects the fact that the precepting bodies for the respective accounts, and the basis of the precept calculation for each (& attributable shares of surplus / deficit), are different.
- 2.9.4 Accumulated surpluses or deficits reflect differences between planned and actual council tax/business rates income collected, and can be offset against future year annual planned payments.
- 2.9.5 Table 2 below reflects the change in the Council share of the Collection Fund (surplus) / deficit, between 2013-14 and 2014-15:

*Table 2 - Collection Fund Outturn 31 March 2015*

<b>Council Attributable Share</b>	<b>Council Tax £000</b>	<b>Business Rates £000</b>	<b>Total £000</b>
(Surplus)/Deficit as at 1/4/14	(2,034)	4,941	2,907
Planned repayment in-year In-year (surplus)/deficit	768 (3,306)	(1,619) 1,912	(851) (1,394)

(Surplus)/Deficit as at 31/3/15	(4,572)	5,234	662
Planned repayment in-year	1,200	(5,200)	2,800
Adjusted (Surplus) / deficit	(3,372)	34	(3,338)

- 2.9.6 The Council tax in-year £3.3m surplus equates to 2.4% against a planned annual council tax demand (Council share) of £136.6m; in part reflects reduced claimant take up of the council tax reduction scheme, and in part, overall improvement in council tax income collection rates in-year; 95.2% actual against 94.0% target for 2014-15.
- 2.9.7 The approved budget plans for 2015-16 had anticipated some of the above through in-year monitoring forecasts, when determining the council tax base for 2015-16, and also a planned repayment of £1.2m council tax surplus to the general fund in 2015-16.
- 2.9.8 The business rates in-year deficit at £1.912m equates to 3.8% against a planned annual business rates target (Council share) of £50.9m.
- 2.9.9 This in part reflects higher than expected mandatory charitable reliefs awarded in-year, and in part higher than anticipated impact on 2014-15 business rates base from successful valuation appeals, mainly relating to the 2010 rating valuation, and some to 2005.
- 2.9.10 A specific provision was also set aside last year to mitigate the potential impact of backdated adjustments (pre-2014-15) mainly to 2010, with regard to rating appeals still outstanding. The provision currently stands at £7.1m. Both regionally and nationally, similar provisions have been created by other Councils for what is acknowledged by government to be a known and significant pressure on Council business rates income.
- 2.9.11 The approved budget plans for 2015-16 had also anticipated some of the above through in-year monitoring forecasts, when determining the business rates base for 2015-16, and also a planned £5.2m contribution from the general fund in 2015-16, to the business rates deficit.
- 2.9.12 Council tax and business rates in-year forecasts and trends will continue to be monitored through 2015-16, and will be factored into the annual re-fresh of council tax and business rates base later in the year, as part of the annual re-fresh of multi-year Council revenue budget plans.

## 2.10 **Council general fund reserves & balances**

- 2.10.1 The term “reserves” here means accumulated one-off resources built up over time, that have been set aside or earmarked for specific purposes under 3 broad categories; statutory, earmarked, and risk based. A summary of current Council reserves is shown in Table 3 below. They represent a snapshot in time, based on the reserves to be disclosed in the Council’s statement of accounts 2014-15, as at 31 March.

## Reserves

*Table 3 – Earmarked Reserves*

Description	As at 31/3/2014 £000	As at 31/3/2015 £000	Comments
<b>Statutory Reserves</b>			
Local Management of Schools	(16,394)	(15,617)	Relates to individual school balances or deficits managed directly by the schools which roll forward year on year.
Revenue Grants - Dedicated Schools Grant	(5,037)	(8,431)	Ring-fenced government grant and can be applied only to expenditure included in the Schools Budget.
<b>Sub-total</b>	<b>(21,431)</b>	<b>(24,048)</b>	
<b>Earmarked Reserves</b>			
Revenue Grants - Other	( ) (18,378)	(19,139)	See explanation below
Workforce restructure	(15,184)	(14,553)	See explanation below
Health and social care	(10,013)	(9,808)	Funds received from health partners to support future expenditure on health & social care issues
Existing Rollover	(4,360)	(6,857)	Set up to deal with deferred spend commitments relating to approved rollover from 2012/13 and 2013/14
Private Finance Initiative (PFI)	(3,444)	(3,186)	Prepayments to contractors in relation to Private Finance initiatives (reducing balance over time)
Business rates reserve	(2,670)	(3,908)	Transfer of small business rates relief grant to reserves to mitigate balance of business rates deficit; will be applied in 2015-16
Journey to New Council	-	(3,000)	Set up to support new Council developments over the next 3 years; original approval for this as per full budget Council 18 February 2015
Other	(5,341)	(3,929)	Balance of earmarked reserves set aside across a range of committed or predicted spend, including building dilapidations, adverse weather, adoption
<b>Sub-total</b>	<b>(59,390)</b>	<b>(64,380)</b>	
<b>Risk-based reserves</b>			
Organisational Risk	(7,528)	(7,528)	See below



Insurance Risk	(1,500)	(1,500)	Covers risks not insured over and above the Insurance revision
<b>Sub-total</b>	<b>(9,028)</b>	<b>(9,028)</b>	
<b>Grand Total</b>	<b>(89,849)</b>	<b>(97,456)</b>	

- i) **Statutory reserves** are ring-fenced for schools and cannot be used to cross-subsidise other Council activity; Local Management of Schools reserve subject to Education Reform Act 1988; Dedicated Schools Grant subject to Schools Finance (England) Regulations 2011
- ii) **Earmarked reserves** are funds set aside by the Council to meet known or predicted future spending.

The most significant is the **Grant reserve**. This adjusts Directorate budgets in-year where specific grants (& other specific funding contributions) have been applied in-year in compliance with accounting guidelines, but due to timing issues the expenditure is actually committed to following years. Major grants and funding contributions which have contributed to the accumulation of this reserve include Social Care Reform Grant, Supporting People Grant, European Social Funding Grant, Troubled Families and Public Health

The **Workforce restructure reserve** has been set up mainly to cover one-off costs from the Council's redundancy programme, and it is also intended that this reserve can meet emerging Director proposals that identify one-off cross-cutting workforce development costs that specifically support the future re-shaping of the Council.

- iii) **Risk based reserves** are reserves set aside to cover contingent spending that is not possible to predict with certainty.

In particular, the **Organisation risk reserve** covers a range of potential costs highlighted in the Council's corporate risk assessment, including those covering certain contingent liabilities.

## 2.11 **Balances**

- 2.11.1 Remaining reserves not set aside are referred to as general fund balances, including a minimum ongoing general balances requirement of £5m to support operational cashflow management of the Council.

Table 4 – General Fund Balances

	2014-15 £m	2015-16 £m
<b>Opening balance at 1 April</b>	<b>(44.2)</b>	<b>(38.0)</b>
Add:		
Year-end underspend	(5.7)	-
Transfer to reserves; 2013-14 rollover	6.2	-
Use of balances to support approved budget across years	5.7	12.3

Minimum balances	-	5.0
Proposed rollover 2014-15; transfer to reserve	-	5.7
<b>Closing balance at 31 March</b>	<b>(38.0)</b>	<b>(15.0)</b>

2.11.2 **General Fund balances**, Table 4 above acknowledges the phased drawdown of balances over the next 3 years to enable the Council to effectively forward plan for the financial challenges over the 2015-18 period.

2.11.3 Table 5 below shows the combined totals for general fund reserves and balances as at 31 March 2015 (and previous year end for comparison), and as well the approved drawdowns to support current budget plans over the 2015-18 period.

*Table 5 – Council General Fund Reserves and Balances Summary*

Reserves	As at 31 March 2014 £000	As at 31 March 2015 £000	Approved drawdown to support existing budget plans (MTFP 2015-18)			Remaining reserves / balances £000
			15/16 £000	16/17 £000	17/18 £000	
Statutory	(21,431)	(24,048)	-	-	-	(24,048)
Earmarked	(59,390)	(64,380)	(1,035)*	-	-	(65,415)
Risk Based	(9,028)	(9,028)	-	-	-	(9,028)
<b>Sub-total</b>	<b>(89,849)</b>	<b>(97,456)</b>	<b>(1,035)</b>	<b>-</b>	<b>-</b>	<b>(98,491)</b>
Balances	(44,230)	(38,049)	18,023*	11,785	3,252	(4,989)
Min balance provision	-	-	-	-	-	5,000
<b>Total</b>	<b>(134,079)</b>	<b>(135,505)</b>	<b>16,988</b>	<b>11,785</b>	<b>3,252</b>	<b>(98,480)</b>
<b>Total Excluding statutory reserves</b>	<b>(112,648)</b>	<b>(111,457)</b>	<b>16,988</b>	<b>11,785</b>	<b>3,252</b>	<b>(74,432)</b>

\*also reflects assumed £5.7m revenue rollover approval; transfer from balances to rollover reserves in yr 2015/16

2.11.4 Table 5 above reflects the extent to which reserves and balances supports Council budget strategies, noting the approved drawdowns over the 2015-18 MTFP period totaling £32.0m.

2.11.5 The total excluding statutory reserves reflects the fact that some of the Council reserves are designated for a specific purpose (statutorily), to the extent that these would have to be excluded from any future consideration of potential re-designation of remaining reserves for other purposes. Remaining reserves will be reviewed as part of the budget strategy update report to full Council later in the financial year, in preparation for 2016-19.

2.11.6 Some of the remaining (earmarked) reserves indicated in Table 5 above will be available for drawdown in-year to mitigate short-term budget risks/support one-off developments, and these will be reported as part of the quarterly corporate revenue monitoring reporting cycle to Cabinet.

## 2.12 Proposed Rollover Bids

2.12.1 In relation to the overall Council early achievement of savings of £4.5m in 2014-15, corporate and service rollover bids total £4.7m, with a further £1.0m rollover proposed against a corporate ring-fenced budget total underspend of £1.2m in 2014-15. Further information about all the above rollover bids can be found at Appendix 3.

## 2.13 Longer Term Issues

2.13.1 The rollover proposals in this report meet service and corporate requirements totaling £5.7m.

2.13.2 The approved budget plans for 2015-18 acknowledge that in some service areas, there is an increase in risk taken. Specific examples of increased risk include savings proposals across a range of demand led budgets for vulnerable adults and looked after children, and pressures and risks relating to Schools Transport activity. In addition to these, there other emerging service pressures that might impact on 2015-16 in-year monitoring. Early examples include pressures relating to Child Sexual Exploitation, Deprivation of Liberty Safeguards, the future of Healthwatch funding and costs associated with building closures.

2.13.3 The above will be kept under review alongside the Council's policy on reserves and balances through the quarterly reporting cycle to Cabinet. This will include in-year proposals to drawdown reserves to mitigate risks/pressures short-term, and proposals to use contingency budgets currently set aside in central budgets e.g. for New Burdens resultant from the implementation of the new Care Act from April 2015.

2.13.4 Longer term, the above will be considered as part of the overall annual re-fresh of Council approved medium term budget plans, including emerging proposals for service re-design to inform 2016-19 medium term financial plan (MTFP) update, working towards a "New Council".

2.13.5 The Chancellor announced on 4<sup>th</sup> June that the Government is looking for additional savings of 3 per cent for "unprotected departments" ie excluding schools and the NHS in 2015-16, with a target of finding an additional £3 billion worth of savings. That is about £50 a head to give some idea of scale. This includes proposals to clawback £200m nationally from Public Health Grant in-year; equivalent to 7%. There will be an in-year consultation of the distribution of the clawback, but an illustrative pro-rata reduction for Kirklees is estimated in the region of £1.6M.

2.13.6 Local government has already had more than a 10 per cent cut to grant funding in 2015-16. In 2010 the new Government decided not to reopen the main local government finance settlement; although it did cut specific grants to local

government. The complex nature of the settlement makes in-year reductions less likely, a similar scenario to the 2010 position ie no reduction to our main grant is now almost certain from the Chancellor's announcement.

2.13.7 The July budget is likely to set total expenditure and tax totals to the end of the Parliament. However we would not expect full details of departmental spending totals then – this is likely to come in a Spending Review in the Autumn. This is likely to set out local government totals for a number of years; potentially up to four or five, which would help our future financial planning.

2.13.8 Clearly we don't yet know what these will be at national level and they will need to be translated into figures for Kirklees. However the spending figures released at the time of the March 2015 budget suggested significant cuts in the years to 2018-19 in departmental budgets although there was no breakdown for individual councils beyond 2015-16. Even if as it appears our main grant is not being cut now, there has to be a danger of any 3 per cent cut being incorporated into the baseline used for the 2016-17 settlement before any 2016-17 reduction.

### **3. IMPLICATIONS FOR COUNCIL POLICY**

The rollover proposals largely reflect proposals which relate to one-off developments that will help to achieve Council forward budget plans. The majority of rollover proposals seek to address corporate challenges rather than address individual service issues within the overall savings figure achieved in 2014-15, and in doing so reduce the potential call on existing approved mainstream budgets that support the Council's forward budget plans over the next 3 to 4 years, in the context of significantly reduced revenue resources.

### **4. IMPLICATIONS FOR COUNCIL GOVERNANCE**

This is a key element of the corporate governance arrangements and is submitted to both Cabinet and to full Council. This report is linked to, and summarises information within, the Council's Statement of Accounts, a draft of which will be submitted for information to the Council's Audit and Governance Committee in July 2015, pending formal sign-off in September 2015.

The expenditure figures in this report will feed into the Council's annual statement of accounts. The full statement of accounts will be subject to external audit and are therefore subject to change.

### **5. MONITORING AND REVIEW**

This represents the final stage of monitoring and reporting on the 2014-15 Revenue Budget. Where appropriate, trends identified will be used to update both the in-year monitoring through 2015-16, and the next update of the MTFP.

#### **Contact Officers:**

David Smith, Director of Resources

Eamonn Croston, Strategic Council Finance Manager

**REVENUE OUTTURN SUMMARY – 2014/15****Overall Summary**

	<b>Net Controllable Budget £000</b>	<b>Net Controllable Expenditure £000</b>	<b>Variance £000</b>	<b>Variance %</b>
<b>Directorate</b>				
Children & Young People	77,958	77,195	(763)	(1.0%)
Commissioning, Public Health & Adults	91,368	91,368	0	0.0%
Place	39,387	39,312	(75)	(0.2%)
Resources	36,910	34,618	(2,292)	(6.2%)
Communities, Transformation & Change	13,705	12,493	(1,212)	(8.8%)
	<b>259,328</b>	<b>254,986</b>	<b>(4,342)</b>	<b>(1.7%)</b>
Central Budgets	62,097	61,927	(170)	(0.3%)
<b>Sub-Total</b>	<b>321,425</b>	<b>316,913</b>	<b>(4,512)</b>	<b>(1.4%)</b>
Ring-Fenced Budgets	2,702	1,454	(1,248)	(46.2%)
<b>General Fund Total</b>	<b>324,127</b>	<b>318,367</b>	<b>(5,760)</b>	<b>(1.8%)</b>
<b>Collection Fund</b>				
Council Tax (Council Share)	(136,600)	(139,907)	(3,307)	(2.4%)
Business Rates (Council Share)	(50,900)	(48,988)	1,912	3.8%
<b>Total Collection Fund</b>	<b>(187,500)</b>	<b>(188,895)</b>	<b>(1,395)</b>	<b>(0.7%)</b>

**Detailed Summary****Directorate**

	<b>Net Controllable Budget £000</b>	<b>Net Controllable Expenditure £000</b>	<b>Variance  £000</b>
<b><u>Children &amp; Young People</u></b>			
Learning & Skills	6,786	5,303	(1,483)
Safeguarding & Family Support	61,569	62,659	1,090
Commissioning & Health Partnerships	4,187	3,836	(351)
School Budgets	5,416	5,397	(19)
<b>Total Children &amp; Young People</b>	<b>77,958</b>	<b>77,195</b>	<b>(763)</b>

**Commissioning, Public Health & Adults**

Social Care & Wellbeing for Adults	75,770	76,963	1,193
Commissioning & Health Partnerships	16,952	15,822	(1,130)
<b><u>Public Health</u></b>			
Expenditure	24,182	23,711	(471)
Grant	(25,536)	(25,128)	408
	(1,354)	(1,417)	(63)
<b>Total Commissioning, Public Health &amp; Adults</b>	<b>91,368</b>	<b>91,368</b>	<b>0</b>

**Place**

Streetscene & Housing	31,654	30,712	(942)
Investment & Regeneration	1,708	1,743	35
Building Services	(3,513)	(3,431)	82
Physical Resources & Procurement	9,538	10,288	750
<b>Total Place</b>	<b>39,387</b>	<b>39,312</b>	<b>(75)</b>

**Resources**

Legal & Governance	2,556	2,383	(173)
Elections	854	854	0
Corporate & Democratic Core	1,247	943	(304)
Finance, Risk & Performance	3,722	3,381	(341)
IT	10,401	10,486	85
Customer & Exchequer Services	17,807	16,344	(1,463)
Office of the Chief Executive	323	227	(96)
<b>Total Resources</b>	<b>36,910</b>	<b>34,618</b>	<b>(2,292)</b>

**Communities, Transformation & Change**

Support Services	5,152	4,357	(795)
Communities & Leisure	8,553	8,136	(417)
<b>Total Communities, Transformation &amp; Change</b>	<b>13,705</b>	<b>12,493</b>	<b>(1,212)</b>

**Central Budgets**

Treasury Management	41,218	39,416	(1,802)
Contingencies	(384)	(1,211)	(827)
Non Distributed Costs	694	3,245	2,551
Joint Committees	20,569	20,477	(92)
<b>Total Central Budgets</b>	<b>62,097</b>	<b>61,927</b>	<b>(170)</b>

**Ring-Fenced Budgets**

Energy CWI	243	0	(243)
Corporate Priorities Budget	1,959	1,167	(792)
Area Committees	500	287	(213)
	<b>2,702</b>	<b>1,454</b>	<b>(1,248)</b>



## KEY DEMAND LED SERVICE ACTIVITY INDICATORS – 2014/15

Directorate	Budget £000	Outturn £000	Variance £000
<b>1. Children &amp; Young People</b>			
<b>1.1 Fostering – Internal</b>			
Average Number of Clients	308	308	0
Average Unit Cost p.a.	£15,165	£15,165	£0
	<b>£4,671,000</b>	<b>£4,671,000</b>	<b>£0</b>
<b>1.2 Fostering – External</b>			
Average Number of Clients	125	132	7
Average Unit Cost p.a.	£41,120	£41,076	(£44)
	<b>£5,140,000</b>	<b>£5,411,000</b>	<b>£271,000</b>
<b>1.3 External Placements</b>			
Average Number of Clients	39	45	6
Average Unit Cost p.a.	£130,436	£135,512	£5,076
	<b>£5,087,000</b>	<b>£6,076,000</b>	<b>£989,000</b>
<b>1.4 Internal Placements</b>			
Average Number of Clients	40	40	0
Average Unit Cost p.a.	£119,037	£119,037	£0
	<b>£4,761,492</b>	<b>£4,761,492</b>	<b>£0</b>
<b>1.5 Leaving Care Supported Accommodation</b>			
Average Number of Clients	29	21	(8)
Average Unit Cost p.a.	£38,138	£37,336	(£802)
	<b>£1,106,000</b>	<b>£780,000</b>	<b>(£326,000)</b>
<b>1.6 Supported Lodgings</b>			
Average Number of Clients	18	16	(2)
Average Unit Cost p.a.	£9,667	£9,812	£145
	<b>£174,000</b>	<b>£159,000</b>	<b>(£15,000)</b>
<b>1.7 Special Guardianship Order Allowances</b>			
Average Number of Clients	175	191	16
Average Unit Cost p.a.	£7,017	£7,540	£523
	<b>£1,228,000</b>	<b>£1,438,000</b>	<b>£210,000</b>
<b>1.8 Child Arrangement Order Allowances</b>			
Average Number of Clients	99	118	19
Average Unit Cost p.a.	£7,051	£7,384	£333
	<b>£698,000</b>	<b>£873,000</b>	<b>£175,000</b>

## KEY DEMAND LED SERVICE ACTIVITY INDICATORS – 2014/15

Directorate	Budget £000	Outturn £000	Variance £000
<b>1.9 Adoption Allowances</b>			
Average Number of Clients	130	144	14
Average Unit Cost p.a.	£7,054	£8,528	£1,474
	<b>£917,000</b>	<b>£1,224,000</b>	<b>£307,000</b>
<b>1.9a Direct Payments</b>			
Average Number of Clients	155	189	34
Average Unit Cost p.a.	£7,488	£7,540	£52
	<b>£1,161,040</b>	<b>£1,425,040</b>	<b>£264,000</b>
<b>1.9b Young Offender Institution Placement</b>			
Number of Placement Nights	435	1,316	881
Average Unit Cost per Night	£158	£158	£0
	<b>£68,721</b>	<b>£207,962</b>	<b>£139,241</b>
<b>1.9c Secure Hospital Children's Placement</b>			
Number of Placement Nights	0	0	0
Average Unit Cost per Night	£555	£0	(£555)
	<b>£0</b>	<b>£0</b>	<b>£0</b>
<b>1.9d Secure Training Centre Placement</b>			
Number of Placement Nights	0	0	0
Average Unit Cost per Night	£533	£0	(£533)
	<b>£0</b>	<b>£0</b>	<b>£0</b>
<b>CHILDREN &amp; YOUNG PEOPLE TOTALS</b>			
Clients	1,553	2,520	967
Net Expenditure	<b>£25,012,253</b>	<b>£27,026,494</b>	<b>£2,014,241</b>

## KEY DEMAND LED SERVICE ACTIVITY INDICATORS – 2014/15

Directorate	Budget £000	Outturn £000	Variance £000
<b>2. Place</b>			
<b>2.1 Contract Waste (SITA)</b>			
Tonnes	179,334	198,686	19,352
Gateway price per tonne	£15.68	£15.68	£0.00
	<b>£2,811,419</b>	<b>£3,114,800</b>	<b>£303,381</b>
<b>2.2 Landfill</b>			
Tonnes	24,500	26,506	2,006
Price	£80	£80	0
	<b>£1,960,000</b>	<b>£2,120,480</b>	<b>£160,480</b>
<b>2.3 Bereavement Services</b>			
Burials	581	636	55
Price	£1,101	£1,025	(£76)
	<b>£639,681</b>	<b>£651,690</b>	<b>£12,009</b>
Cremations	3,002	2,982	(20)
Price	£677	£645	£32
	<b>£2,032,354</b>	<b>£1,922,695</b>	<b>£109,659</b>
<b>2.4 Seasonal Weather</b>			
Grit days	70	74	4
Average Unit Cost per Grit	£16,000	£16,000	£0
	<b>£1,120,000</b>	<b>£1,184,000</b>	<b>£64,000</b>

## KEY DEMAND LED SERVICE ACTIVITY INDICATORS – 2014/15

Directorate	Budget £000	Outturn £000	Variance £000
<b>3. <u>Commissioning, Public Health &amp; Adults</u></b>			
<b>3.1 Older People</b>			
<b>3.1.1 External Placements</b>			
Number of Clients	1,243	1,247	4
Average Gross Unit Cost p.a.	£23,923	£24,018	£95
Average Client Contribution p.a.	(£10,455)	(£10,946)	(£491)
Average NHS Contribution p.a.	(£52)	(£131)	(£79)
	<b>£16,675,667</b>	<b>£16,138,313</b>	<b>(£537,354)</b>
<b>3.1.2 Home Care</b>			
Number of Clients	1,199	1,191	(8)
Average Gross Cost per Client p.a.	£6,032	£6,084	£52
Client Contact Hours per Week	12,193	11,597	(596)
Average Gross Cost per Week	£138,687	£138,957	£270
Average Gross Cost per Client Contract Hour	£11.37	£11.98	£0.61
	<b>£7,231,557</b>	<b>£7,245,640</b>	<b>£14,083</b>
<b>SDS – Commissioned Services</b>			
Number of Clients	0	2	2
Average Gross Unit Cost p.a.	£0	(£2,331)	(£2,331)
	<b>£0</b>	<b>(£5,153)</b>	<b>(£5,153)</b>
<b>3.1.3 SDS – Direct Payments</b>			
Number of Clients	239	315	76
Average Gross Unit Cost p.a.	£8,900	£8,478	(£422)
	<b>£2,126,000</b>	<b>£2,670,457</b>	<b>£544,457</b>
<b>3.1.4 SDS – Income</b>			
Number of Clients	1,438	1,508	70
Average Client Income p.a.	(£2,992)	(£2,633)	£359
Average NHS Income p.a.	(£22)	(£15)	£6
	<b>(£4,333,000)</b>	<b>(£3,994,714)</b>	<b>£338,286</b>
<b>3.1.5 Emergency Support Costs</b>			
Number of Clients	3	9	6
Average Gross Unit Cost p.a.	£23,333	£6,441	(£16,892)
Average Client Contribution p.a.	£0	£0	£0
Average NHS Contribution p.a.	£0	(£1,831)	(£1,831)
	<b>£70,000</b>	<b>£40,651</b>	<b>(£29,349)</b>
<b>OLDER PEOPLE TOTALS</b>			
Clients	2,684	2,764	80
Net Expenditure	<b>£21,770,224</b>	<b>£22,095,194</b>	<b>£324,970</b>

## KEY DEMAND LED SERVICE ACTIVITY INDICATORS – 2014/15

Directorate	Budget £000	Outturn £000	Variance £000
<b>3. <u>Commissioning, Public Health &amp; Adults</u></b>			
<b>3.2 Physical Disabilities</b>			
<b>3.2.1 External Placements</b>			
Number of Clients	90	83	(7)
Average Gross Unit Cost p.a.	£42,756	£44,259	£1,503
Average Client Contribution p.a.	(£5,667)	(£6,907)	(£1,240)
Average NHS Contribution p.a.	(£3,100)	(£3,274)	(£174)
	<b>£3,059,000</b>	<b>£2,842,157</b>	<b>(£216,843)</b>
<b>3.2.2 Home Care</b>			
Number of Clients	202	197	(5)
Average Gross Cost per Client p.a.	£10,333	£9,921	(£412)
Client Contact Hours per Week	3,191	3,127	(64)
Average Gross Cost per Week	£40,030	£37,484	(£2,546)
Average Gross Cost per Client Contract Hour	£12.54	£11.99	(£0.55)
	<b>£2,087,279</b>	<b>£1,954,500</b>	<b>(£132,779)</b>
<b>SDS – Commissioned Services</b>			
Number of Clients	13	13	0
Average Gross Unit Cost p.a.	£44,077	£49,801	£5,724
	<b>£573,000</b>	<b>£663,745</b>	<b>£90,745</b>
<b>3.2.3 SDS – Direct Payments</b>			
Number of Clients	280	333	53
Average Gross Unit Cost p.a.	£12,969	£12,325	(£644)
	<b>£3,627,000</b>	<b>£4,104,112</b>	<b>£477,112</b>
<b>3.2.4 SDS – Income</b>			
Number of Clients	495	543	48
Average Client Income p.a.	(£902)	(£881)	£21
Average NHS Income p.a.	(£485)	(£956)	(£471)
	<b>(£686,000)</b>	<b>(£997,966)</b>	<b>(£311,966)</b>
<b>3.2.5 Emergency Support Costs</b>			
Number of Clients	4	4	0
Average Gross Unit Cost p.a.	£5,000	£2,007	(£2,993)
Average Client Contribution p.a.	£0	£0	£0
Average NHS Contribution p.a.	£0	£0	£0
	<b>£20,000</b>	<b>£7,750</b>	<b>(£12,250)</b>
<b>PHYSICAL DISABILITIES TOTALS</b>			
Clients	589	630	41
Net Expenditure	<b>£8,680,279</b>	<b>£8,574,298</b>	<b>(£105,981)</b>

## KEY DEMAND LED SERVICE ACTIVITY INDICATORS – 2014/15

Directorate	Budget £000	Outturn £000	Variance £000
<b>3. <u>Commissioning, Public Health &amp; Adults</u></b>			
<b>3.3 Learning Disabilities</b>			
<b>3.3.1 External Placements</b>			
Number of Clients	282	272	(10)
Average Gross Unit Cost p.a.	£55,131	£56,922	£1,791
Average Client Contribution p.a.	(£5,078)	(£4,764)	£314
Average NHS Contribution p.a.	(£6,713)	(£6,639)	£74
	<b>£12,222,000</b>	<b>£12,383,293</b>	<b>£161,293</b>
<b>3.3.2 Home Care</b>			
Number of Clients	40	49	9
Average Gross Cost per Client p.a.	£10,612	£9,287	(£1,325)
Client Contact Hours per Week	790	896	16
Average Gross Cost per Week	£8,141	£8,728	£587
Average Gross Cost per Client Contract Hour	£10.31	£9.74	£0.57
	<b>£424,495</b>	<b>£455,078</b>	<b>£30,583</b>
<b>SDS – Commissioned Services</b>			
Number of Clients	301	293	(8)
Average Gross Unit Cost p.a.	£19,963	£19,884	(£79)
	<b>£6,009,000</b>	<b>£5,825,570</b>	<b>(£183,430)</b>
<b>3.3.3 SDS – Direct Payments</b>			
Number of Clients	376	345	(31)
Average Gross Unit Cost p.a.	£8,773	£11,246	£2,473
	<b>£3,301,000</b>	<b>£3,879,727</b>	<b>£578,727</b>
<b>3.3.4 SDS – Income</b>			
Number of Clients	717	687	(30)
Average Client Income p.a.	(£1,051)	(£1,101)	(£50)
Average NHS Income p.a.	(£1,065)	(£1,095)	(£30)
	<b>(£1,518,000)</b>	<b>(£1,508,249)</b>	<b>£9,751</b>
<b>3.3.5 Emergency Support Costs</b>			
Number of Clients	18	14	(4)
Average Gross Unit Cost p.a.	£3,778	£3,354	(£424)
Average Client Contribution p.a.	£0	£0	£0
Average NHS Contribution p.a.	£0	(£96)	(£96)
	<b>£68,000</b>	<b>£46,382</b>	<b>(£21,618)</b>
<b>LEARNING DISABILITIES TOTALS</b>			
Clients	1,017	973	(44)
Net Expenditure	<b>£20,506,495</b>	<b>£21,081,801</b>	<b>£575,306</b>

## KEY DEMAND LED SERVICE ACTIVITY INDICATORS – 2014/15

Directorate	Budget £000	Outturn £000	Variance £000
<b>3. <u>Commissioning, Public Health &amp; Adults</u></b>			
<b>Mental Health</b>			
<b>3.4.1 External Placements</b>			
Number of Clients	90	100	10
Average Gross Unit Cost p.a.	£31,722	£29,841	(£1,881)
Average Client Contribution p.a.	(£2,711)	(£2,708)	£3
Average NHS Contribution p.a.	(£7,156)	(£5,647)	£1,509
	<b>£1,967,000</b>	<b>£2,142,266</b>	<b>£175,266</b>
<b>3.4.2 Home Care</b>			
Number of Clients	59	49	(10)
Average Gross Cost per Client p.a.	£4,673	£4,425	(£248)
Client Contact Hours per Week	384	373	-11
Average Gross Cost per Week	£5,287	£4,159	(£1,128)
Average Gross Cost per Client Contract Hour	£13.77	£11.15	(£2.62)
	<b>£275,679</b>	<b>£216,843</b>	<b>(£58,836)</b>
<b>SDS – Commissioned Services</b>			
Number of Clients	31	18	(13)
Average Gross Unit Cost p.a.	£13,323	£12,506	(£817)
	<b>£413,000</b>	<b>£226,398</b>	<b>(£186,602)</b>
<b>3.4.3 SDS – Direct Payments</b>			
Number of Clients	88	180	92
Average Gross Unit Cost p.a.	£4,967	£4,510	(£457)
	<b>£437,000</b>	<b>£811,714</b>	<b>£374,714</b>
<b>3.4.4 SDS – Income</b>			
Number of Clients	178	247	69
Average Client Income p.a.	(£118)	(£135)	(£17)
Average NHS Income p.a.	(£73)	(£41)	£32
	<b>(£34,000)</b>	<b>(£43,315)</b>	<b>(£9,315)</b>
<b>3.4.5 Emergency Support Costs</b>			
Number of Clients	1	0.4	(1)
Average Gross Unit Cost p.a.	£1,000	£24,845	£23,845
Average Client Contribution p.a.	£0	£0	£0
Average NHS Contribution p.a.	£0	£0	£0
	<b>£1,000</b>	<b>£10,959</b>	<b>£9,959</b>
<b>MENTAL HEALTH TOTALS</b>			
Clients	269	347	78
Net Expenditure	<b>£3,059,679</b>	<b>£3,364,865</b>	<b>£305,185</b>

## KEY DEMAND LED SERVICE ACTIVITY INDICATORS – 2014/15

Directorate	Budget £000	Outturn £000	Variance £000
<b><u>3. COMMISSIONING, PUBLIC HEALTH &amp; ADULTS TOTALS</u></b>			
Clients	4,559	4,714	155
Net Expenditure	<b><u>£54,016,677</u></b>	<b><u>£55,116,158</u></b>	<b><u>£1,099,481</u></b>



## REVENUE ROLLOVER PROPOSALS

	Description	Total £000	15/16 £000	16/17 £000	Bid Details
<b>Corporate Bids</b>	Children & Young People IT System (part of a joint procurement with Adults)	763	763	-	To contribute towards Phase One cost of new IT system; backfilling posts to allow creation of dedicated team to specify, procure and deliver new system; training; additional costs of £340k also identified, to be met from earmarked reserves. Phase 2 (Adults) anticipated cost of £1.2m, to be implemented from 2017/18 onwards; anticipated at this stage that funding can be met from earmarked reserves.
	Mount Pleasant Primary School decant	1,850	1,850	-	To cover costs of decanting pupils at Mount Pleasant School pending site rebuild. This is in addition to the £1.75m set aside as part of the approved 2013-14 revenue rollover.
	Low Pay initiatives	380	380	-	Funding for potential initiatives to tackle Low Pay Agenda.
	Digital Infrastructure	317	317	-	Additional requirement to the £1m revenue rollover approved in 2013-14; renewal of digital infrastructure to allow innovation in improved services, providing value for money and supporting the workforce with the right tools.
	Large Council Sites – Housing Delivery	130	130	-	To bring forward large Council owned sites for development and deliver new homes in Kirklees.
	Local Plan	360	325	35	Development of district wide traffic model and master planning.
	<b>Sub-Total</b>	<b>3,800</b>	<b>3,765</b>	<b>35</b>	
<b>Service bids</b>	Self-issue machines for library and information centres, and resources to support libraries strategy.	157	157	-	Further develop self-service in support of Local Information Centres strategy allowing front line staff to facilitate access to wide range of service. These machines enable mobile deployment across site. Along with additional resource to support planned changes to the service such as staffing, premises and equipment.
	Payment project	115	115	-	To promote use of more cost effective payment options that support the delivery of sustainable Welfare & Exchequer target savings requirement of £200k from 2016-17.
	Welfare pressures	324	324	-	Rollover proposal reflects contingency for potential national welfare changes recently announced by central government and impact on the organisation.
	Kirklees Direct	100	50	50	Targeted measures to mitigate current volume pressures.
	Pavements	259	259		To fund additional pavement repair and maintenance.
	<b>Sub-Total</b>	<b>955</b>	<b>905</b>	<b>50</b>	
<b>Ring-Fenced Budgets</b>	Residual commitments ; former Corporate Priorities Budget	792	638	154	Rollover reflects timing issues on a number of committed spend proposals against existing programme areas within former CPB activity
	District Committees	213	213	-	District Committees 2014-15 underspend to roll forward in full.
	<b>Sub-Total</b>	<b>1,005</b>	<b>851</b>	<b>154</b>	
<b>Total</b>	<b>Rollover Total Bids</b>	<b>5,760</b>	<b>5,521</b>	<b>239</b>	

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**Name of meeting:** Cabinet 30 June 2015

**Title of report:** Housing Revenue Account (HRA) – Financial Outturn 2014-15

<b>Is it likely to result in spending or saving of £250k or more, or to have a significant effect on two or more electoral wards?</b>	No
<b>Is it in the <a href="#">Council's Forward Plan</a>?</b>	No
<b>Is it eligible for "call in" by <a href="#">Scrutiny</a>?</b>	Yes
<b>Date signed off by <u>Director</u> &amp; name</b>	David Smith, 17 June 2015
<b>Is it signed off by the Director of Resources?</b>	Yes
<b>Is it signed off by the Assistant Director – Legal, Governance &amp; Monitoring</b>	
<b>Cabinet Member <a href="#">portfolio</a></b>	Streetscene & Housing

**Electoral wards affected and ward councillors consulted: All**

**Public or private: Public**

## 1. Purpose of report

- 1.1 To report on the revenue & capital outturn of the Housing Revenue Account (HRA) for 2014-15 for member information; the third year of operation under self-financing.
- 1.2 To note the year end reserves position for the Housing Revenue Account.
- 1.3 Appendices 1&2 attached set out the summary HRA revenue outturn & reserves position as at year end 2014-15.
- 1.4 Members to note that Council treasury management policy underpinning the capital financing charges (interest and debt repayment) incurred by the HRA in 2014-15, forms part of the wider Council Treasury Management Strategy Report update also on this Cabinet's agenda.
- 1.5 Members to note that the HRA capital outturn position forms part of the wider Council capital plan outturn and rollover update report also on this Cabinet's agenda.

## 2. Key Points

### 2.1 Self-Financing

- 2.1.1 Self-financing for HRA's was implemented nationally from 2012-13 onwards. HRA's under self-financing will now have more confidence in being able to forecast what are intended to be more sustainable future annual rental income streams to help with business planning, than would have been the case under the previous national housing subsidy system.
- 2.1.2 Self-financing means the end of HRA subsidy grant. Government also set a fixed 'debt cap' ie a maximum amount that Kirklees HRA can effectively borrow for capital purposes. The fixed debt cap set for Kirklees HRA under self-financing; at the date of implementation was £247m. The HRA debt figure (or capital financing requirement) as at 31 March 2015 was £196m; effective borrowing headroom potential of £51m. In accordance with the principles of self-financing, the cost of any borrowing against the headroom would be met by the HRA, either through increased rents or cost reductions.
- 2.1.3 The HRA remains a statutory ring-fenced account under self-financing.
- 2.1.4 The HRA revenue outturn position for 2014-15 is set out in the following sections of this report, noting that the overall reported in-year surplus of £4.5m, (before transfer to balances), is equivalent to 4.8% variance against an annual HRA turnover of £94.2m. In the context of the HRA business plan, the Council's HRA overall financial position remains positive over the longer term.

### 2.2 Summary - HRA Outturn 2014-15

- 2.2.1 The HRA outturn as set out in Appendix 1 shows revenue expenditure of £68.2m against revenue income of £94.2m, and interest charges of £10.1m (interest on HRA capital debt net of HRA cashflow interest earned). This has resulted in an actual surplus of £15.9m for the year, which is £4.5m higher (40%) than budgeted, which was £11.3m.
- 2.2.2 The HRA surplus is transferred (appropriated) to HRA general reserves each year end it is intended that this, along with the major repairs reserve, will provide sustainable financial resources in particular to support capital expenditure requirements over the longer term, through a self-financed business plan.
- 2.2.3 The key variances that have contributed to the outturn HRA actual surplus being £4.5m than budgeted, are set out in more detail in sections 2.3 of this report.

## 2.3 **Key Variances**

### Repairs and Maintenance: £3.3m underspend (14%)

- 2.3.1 The underspend includes £1.6m within the cyclical maintenance programme ; includes deferral of some work on blocks of flats to meet new legal requirements for leaseholder consultation. As well, £1.1m re-allocation of surplus from the Council's Building Services trading operation, £500k on empty home repairs and £200k tenant led environmental works; partially offset by additional costs associated with responsive repairs at £348k.

### Housing Management: £1.4m underspend (4%)

- 2.3.2 The underspend is mainly due to reduced charges associated with Service Level Agreements (SLA's) totalling £635k of which central insurance charges show a reduction of £241k. Within Policy & Management the Private Finance Agreement (PFI) a further saving of £392k is identified with contract management charges underspent by £474k offset in part by additional costs; Excellent Homes for Life (EHL) Utilities £30k and Housing Ombudsman Subscriptions £47k.
- 2.3.3 Other contributory factors to the overall Housing Management underspend include Special Services at -£304k (mainly resulting from the delayed implementation of the Universal Credit), Communal Lighting at £102k (reduced energy costs), Grounds Maintenance at £93k and District Heating at £76k.
- 2.3.4 Kirklees Neighbourhood Housing Fee (KNH) shows an overspend of £131k which is largely due to elements budgeted as staff capitalisation being re-categorised as revenue. This is matched with a saving on capital expenditure.

### Other Expenditure: £60k Overspend

- 2.3.5 The overspend relates to additional depreciation charge £264k based on latest stock levels and revaluations, and additional costs associated with Rent Rates and Taxes at £58k resulting from increased costs for Council Tax Voids. This was offset in part by a reduction in bad debt provision at £221k resulting from the delayed implementation of the Universal Credit (and the consequent deferral of the anticipated increase in bad debt provision from increased rent arrears),

### Income: £212k under-collection (0.2%)

- 2.3.6 The overall budgeted income target of £94.4m was largely achieved within 0.2%, with an overall minor variance of only £212k ; the main variances including District Heating Income at £191k and HRA Service charges at £81k offset by additional Investment Income of £95k.

## 2.4 **HRA Reserves**

- 2.4.1 The HRA holds two ring-fenced reserves. General reserves or 'balances' are built up from accumulated surpluses from previous years, plus in-year movements between balances and HRA. These can be applied for both revenue and capital spend.

2.4.2 Major repairs reserve (or MRR) is funded by an annual depreciation charge to HRA, and can only be used to finance capital expenditure or repay debt. General and MRR reserves as at 31 March 2015, plus future year planned commitments against these, are summarised at Appendix 2. Each of the reserves is summarised below.

General Reserves or 'Balances' (see also - Appendix 2)

2.4.3 The closing balance at 31<sup>st</sup> March 2015 was £35.8m. Planned commitments in future years includes a prudent set aside for potential future business risks impacting on HRA ; mainly in anticipation of the government's proposed national rollout of universal credit which will mean direct payment of benefits to tenants. Earlier pilots with a small number of social landlords suggest that universal credit rollout will have a significant adverse impact on rent collection and associated bad debt provision requirements. Universal credit is due to commence in the Kirklees area in July 2015.

2.4.4 Elsewhere, members had previously approved £10m set aside from HRA balances to support Council priorities. To date, £700k of this has been set aside as a funding contribution for £1m capital investment in Care and Specialised Supported Housing Scheme at Denham Court (the balance of £300k to be met from capital receipts), and which fits with one of the wider Council priorities around early intervention and preventive activity for vulnerable adults.

2.4.5 The Council has also committed HRA revenue funding previously to help fund investment in the delivery of increased social housing stock through the Empty Clusters Scheme where town centre commercial properties are converted into 27 social housing units adding to town centre regeneration (£1.7m revenue funding commitment), and in Quality Social Housing for the provision of 9 new social housing units (£1m revenue funding commitment).

2.4.6 The Council general fund budget plans for 2015-2018 reflect continuing financial challenges. Options will continue to be explored with members through 2015 regarding the Council's HRA and how it could work alongside and support the Council's review and intended re-shaping of Council general fund services, and the direction of travel to 'New Council' over the next three years.

Major Repairs Reserve (see also - Appendix 2)

2.4.7 Annual depreciation charges on HRA assets are credited to the Major Repairs Reserve (MRR). The MRR can only be used for capital related items, either new capital investment or repayments of existing capital debt.

2.4.8 The closing balance as at 31 March 2015 was nil, noting that £6.7m of MRR was applied in 2014-15 for debt repayment. The balance of debt outstanding on the HRA was £196m at year end. Kirklees HRA's 'debt cap' or absolute borrowing limit set by central government under self-financing is £247.7m.

2.4.9 The 'headroom' or new borrowing potential as at 31 March 2015 is therefore £51.7m (the difference between the debt cap and the actual debt outstanding). Every £10m of 'new' borrowing up to the debt cap, would cost the HRA an additional £730k per annum in capital debt charges, over an assumed 25 years, and at current market interest rates. The potential to be able to do this would need to be modelled through the HRA business plan in conjunction with other emerging HRA business opportunities, priorities and risks.

#### Adequacy of Reserves

2.4.10 Both the HRA balances and Major Repairs Reserves as set out in Appendix 2 attached have incorporated the re-profiling of future year commitments in line with the updated HRA capital plan, which is included as part of the Council's 2014-15 capital outturn, rollover and investment plan report, included as a separate item on this Cabinet agenda. For information, HRA capital outturn in 2014-15 was £24.03m against a budget of £29.04m; slippage of £5.01m which will roll forward into future years.

2.4.11 Forecast remaining HRA balances by the end of 2017-18 of £21.68m would be available for longer term revenue or capital investment in line with longer term HRA business plan resource requirement ; in particular the requirement for current housing stock to be maintained at a decency standard over the lifetime of the business plan (30 years).

## **2.5 Summary Capital Outturn 2014/2015**

2.5.1 The summary HRA Capital Outturn, detailed in Appendix 3, reports an outturn position of £24m against a budget of £29m leaving net underspend of £5m or approximately 17%, mainly funded from General and the Major Repairs Reserve.

## **2.6 Key Variances**

### Decent Homes (-£490k)

2.6.1 Heating Programme (-£640k) There was a large number of refusals to the scheme due to no access. One of the major schemes for the year (Windybank) has been delayed into 2015/16 to tie in with rewires and other Maintaining Decency works.

2.6.2 Maintaining Decency (+£656k) Two large schemes at Dalton (£1.5m) and Thornhill (£1.4m) which include the Cyclical Maintenance Costs, this is reflected in reduced spend on cyclical works in revenue

2.6.3 Working at Heights (-£226k) A large scheme at Schools estate was moved into 2015-16 as it contains a large number of leaseholders. There have been numerous issues regarding current tenancies, freeholders and garage ownership which have had to be resolved before the scheme could begin.

### Estate Regeneration (-£1,921k)

- 2.6.4 Deighton Brackenhall Initiative (DBI) (-£1,077k) subject to delays with the procurement process. Initial costing returned was significantly above the allocated budget. New procurement exercise has been developed, the work is now out to tender.
- 2.6.5 Tenant Led Environmental (-£460k) schemes were placed on hold pending the outcome of a review of the budget.

### Health, Safety & Miscellaneous (-£5,949k)

- 2.6.6 Photovoltaic (PV) programme (-£3,057k) Works commenced in early 2015 due to the need for formal Cabinet Approval, which took place in September, and the need for an EU compliant procurement exercise for materials, the spend in this financial year was £238k resulting in the installation of 80 units.
- 2.6.7 Private Finance Initiative (PFI) (-£1,203) – Capital expenditure on the PFI scheme is now largely complete, £100k of this underspend will be rolled forward to support future works. A total of 51 PFI units were completed.
- 2.6.8 The High Cost Voids (Empty Homes) (+£1,068k). The average cost of a high cost capital empty home has increased in comparison to last year. This overspend has been controlled since quarter 2 by reducing rewires.

### Over programming (+£3,359k)

- 2.6.9 The 2014/2015 capital plan totals £29m, but it is deemed prudent to assume over programming to allow for slippage and other eventualities. The gross capital plan totalled £32.4m with a budgeted over programming of £3.4m (£29m).

## **2.7 Longer Term Issues**

- 2.7.1 The 5 year HRA capital plan approval at full Council on 18 February 2015, included a number of strategic HRA priorities aimed to prioritise housing growth over the next 3 -5 years to maximise the use of available financial resources and inward investment to increase the supply of homes across all tenures.
- 2.7.2 In conjunction with the above, officers will continue to explore funding opportunities across all service sectors to maximise the overall benefits for the both the HRA and all wider service providers, and will report back to Cabinet later in the year on more detailed options to support the HRA strategic priorities.

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

- 3.1 Based on the overall HRA revenue and capital outturn positions, and current medium term plans, the HRA business plan maintains a positive longer term outlook, in terms of :
- i) sustaining landlord services to tenants at existing levels of service,
  - ii) servicing existing capital debt (including prudent and affordable debt repayment), and



iii) providing sufficient resources to maintain current housing stock to a decency standard over the longer term.

3.2 The HRA business plan will continue to be updated through the remainder of 2015, including exploring options that support future Council priorities; including HRA strategic priorities as set out in the capital plan, and as well in terms of supporting the overall direction of travel to a New Council.

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

None

#### **5. Officer recommendations and reasons**

For members to :

- i) note the 2014-15 year end HRA revenue and capital outturn ;
- ii) note the year end HRA reserves position;
- iii) note the Council treasury management policy underpinning the capital financing charges incurred by HRA in 2014-15 which forms part of the wider Council Annual Report on Treasury Management also on this Cabinet agenda, and
- iv) note that the HRA capital outturn position forms part of the wider Council Capital plan outturn & rollover update report also on this Cabinet agenda

#### **6. Cabinet portfolio holder recommendation**

That the report be noted by Cabinet

#### **7 Next steps**

To forward this report to Cabinet for information

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

Helen Geldart , Head of Housing, Streetscene & Housing  
[helen.geldart@kirklees.gov.uk](mailto:helen.geldart@kirklees.gov.uk) 07976 497659 (short code 04990)

David Baxter Finance Manager, Finance & Performance  
[david.baxter@kirklees.gov.uk](mailto:david.baxter@kirklees.gov.uk) - 01484 221000 x 73659

#### **12. Head of Service Responsible**

David Smith, Director of Resources

Appendix 1

<b>Housing Revenue Account Year Ending 31 March 2015</b>				
	<b>Budget £'000</b>	<b>Outturn £'000</b>	<b>Variance £'000</b>	<b>Variance %</b>
Repairs & Maintenance	23,358	20,030	-3,328	-14.2%
Housing Management	31,443	30,061	-1,382	-4.4%
Other Expenditure	18,079	18,139	60	-
<b>Total Expenditure</b>	<b>72,880</b>	<b>68,230</b>	<b>-4,650</b>	<b>-6.4%</b>
<b>Income</b>	<b>-94,434</b>	<b>-94,222</b>	<b>212</b>	<b>-</b>
<b>Net Income</b>	<b>-21,554</b>	<b>-25,992</b>	<b>-4,438</b>	<b>-17.1%</b>
Interest	10,210	10,122	-88	-
<b>Surplus / Deficit for the year</b>	<b>-11,344</b>	<b>-15,870</b>	<b>-4,526</b>	<b>-39.9%</b>
<b>Appropriation To / From Reserves</b>	<b>11,344</b>	<b>15,870</b>	<b>4,526</b>	<b>-</b>

## Housing Revenue Account (HRA) Reserves

HRA General Reserves	2014-15 £'000	2015-16 £'000	2016-17 £'000	2017-18 £'000
Reserves as at 1 April	(33,016)	(35,769)	(22,029)	(22,066)
Planned appropriation from HRA	(11,344)			
Year End transfer HRA (surplus / deficit)	(4,526)	1,515	(1,937)	(9,252)
<b>Total Reserves Available</b>	<b>(48,886)</b>	<b>(34,254)</b>	<b>(23,966)</b>	<b>(31,318)</b>
<b>Commitments</b>				
Set aside to Support Council Priorities		2,225	1,900	4,700
Set aside for business risks		8,500		
To Support Capital Plan	13,117			
Working Balance		1,500		
<b>Total Commitments</b>	<b>13,117</b>	<b>12,225</b>	<b>1,900</b>	<b>4,700</b>
<b>Closing Balance</b>	<b>(35,769)</b>	<b>(22,029)</b>	<b>(22,066)</b>	<b>(26,618)</b>

HRA Major Repairs Reserve	2014-15 £'000	2015-16 £'000	2016-17 £'000	2017-18 £'000
Reserves as at 1 April	0	0	0	0
Contribution from HRA (Depreciation Charge)	(15,566)	(15,600)	(15,912)	(16,230)
<b>Total Reserves Available</b>	<b>(15,566)</b>	<b>(15,600)</b>	<b>(15,912)</b>	<b>(16,230)</b>
<b>Commitments</b>				
Capital debt repayment	6,749	4,173	6,259	3,338
Capital investment requirement 2015-19	8,817	11,427	9,653	12,892
<b>Total Commitments</b>	<b>15,566</b>	<b>15,600</b>	<b>15,912</b>	<b>16,230</b>

Closing Balance	0	0	0	0
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### Appendix 3

#### Housing Revenue Account (HRA) Capital Outturn

Capital Expenditure	Budget £'000	Outturn £'000	Variance £'000
Decent Homes	11,375	10,228	(1,147)
Estate Regeneration	2,731	760	(1,971)
Health, Safety & Miscellaneous	18,288	13,045	(5,243)
Over-Programming	(3,359)	0	3,359
<b>Net Plan Value</b>	<b>29,035</b>	<b>24,033</b>	<b>(5,002)</b>

HRA Capital Resourcing	Budget £'000	Outturn £'000	Variance £'000
General Reserves	17,750	13,115	(4,635)
Major Repairs Reserve	8,553	8,817	264
Grants	1,616	903	(713)
Capital Receipts	1,116	1,198	82
<b>Net Plan Value</b>	<b>29,035</b>	<b>24,033</b>	<b>(5,002)</b>



**Name of meeting:** Cabinet  
**Date:** 30 June 2015

**Title of report:** Old Leeds Road Huddersfield: Exit Agreement

<b>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/ no or “not applicable”</b> Yes  <b>If yes give reason why.</b> The receipt to the Council exceeds the threshold. There is a significant effect on more than one ward
<b>Is it in the <a href="#">Council’s Forward Plan?</a></b>	<b>Yes/ no or “not applicable”</b> No  <b>If yes give date it first went in</b>
<b>Is it eligible for call in by <a href="#">Scrutiny?</a></b>	<b>Yes/ no or “not applicable”</b> No  <b>If no give reason why not</b> The Chair of Overview and Scrutiny Management Committee was consulted at the time, and because of the urgent nature consented to waive the right to call in
<b>Date signed off by <u>Director</u> &amp; name</b>  <b>Is it signed off by the Director of Resources?</b>  <b>Is it signed off by the Assistant Director - Legal, Governance &amp; Monitoring?</b>	Adrian Lythgo, Chief Executive, 18 <sup>th</sup> June 2015  Yes If yes give date 18 <sup>th</sup> June 2015  Yes 18 <sup>th</sup> June 2015
<b>Cabinet member <a href="#">portfolio</a></b>	Place; and Resources

**Electoral [wards](#) affected:** Dalton ward, Newsome ward

**Ward councillors consulted:** No

**Public:** Report and Appendix 1

**Private:** Appendix 2

Exempt information relating to financial or business affairs of any particular person (including the Authority holding that information)

## **1.0 Purpose of report**

- 1.1 To note the decision of the Chief Executive, through the exercise of his emergency powers, to authorise the Council to enter into an Exit Agreement with Tesco Stores Ltd and other Tesco group companies.

## **2.0 Key points**

- 2.1 On 2 February 2010, the Council and a number of Tesco group companies entered into an Agreement for Sale of Council-owned land at Old Leeds Road Huddersfield to Tesco Stores Ltd ('Tesco') to enable the development of a new supermarket. Tesco already owned the remainder of the land it required.
- 2.2 8 January 2015, Tesco Stores Ltd announced that it would not be proceeding with 49 proposed new store developments in the UK, including the one planned at Old Leeds Road Huddersfield.
- 2.3 Following negotiations between the Council and Tesco, the Chief Executive exercised his emergency powers on 8 May 2015 for the Council to enter into an Exit Agreement to provide for:
- a) the parties to withdraw from the Agreement for Sale of 2010;
  - b) the Council to retain its land at Old Leeds Road;
  - c) Tesco to transfer its land at Old Leeds Road to the Council; and
  - d) an appropriate financial settlement from Tesco to the Council.
- 2.4 It was considered appropriate for the Chief Executive to exercise his emergency powers in view of the likelihood of the transfer of the Council's land to Tesco being triggered following closure of the old Sports Centre during the period between the local elections of 7 May 2015 and a new Council Cabinet being in place in June 2015.
- 2.5 The Council, Tesco and the other group companies completed the Exit Agreement on 18 May 2015. As a result, the Council owns the entire development site between Southgate, Leeds Road and Old Leeds Road which extends to approximately 2.744 hectares (6.785 acres).
- 2.6 The Exit Agreement is subject to confidentiality provisions.. A news statement was issued by the Council on 26 May 2015, and is attached at appendix 1.
- 2.7 The Chief Executive is required by the Constitution to consult with the leader or relevant committee chair when exercising his emergency powers (see below) and also to report back to Cabinet or the appropriate committee. In this case it is the cabinet which is the appropriate body.

## **3.0 Consultees and their opinions**

- 3.1 As required by the Council's constitution, the Leader of the Council was consulted. He supported the proposed exercise of the Chief Executive's emergency powers. The Cabinet Member for Resources was also in

agreement. All Group Leader on the Council were made aware of the possibility of reaching an Exit Agreement and were supportive in principle. The Chair of Overview and Scrutiny Management Committee was consulted and consented to waive the right to call in because of the urgency.

#### **4.0 Next steps**

- 4.1 Officers are now making arrangements for site security. Proposals will be drawn up for demolition, and options for end use(s) will be worked through, and reports on both these matters will be brought to Cabinet for decisions in due course.

#### **5.0 Recommendation**

- 5.1 It is recommended that Cabinet notes the report.

#### **6.0 Contact officer**

- 6.1 Adrian Lythgo  
Chief Executive  
Email: [adrian.lythgo@kirklees.gov.uk](mailto:adrian.lythgo@kirklees.gov.uk)  
Tel: 01484 221000

#### **Appendices**

1. Kirklees Council news statement, 26 May 2015
2. (Private session) Record of decision by the Chief Executive, 8 May 2015

## **Appendix 1**

### **Kirklees Council news statement, 26 May 2015**

The site of the old Huddersfield Sports Centre and its surrounding area will now stay in council ownership.

Kirklees Council and Tesco have been in constructive talks about the future of the Old Leeds Road and Southgate site since early this year following the announcement that a new supermarket would not be built on the land.

Both parties have now agreed a mutually satisfactory outcome which means Tesco will not complete the purchase of the land, and in addition will be transferring other land they have acquired in putting together the development site to the Council.

As part of this new agreement, Tesco will make a financial settlement which releases them from the legally binding commitments they had under the contract with the council.

Council Leader David Sheard said: "This is a good outcome for the council and also for Tesco. We were anxious that this prominent site, on a major access route to the town centre, was not left to decay following the decision not to build there. The new agreement means that Kirklees will retain control of the whole of the site and will actively pursue options for securing it, removing redundant buildings, and working up potential redevelopment options.

"I am delighted that the constructive discussions with Tesco have allowed a revised agreement on the future of the site to be reached and end uncertainty about this high profile site."



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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