

# Public Document Pack



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Monday 7 December 2015

## Notice of Meeting

Dear Member

### Cabinet

The **Cabinet** will meet in the **Council Chamber - Town Hall, Huddersfield** at **4.00 pm** on **Tuesday 15 December 2015**.

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

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

A handwritten signature in black ink, appearing to read "Julie Muscroft".

**Julie Muscroft**

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

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

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

### **Member**

Councillor David Sheard  
Councillor Jean Calvert

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

### **Responsible For:**

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

# Agenda

## Reports or Explanatory Notes Attached

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**Pages**

**1: Membership of the Committee**

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

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**2: Minutes of previous meeting**

1 - 8

To approve the Minutes of the meeting of the Committee held on 20 October 2015

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**3: Interests**

9 - 10

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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**8: Clarification to Cabinet following Scrutiny Call In - 18 November 2015 - on the Community Asset Transfer of Mirfield Community Centre**

11 - 32

A report seeking consideration of the feasibility and desirability of entering into covenants upon the Asset Transfer.

Officer: Mark Gregory 01484 221000

**Wards**

**Affected:** Mirfield

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**9: Overview and Scrutiny Management Committee - Recommendations from Call-In Hearing - Mirfield Community Centre Asset Transfer**

33 - 36

A report advising of the decision and recommendations of the Overview and Scrutiny Management Committee, following its consideration of a Call-In in respect of the decision made by Cabinet on 20<sup>th</sup> October 2015 on 'Mirfield Community Centre – Asset Transfer'.

Officer: Penny Bunker

**Wards**

**Affected:** Mirfield

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**10: Freehold Asset Transfer of Wooldale Community Centre, Robert Lane, Holmfirth. HD9 1XZ** 37 - 44

A report seeking approval to transfer the freehold of Wooldale Community Centre to Wooldale Community Association.

Officer: Mark Gregory: 01484 221000

**Wards**

**Affected:** Holme Valley South

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**11: Town and Parish Council Accommodation** 45 - 56

The report provides an overview of the current position and asks Cabinet to provide clarity on potential accommodation costs for Town and Parish Councils

Officer: Mark Gregory: 01484 221000

**Wards**

**Affected:** Almondbury; Dalton; Denby Dale; Holme Valley North; Holme Valley South; Kirkburton; Mirfield

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**12: Impact of VAT on Theatre Hire charges in Town Halls** 57 - 62

A report seeking approval to increase the hire charge to include VAT and a voluntary disclosure to the HMRC for backdated VAT payments.

Officer: Dave Thompson

**Wards**

**Affected:** All Wards

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**13: The Government's Spending Review and Autumn Statement 2015** 63 - 68

A report informing Cabinet of the Chancellor of the Exchequer's Autumn Statement and the outcome of the Government's Comprehensive Spending Review.

Officer: Debbie Hogg: 01484 221000

**Wards**

**Affected:** All Wards

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**14: Tax Credit and the Autumn Statement** 69 - 74

To note the report relating to the effects of the Government's proposed changes to the welfare system.

Officer: Julian Hobson: 01484 221000

**Wards**

**Affected:** All Wards

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**15: Quarter 2, 2015/16 Corporate Performance Report** 75 - 136

A report providing an overview of the Council's performance at the end of quarter 2, 2015/16.

Officer: Sue Grigg: 01484 221000

**Wards**

**Affected:** N/a

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**16: Careers, Information Advice and Guidance Services** 137 - 170

A report seeking consideration of the future commissioning options for careers, information, advice and guidance services and to approve the proposed arrangements.

Officer: Graham Crossley: 01484 221000

**Wards**

**Affected:** All Wards

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**17: 2015/16 and 2016/17 Council Capital Plan - Amendments to the detail of the approved 2015/16 Corporate Landlord managed sections of the capital plan and proposed allocation of 2016/17 capital funding.** 171 - 178

A report seeking consideration of amendments to the detail of the approved 2015/16 Corporate Landlord managed sections of the Capital Plan and to approve the programmes of work for 2016/17.

Officer: Jonathan Quarmby: 01484 221000

**Wards**

**Affected:** All Wards

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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: Commissioning Careers, Information Advice and Guidance Services**

179 -  
182

Private appendix in relation to agenda item 16.

This Private Appendix is recommended for consideration in private because the information contained in it is exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006.

It is considered that disclosure of the information could adversely compromise the confidentiality of the parties financial or business affairs. The public interest in maintaining the exemption, which would protect the confidentiality of the parties' financial or business affairs outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making.

Officer: Graham Crossley: 01484 221000

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## **20: 2015/16 and 2016/17 Council Capital Plan - Amendments to the detail of the approved 2015/16 Corporate Landlord managed sections of the capital plan and proposed allocation of 2016/17 capital funding.**

183 -  
198

Private appendix in relation to agenda item 17.

The report appendices are recommended to be taken in Private because the information contained in it is considered to be exempt information under Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

It is considered that it would not be in the public interest to disclose the information contained in the report as disclosure could potentially adversely affect overall value for money and could compromise the

commercial confidentiality of the bidding organisations and may disclose the contractual terms, which is considered to outweigh the public interest in disclosing information including, greater accountability, transparency in spending public money and openness in council decision making.

Officer: Jonathan Quarmby: 01484 221000



Contact Officer: Andrea Woodside

## KIRKLEES COUNCIL

### CABINET

**Tuesday 20th October 2015**

Present: Councillor David Sheard (Chair)  
Councillor Erin Hill  
Councillor Viv Kendrick  
Councillor Peter McBride  
Councillor Shabir Pandor  
Councillor Cathy Scott  
Councillor Graham Turner

Observers: Councillors Bolt, Cooper, Lawson, K Pinnock,  
Stewart-Turner and Taylor

**120 Membership of the Committee**

Apologies for absence were received from Councillors Steve Hall and Jean Calvert.

**121 Minutes of previous meeting**

The Minutes of the meeting held on 22 September 2015 were agreed as a correct record.

**122 Interests**

No interests were declared at the meeting.

**123 Admission of the Public**

All items were considered in public session at the meeting.

**124 Deputations/Petitions**

No deputations or petitions were received.

**125 Public Question Time**

No public questions were asked at the meeting

**126 Member Question Time**

No member questions were asked at the meeting.

**127 Built Leisure and Sports Facilities Strategic Framework**

Cabinet considered a report setting out the Built Leisure and Sports Facilities Strategic Framework, for Kirklees. The document, which had been produced in conjunction with Sport England and various sports stakeholders, provided a

comprehensive supply and demand overview of Built Leisure and Sports Facilities in and around Kirklees. The document also provided an evidence base to help inform the new Local Plan and support decision making regarding the future development of facilities which promote health and wellbeing across Kirklees.

In receiving the document Cabinet felt it would be useful if the framework could be made available on the Council's website for members of the public to access.

Cabinet were asked to endorse the publication of the Built Leisure and Sports Facilities Strategic Framework for use as a tool for decision making in relation to sports and health and wellbeing related activities in Kirklees.

**RESOLVED -**

(1) That the publication of the Build Leisure and Sports Facilities Strategic Framework be approved and that a copy of the framework be made available on the Council's website.

(2) That the authors of the report be thanked for all their work in producing the document.

**128 Mirfield Community Centre - Asset Transfer proposal and review of 2002 Cabinet decision regarding capital receipt.**

Cabinet considered a report setting out the proposal to transfer the land and buildings which currently made up the Mirfield Community Centre, Wateroyd Lane, Mirfield to the Mirfield Community Trust. Cabinet were also asked to consider a previous Cabinet decision taken in 2002, relating to any capital receipt generated from the disposal of Mirfield Community Centre.

The report set out information on the decision taken at Cabinet at its meeting on 22 October 2002 and went on to set out the current position in relation to the transfer of assets as a result of the Quirk Review (Community Management of Ownership of Public Assets) of 2007 together with the Council's Asset Advancement Policy, developed in response to this review. The report indicated that the Policy allowed for the transfer of assets either through long term leases or freehold transfer. But with Governance which restrict use to community use.

Cabinet were addressed by a number of representatives from the Mirfield Community Trust who had requested that the Council transfer the asset without the restrictive covenant to allow for the sale of the asset and use of the receipt to redevelop the Community Centre at Guilder Hall.

**RESOLVED -**

(1) That officers be authorised to transfer the freehold of Mirfield Community Centre, Wateroyd Lane, Mirfield to the Mirfield Community Trust for no premium, subject to a restrictive covenant that will prevent the premises being used for any other purpose than community use.

(2) That approval be given to the delegation of the authority of the Assistant Director for Physical Resources and Procurement and the Assistant Director of Legal, Governance and Monitoring to negotiate and agree the terms of the freehold

transfer that relate to the transfer of the Mirfield Community Centre to Mirfield Community Trust.

(This decision was subsequently called in in accordance with Overview and Scrutiny Procedure Rule and the implementation of the decision was suspended).

**129 Freehold Asset Transfer of Kirkburton Library**

Cabinet considered a report setting out the proposals to transfer land and buildings which currently make up Kirkburton Library, Turnshaws Road, Kirkburton, Huddersfield to the Kirkburton Parish Council with the use restricted for community use. The report outlined the principles of the community asset transfer, which involved transferring the ownership of land and buildings from a statutory body to a community organisation at less than best consideration, i.e. best less than full market value.

The considered report set out information on the business plan that had been put forward by Kirkburton Parish Council, in line with the requirements of the asset transfer policy, which had been assessed in accordance with the arrangements that were set out in the considered report.

It was noted that the Asset Board had endorsed the proposal contained in the report for the transfer of the asset subject to a restrictive covenant to prevent the building and land from being used for any other purpose than community use. The proposal recommended to Cabinet was also subject to the Parish Council entering into a lease back arrangement for the part of the building that is used as a library and information centre.

**RESOLVED -**

(1) That approval be given to officers being authorised to transfer the freehold of Kirkburton Library to the Kirkburton Parish Council for no premium/no consideration, subject firstly the requirement there should be a lease back of the part of the building that is used as a library and information centre, and secondly subject to a restrictive covenant that will prevent the building and land from being used for any other purpose than community use.

(2) That approval be given to the delegation of the authority of the Assistant Director for Physical Resources and Procurement and the Assistant Director of Legal, Governance and Monitoring to negotiate and agree the terms of the freehold transfer that relate to the transfer of Kirkburton Library to Kirkburton Parish Council.

**130 Bereavement Service Capital Plan 2015/16 & 2016/17**

Cabinet considered a report seeking approval of the Bereavement Service Capital Plan investment programme for 2015/2016 and 2016/2017 and also seeking delegated authority for an Assistant Director - Place Directorate to manage the programme as set out in the considered report. The full Bereavement Services Capital Plan allocation 2015-2017 was set out at Appendix A to the considered report.

**RESOLVED -**

(1) That approval be given to the schemes outlined at Appendix A of the considered report to enable further improve the facility standards and customer experience provided within the Council's Cemeteries and Crematoria.

(2) That approval be the delegation of powers set out in paragraph 2.6 and 2.7 of the considered report.

**131 Place Directorate Review of fees and charges**

A report was submitted to Cabinet seeking approval of a review of fees and charges for services provided by Place Directorate. The considered report set out information on proposed changes to existing fees and proposals to implement new fees and charges, which needed to be approved at Cabinet. The schedule setting out information on the proposed new fees and changes to fees and charges was attached to the considered report for consideration by Cabinet.

**RESOLVED -** That the fees and charges set out in the considered report be approved and implemented with immediate effect.

**132 Resettlement of Syrian Refugees in Kirklees**

Cabinet considered a report seeking approval to the Council's involvement in the Vulnerable Persons Relocation Scheme (VPRS) and the resettlement of 2 families (Kirklees taking part in a jail blazer) before Christmas 2015, followed by the resettlement of 50-60 individual Syrian refugees in year 1 and 50-60 individual in year 2 of the programme. The considered report set out information on the proposed programme and it was noted that this had been fully debated at the meeting of Council in October 2015.

The considered report provided information on the Vulnerable Persons Relocation Scheme, the profile of arrivals within Kirklees and information on the Central Government Funding Scheme and work currently taking place in Kirklees.

**RESOLVED -**

(1) That approval be given to the Council's involvement in the Vulnerable Persons Relocation Scheme and acceptance of funding from the Home Office together with the re-settlement of 2 families before Christmas 2015, followed by further re-settlement in Kirklees as set out in the considered report.

(2) That any amendments to the Kirklees Council's involvement in the Vulnerable Persons Relocation Scheme be delegated to the Chief Executive.

(3) That the Council's involvement in the Vulnerable Persons Re-location Scheme be kept under review as stated in the considered report.

**133 Update of Highways Capital Plan 2015/16**

Cabinet were asked to give consideration to an update of the detailed Highways Capital Plan for 2015/2016, which was attached to the considered report for consideration. Cabinet were reminded that the Capital Plan was the investment scheme in the Highways Asset within Kirklees, that included roads resurfacing, street lighting structures, road safety, encouraging walking, cycling, drainage, traffic

signals, car parking and public transport provision. The considered report provided information on the progress that had been made to date and sought approval of the revised Capital Plan as attached at Appendix A to the considered report.

**RESOLVED -**

(1) That additional grant income in the sum of £220,000 that has been applied to the Highways baseline allocation for 2015/2016 be noted.

(2) That the £232,000 revenue contribution to capital applied to the baseline allocation for 2015/2016 be noted.

(3) That approval be given to the detailed Capital Plan in the sum of £17,680,000 as set out in Appendix 1 of the considered report.

**134 School Funding Formula for the financial year 2016/17**

Cabinet considered a report providing information on the continued implementation of the Kirklees School Funding Formula during 2015, which had first been introduced by the Department for Education in 2013/2014. The report went on to provide information on Department for Education changes which had impacted on School Formula Funding over 2015/2016 and provided information and made a recommendation on the Kirklees School Funding Formula for 2016/2017.

The considered report sought approval of the Kirklees School Funding Formula in terms of specific funding factors to be used and the estimate relative weightings and values of the funding factors, exceptions applications to the Education Funding Agency, centrally retaining dedicated to school grant provision and delegation arrangements, on which information was provided in the report. Cabinet were asked to approve the Kirklees School Funding Formula for 2016/2017, for submission to the Education Funding Agency within the required set deadlines.

**RESOLVED -**

(1) That minor changes required by and as a result of DFE funding rules relating to Kirklees Schools Funding Formula and funding levels set out in the report be noted.

(2) That the consultation process undertaken in collaboration with head teachers, through Schools Forum, to oversee the ongoing impact of the agreed Kirklees funding formula be noted.

(3) That exception applications to the Education Funding Agency as set out at paragraph 6.2 within the recommendations of the report be noted.

(4) That approval be given to the continued use of the current Kirklees School Funding Formula for 2016/2017 for submission to the Education Funding Agency.

**135 Appointment of Education Admission Appeal Panel Members - Delegation to Officers**

Cabinet considered a report seeking clarity to delegate authority to the Assistant Director of Legal, Governance and Monitoring to appoint, renew and terminate the appointments of members of the Education Admission Appeals Panel. The report indicated that, currently reports were submitted to Cabinet to seek the appointment

of Panel members following the completion a recruitment process managed by Legal and Governance Services. The report advised that the delegation of authority to the Assistant Director of Legal, Governance and Monitoring would enable the flexibility for decisions to be taken at appropriate times that are not governed by the meeting schedule for Cabinet and that this was in line with practice in other Local Authorities.

**RESOLVED -**

That approval be given to the delegation of the Authority to the Assistant Director of Legal, Governance and Monitoring to:

\* Appoint members to the Education Admission Appeal Panel for a period of up to 3 years.

\* Review appointments for a period of up to 3 years.

\* Where necessary, terminate the appointment of members of the Education Admission Appeal Panel in the event that they are not performing appropriately.

**136 Scrutiny Report - Town Centre Strategy**

Cabinet considered a report updating Cabinet on the Town Centre Strategy Scrutiny review and setting out recommendations that had been made by the review for consideration and implementation by Cabinet. The Chair of Overview and Scrutiny Management Committee was in attendance at the meeting to provide information on the report and the recommendations contained therein.

**RESOLVED -** That the recommendations set out within the report of the Scrutiny Review of Town Centre Strategy be agreed in principal, subject to further work being carried out to look at the practical and financial implications of carrying out the recommendations.

**137 Scrutiny Report - The Future of Museums and Galleries**

Cabinet considered a report updating Cabinet on the Future of Museums and Galleries Scrutiny Review and presenting the recommendations of the review for consideration by Cabinet.

The considered report set out the Terms of Reference that had framed the work of the Scrutiny review and provided information on the recommendations that had been made arising from their work.

The Chair of Overview and Scrutiny Management Committee was in attendance at the meeting and provided information on the work of the review group.

**RESOLVED -** That the report into the Scrutiny Review into the Future of Museums and Galleries in Kirklees be welcomed and accepted.

**138 Parks & Greenspace Refurbishment Programme 2015/16**

Cabinet considered a report seeking approval to the Streetscenes Parks Capital Plan expenditure programme for 2015/2016. The considered report indicated that the Parks Capital Plan had an allocation of £150k for 2015/2016 and had a schedule attached providing information on the Capital allocation of £144,695 in the play

areas improvements, young people facilities improvements, park and recreation ground refurbishment programme schemes and sport facilities improvements.

**RESOLVED** - That approval be given to work programmes as set out in the considered report in relation to Parks and Greenspace Refurbishment in 2015/2016.

**139 Local Growth Funding for Kirklees Housing Sites**

Cabinet considered a report providing information on funding from the Leeds City Region Local Growth Fund for site preparation and accept works to 3 Council owned sites at Ashbrow, Batley East and Newsome. The considered report provided information on work being undertaken at the 3 sites in question at Bradley Boulevard, Ashbrow, Grange Road Soothill, Batley and the former style common school at Newsome, Huddersfield. The report went onto provide information on the terms of the successful application from the Leeds City Region Local Growth Fund and recommended that the Director of Resources be given delegated authority to finalise the terms of the loan and agreement.

**RESOLVED** - That the successful application from the Leeds City Regions Local Growth Fund be noted and that the Director of Resources be given delegated authority to finalise the terms of the loan and agreement and, subject to the Director of Resources being satisfied with the terms, to sign the loan agreement so as to allow funding to be drawn down and the off-site highways works for the large housing sites to be progressed.

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

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

## NOTES

### Disclosable Pecuniary Interests

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

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

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

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

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

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

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

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

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

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

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

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



**Name of meeting:** Cabinet  
**Date:** 15 December 2015

**Title of report:** Clarification to Cabinet following Scrutiny Call In - 18 November 2015 - on the Community Asset Transfer of Mirfield Community Centre

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Is it in the <a href="#">Council's Forward Plan</a> ?	No
Is it eligible for "call in" by <a href="#">Scrutiny</a> ?	No
<b>Date signed off by <u>Director</u> &amp; name</b>	Jacqui Gedman - 07.12.15 <i>Paul Kemp for and on behalf of</i>
<b>Is it signed off by the Director of Resources?</b>	David Smith - 07.12.15
<b>Is it signed off by the Assistant Director - Legal Governance &amp; Monitoring?</b>	Julie Muscroft - 07.12.15
<b>Cabinet member <a href="#">portfolio</a></b>	<b>Resources and Community Safety - Cllr Graham Turner</b>

**Electoral [wards](#) affected:** Mirfield  
**Ward councillors consulted:** See original report (Appendix 1)

**Public or private:** Public

## 1. Purpose of report

In light of Scrutiny recommendations, Cabinet are asked to reconsider the decision to asset transfer Mirfield Community Centre, Water Royd Lane Mirfield, with a restrictive covenant restricting use to community use and to consider the feasibility and desirability of entering into an agreement/arrangement that would enable this covenant to be released on sale and for the proceeds to be used specifically for the ongoing project to develop the Gilder Hall site.

## 2. Key points

A report recommending the Asset Transfer of Mirfield Community Centre, Water Royd Lane was considered by Cabinet, 20 October 2015.  
 Cabinet decided:

- 2.1 That officers be authorised to transfer the freehold of Mirfield Community Centre, Water Royd Lane, Mirfield to the Mirfield Community Trust for no premium, subject to a restrictive covenant that will prevent the premises being used for any other purpose than community use.
- 2.2 That approval be given to the delegation of the authority of the Assistant Director for Physical Resources and Procurement and the Assistant Director of Legal Governance and Monitoring to negotiate and agree the terms of the freehold transfer that relate to the transfer of the Mirfield Community Centre to Mirfield Community Trust.

The Overview and Scrutiny Management Committee considered the notice of call in, in respect of the decision made by Cabinet on the 18 November 2015.

Scrutiny recommended that the decision is referred back to Cabinet with the following recommended amendment:-

- To consider the feasibility and desirability of entering into an agreement/arrangement, that would enable the covenant to be released on sale and for the proceeds to be used specifically for the ongoing project to develop the Gilder Hall site.

Scrutiny Committee reached its recommendations based on two findings:

- 2.3 The Cabinet report of 20 October 2015 stated that the Current Asset Advancement Policy, requires asset transfers to be approved with restrictive covenants for community use. However, this is not a requirement which is specified in the Asset Advancement Policy.

In addition, there are reasonable grounds to support the call-in, as the Committee found no evidence that principles 13.2 (a) and 13.2 (i) of the constitution were fully adhered to. There is no evidence that the flexibility of the policy was considered and that Cabinet explored all alternatives, and why those would be discounted.

Comment on 2.3: The Asset Advancement Policy sets out at the top of page 5 of the policy - "The binding agreement leading to Community Asset Transfer, will wherever appropriate, include (a) transfer return of building should the venture cease (b) the council retains the right to cease the agreement should conditions of transfer be breached and (c) appropriate covenants regarding future use of property. In the case of (a) dilapidations liability may well apply.

Legal Services have commented that: Reading the report as a whole it would seem that the policy is that (i) user covenants should be imposed where appropriate and that (ii) as a "norm" it will be generally considered appropriate for user covenants to be imposed but that (iii) there can be departures from the "norm".

- 2.4 There is no evidence to show that the decision took into account whether it was feasible and desirable to enter into an agreement/arrangement that would enable the covenant to be released on sale and for the proceeds to be used specifically for the ongoing project to develop the Gilder Hall site.

The decision options for this request for asset transfer were:

- a. Refuse the request for asset transfer, this would have maintained the status quo, the Mirfield Community Centre falling into a further state of disrepair and the Mirfield Community Trust (MCT) not having control and therefore the ability to attract grant funding e.g. Lottery funding, which is not available to the Council. However, the 2002 Cabinet decision would still stand, that in principle, agreement to the sale of Mirfield Community Centre and the transfer of Capital receipts to the MCT be approved.

The Council is facing significant budget reductions. It cannot afford to maintain all its current assets.

**Officers are of the opinion, that this should not be the recommended option on the grounds that this could lead to the closure of the building, if the Council cannot maintain it, therefore depriving the community of a valuable community facility.**

- b. Transfer with a restrictive covenant. Two options available:
- o Transfer subject to a restrictive covenant that will prevent the Mirfield Community Centre from being used for any other purpose than community use.

This would align with all proceeding asset transfer decisions and would allow the group security to draw down grant funding from sources not available to the Council e.g. Lottery Grants, however, whilst it would still allow the group to sell the property at some point in the future, the group feels that it would overturn the principle of the 2002 Cabinet decision, in that restrictive covenants would affect the value which could be obtained for the site. However, at some point in the future MCT could apply to the Council to have the covenants lifted, to maximise the value of the site to reinvest any capital receipt into the development of the Gilder Hall site. This would be a decision for the Council at that time.

**Officers are of the opinion that this should be the recommended option on the grounds that this will ensure the community will retain a community venue until such time an alternative venue is available.**

- o Transfer subject to a restrictive covenant that will prevent the Mirfield Community Centre from being used for any other purpose, other than community use but at the same time the Council and the MCT would enter into a collateral agreement

that would provide for the covenant, to be released on the sale of the Mirfield Community Centre site and for the proceeds of sale to be used specifically, for the ongoing project to develop the Gilder Hall site.

The full terms of the collateral agreement would need to be negotiated between the Council and the MCT and therefore, if Cabinet was to approve this option, then Cabinet would need to delegate to officers the authority to negotiate and agree the terms of the collateral agreement. In negotiating the terms of any collateral agreement, officers would have the opportunity to ensure that the restrictive covenant would only be released on sale, when there was a realistic prospect of a development of replacement community facilities, being realised at Gilder Hall

This option would align with the principle of the 2002 Cabinet decision and it gives the MCT the flexibility they are seeking, whilst at the same time ensuring that the Council has the necessary control, to ensure that in the event of a release of covenant, the proceeds are used in providing for alternative community facilities;

Whilst this approach has not been adopted before, it is recognised that subject to Cabinet approval, this option would fit within the current Asset Transfer Policy and it is legally feasible, but the negotiation of the Heads of Terms of this arrangement and the negotiation of the legal agreement will be time consuming and therefore expensive, when asset transfer is supposed to be relatively simple and cheap. Such an approach could also set a precedent in that it is attempting to take into account something which may or may not happen in the future.

In this respect it should be noted that the MCT has not yet been able to fully work up a viable project for the development of the Gilder Hall Site and it is far from certain that the MCT will be able to do so in the short to medium term.

**Officers are of the opinion that this should not be the recommended option because the additional costs that would be incurred in negotiating the collateral agreement cannot be justified when it is far from certain that the MCT will be able to fully work up a viable project for the Gilder Hall Site in the short to medium term**

- c. Transfer the Mirfield Community Centre without restrictive covenants in place. Whilst this approach has not been adopted before, it is recognised that subject to Cabinet approval, this option would fit within the current Asset Transfer Policy. However, there is significant risk that either the future use of the Mirfield Community Centre site as a community venue could be lost, or the site could be disposed of with no benefit to the local community.

**Officers are of the opinion that this should not be the recommended option on the grounds that the future use of a community venue could be lost to the local community.**

## **Costs**

The cost information remains the same as in the original report as set out in the Appendix 1.

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

Implications for the Council are clearly identified in the original Cabinet report dated 20 October 2015 and this is attached at Appendix 1.

## **4. Consultees and their Opinions**

The original consultees and their opinions are included in the original report.

This current report to Cabinet on the 15 December 2015, has also had regard to the outcome from the Overview and Scrutiny Committee on 18 November 2015.

## **5. Next Steps**

This report is submitted to Cabinet for decision on the options as identified above.

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

After reviewing the Scrutiny investigation, officers consider the original recommendations to be the most appropriate option and to authorise officers to transfer the freehold of Mirfield Community Centre, Water Royd Lane to Mirfield Community Trust for no premium/nil consideration, subject to a restrictive covenant that will prevent the premises from being used for any other purpose than community use.

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

The Portfolio Holder, Councillor Graham Turner, recommends the freehold transfer of Mirfield Community Centre to Mirfield Community Trust for no premium/nil consideration subject to a restrictive covenant for community use.

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

Mark Gregory, Head of Corporate Landlord  
[mark.gregory@kirklees.gov.uk](mailto:mark.gregory@kirklees.gov.uk)  
(01484) 221000

Jonathan Quarmby, Corporate Facilities Manager  
[jonathan.quarmby@kirklees.gov.uk](mailto:jonathan.quarmby@kirklees.gov.uk)  
(01484) 221000

## **9. Assistant Director responsible**

Joanne Bartholomew, AD - Place

## **10. Appendices**

Appendix 1 - Cabinet Report, 20th October 2015  
Cabinet Report 2002 as supplementary information



**Name and date of meeting: Cabinet 20 October 2015**

**Title of report: Mirfield Community Centre – Asset Transfer proposal and review of 2002 Cabinet decision regarding capital receipt.**

<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>	Yes
<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>	Jacqui Gedman – 12 October 2015
<b>Is it signed off by the Director of Resources?</b>	David Smith – 9 October 2015 Julie Muscroft – 9 October 2015
<b>Is it signed off by the Acting Assistant Director – Legal, Governance &amp; Monitoring?</b>	
<b>Cabinet member <a href="#">portfolio</a></b>	Cllr G Turner (Resources)

**Electoral [wards](#) affected: Mirfield**

**Ward councillors consulted: Cllr Vivien Lees-Hamilton, Cllr Martyn Bolt & Cllr Kath Taylor**

**Public or private: Public**

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**1. Purpose of report.**

- 1.1 This report sets out the proposal to transfer the land and buildings which currently make up Mirfield Community Centre, Waterroyd Lane, Mirfield to The Mirfield Community Trust (MCT).
- 1.2 In considering 1.1 this report asks Members to consider the Cabinet Decision from 2002 relating to any capital receipt generated from the disposal of Mirfield Community Centre. (A copy of this report is attached at appendix A.)

## 2. Key Points

### Background

- 2.1 The Mirfield Community Trust (MCT) are the trustees for the Gilder Hall site and the group intends to build a new Community facility on this site in the future. A report went to cabinet on the 2nd October 2002 (appendix A) approving the creation of MCT. The decision was as follows:
- (1) That the Council, acting as Trustees for the Gilder Hall Site, approve the establishment of a new Trust for Gilder Hall based upon the Mirfield Working Group.
  - (2) That any financial assets that have been accrued to the existing Trust be transferred to the new Trust including insurance monies.
  - (3) That in principle, agreement to the sale of Mirfield Community Centre and the transfer of Capital receipts to the new Trust be approved.

**NB Legal opinion on this is that a cabinet report is only to give permission to enter into an agreement. - An agreement was not entered into.**

- 2.2 MCT applied for a lottery grant to build a new community centre on the Gilder Hall site. The trust intended to use the grant alongside a capital receipt.
- 2.3 The group were unsuccessful in their lottery bid so commenced fund raising to meet the capital target required for the new build, the committee consider that they are still entitled to the capital receipt from the sale of Mirfield Community Centre.
- 2.4 The Mirfield Community Trust have applied for asset transfer of the Mirfield Community Centre, Waterroyd Lane. If the Council transfers the freehold of the site to MCT then any future sale and capital receipt from the sale would automatically accrue to MCT. The Council's asset transfer policy requires covenants to be applied to ensure transferred buildings are available for community use (see Asset transfer section).

### Mirfield Community Centre - Current Arrangements

- 2.5 The Council has a Management Agreement in place with Mirfield Community Centre Management Committee (MCCMC) for the running of the Mirfield Community Centre. The Council receives no income from the MCCMC or the users of the facility.
- 2.6 The Management Agreement was signed in 1996 and has an arbitrary split of revenue responsibilities, with the council supporting the majority of the management costs (including caretaking and cleaning) and being responsible for "major" items such as: roof, walls, boilers and heating distribution.
- 2.7 There is a clause for termination of the agreement, for both parties, with 3 months' notice.
- 2.8 The building is a well-used community centre with over 26 groups using the centre and the MCCMC employ a part time member of staff to manage the centre. The Council recognises the benefit of these groups in sustaining the economic, health and wellbeing of the local community.

- 2.9 Discussions with MCCMC about the replacement of the existing Management Agreement and replacement with a Full Repair and Insure Lease and cessation of the financial support towards the Community Centre have been ongoing since 2012, but to date the group have not taken a lease.
- 2.10 An audit of other local community space before the summer indicated that there was sufficient capacity within existing community venues to support the groups in alternative arrangements and that relocation of the users of Mirfield Community Centre would support the economic viability of other community facilities.

### **Asset Transfer**

- 2.11 The Quirk Review (Community Management and Ownership of Public Assets) of 2007 brought about a fundamental change in the way that Local Authorities viewed ownership of property within their areas. The Empowering Communities White Paper of 2008, "Communities in Control – Real People / Real Power", further cements the government's commitment to double devolution - taking power from Whitehall through Local Authorities and directly to communities.

Community Asset Transfer involves transferring the ownership of land or buildings from a statutory body to a community organisation at 'less than best consideration' – that is, at less than its full market value – in order to further local social, economic and/or environmental objectives.

- 2.12 The Council's Asset Advancement Policy was developed in response to the Quirk review and subsequent localism agenda, and approved by Cabinet 8 October 2013. The policy allows for assets to be transferred either through long term leases or freehold transfer, but with covenants which restrict use to community use.
- 2.13 The proposed asset transfer route, subject to Cabinet approval, is to transfer the Mirfield Community Centre on a freehold basis, covenanted to community use, to Mirfield Community Trust.

### **Costs**

- 2.14 The centre is in a generally dilapidated state of repair. The condition survey identifies significant fabric, mechanical and electrical issues. The roof and boiler issues alone are estimated at £254k and it is estimated that over £112k investment will be required in the next few years to address electrical service issues, walls, floors, ceilings and windows.
- 2.15 Following the failure of the boiler in 2014, temporary electrical heating was supplied by the Council, however this was a short term solution. During spring/summer 2015 the prospect of closure of the building was raised if the boiler was not replaced, the asset transfer didn't take place and the condition of the building became a risk to its continued use. MCCMC looked to replace the boiler whilst MCT brought forward it's asset transfer application.
- 2.16 During September 2015 MCCMC have replaced the boiler but not the heating distribution. The Council has paid for the safe removal of the asbestos to facilitate the boiler replacement.

2.17 The annual revenue cost to the Council under the existing management agreement is £21,000.

### 2.18 **Unrestricted Value**

The unrestricted value is the best price reasonably obtainable for the property and should be expressed in capital terms. It is the market value of the land as currently defined by the RICS Red Book (Practice Statement 3.2), except that it should take into account any additional amount which is or might reasonably be expected to be available from a purchaser with a special interest (a "special purchaser"). When assessing unrestricted value, the valuer must ignore the reduction in value caused by any voluntary condition imposed by the authority. In other words, unrestricted value is the amount that would be paid for the property if the voluntary condition were not imposed (or it is the value of the property subject to a lease without the restriction).

**The unrestricted value of Mirfield Community Centre is: £125,000**

#### **Restricted Value**

The restricted value is the market value of the property having regard to the terms of the proposed transaction. It is defined in the same way as unrestricted value except that it should take into account the effect on value of any voluntary condition(s).

**The restricted value of Mirfield Community Centre is: £ nil**

#### **Voluntary Conditions**

A voluntary condition is any term or condition of the proposed transaction which the authority chooses to impose. It does not include any term or condition which the authority is obliged to impose, (for example, as a matter of statute), or which runs with the land. Nor does it include any term or condition relating to a matter which is a discretionary rather than a statutory duty of the authority.

**The value of voluntary conditions in the proposed transaction is: £ nil**

#### **Amount of discount given by the Council**

The difference between the unrestricted value of the land to be disposed of and the consideration accepted (the restricted value plus value of any voluntary conditions).

**The amount of discount in the proposed transaction is: £125,000**

*In respect of Local Government Act 1972 general disposal consents (England 2003) disposing of land for less than best consideration that can be reasonably obtained the transaction does not require the Council to seek specific consent from the Secretary of State as the difference between unrestricted value of land to be disposed of and the consideration accepted is £2,000,000 or less.*

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

- 3.1 The disposal of the centre will ultimately result in savings of £21K p.a. in revenue running costs and the removal of a future capital liability of more than £366k.
- 3.2 The Local Government Act 1972 General Disposal Consent means that specific consent is not required for the disposal of any interest in land at less than best consideration which the authority considers will help it to secure the promotion or improvement of the economic, social or environmental well-being of its area.

3.3 The transfer of Mirfield Community Centre will support the community and recognises the benefit of these groups in sustaining the economic, health and wellbeing of the local community.

#### **4. Consultees and Their Opinions**

- 4.1 Following numerous meetings and discussions a final discussion with MCT and Ward Councillors was held on the 23<sup>rd</sup> September 2015. The group and Ward Councillor present entered into a healthy discussion about the proposed asset transfer and their views were expressed below.
- 4.2 The MCT and MCCMC have been informed and consulted about the proposals. Both groups have asked that the spirit of the 2002 commitment to transfer any capital receipt from the future sale of the Mirfield Community Centre be able to be used for the development of the Gilder Hall site as a community venue be honoured and they would request the freehold asset transfer to take place without restrictive covenants.
- 4.3 It is recognised that transferring the freehold of Mirfield Community Centre to MCT complies with the spirit of the 2002 decision as any future receipt from the sale of the building would benefit the MCT, however the covenants would still be in place so the value would be restricted by this, but the future of the Community Centre as a building for community use would be assured.
- 4.4 At some point in the future MCT could apply to the Council to have the covenants lifted to maximise the value of the site to reinvest any capital receipt into the development of the Gilder Hall site. This would be a decision for the Council at that time.
- 4.5 Should the asset transfer be approved, the MCCMC will dissolve and the MCT (many of the volunteers are part of both groups) will take on day to day responsibility for the building and site.
- 4.6 MCTs have sought their own independent legal advice and it differs from the note to paragraph 2.1 above in that their lawyer is of the opinion that an Agreement was entered into as part of the agreement in 2.1 (1) above between the Council, MCT and the Charity Commission of England & Wales.
- 4.7 It is the view of MCT that the audit at 2.10 was incomplete and their own more recent research indicates insufficient capacity within the local community for users of the existing community centre to relocate to.
- 4.8 Cllr Kath Taylor supports the freehold transfer of the community centre to MCT and would request this be without covenants in place.

**NB. Current Asset Transfer policy requires transfers to be approved with restrictive covenants for community use to protect the future use of the building for the benefit of the community.**

## **5. Officer Recommendation and Reasons.**

Members are requested to consider this report and:

- 5.1 Authorise officers to transfer the freehold of Mirfield Community Centre, Waterroyd Lane to Mirfield Community Trust for no premium subject to a restrictive covenant that will prevent the premises from being used for any other purpose than community use.
- 5.2 To note the Assistant Director of Physical Resources and Procurement and Assistant Director Legal Governance & Monitoring have delegated authority to negotiate and agree the terms of the freehold transfer that relate to the transfer of the Mirfield Community Centre to Mirfield Community Trust.

## **6. Cabinet Portfolio Holders Recommendation.**

- 6.1 The Portfolio Holder recommends the freehold transfer of Mirfield Community Centre to Mirfield Community Trust for no premium/nil consideration subject to a restrictive covenant for community use.

## **7. Next Steps.**

- 7.1 Note the decision following the review of the 2002 Cabinet decision.
- 7.2 Asset Transfer the centre on a freehold basis with covenants restricting its use to community use only.

## **8. Contact Officer and Relevant Papers.**

Mark Gregory, Head of Corporate Landlord  
Jonathan Quarmby, Corporate Facilities Manager

[mark.gregory@kirklees.gov.uk](mailto:mark.gregory@kirklees.gov.uk)  
[jonathan.quarmby@kirklees.gov.uk](mailto:jonathan.quarmby@kirklees.gov.uk)

## **9. Assistant Director Responsible.**

Joanne Bartholomew - Assistant Director, Physical Resources & Procurement

## **10. Attachments**

Appendix A- Cabinet report dated 2 October 2002

<b>DRAFT</b>
<b>REPORT TO / DATE / STATUS OF THE REPORT</b>
Cabinet
2 October 2002
Public
<b>AREA COMMITTEES / WARDS AFFECTED</b>
Mirfield. Dewbury West, Dewsbury Area Committee, Mirfield Area Committee
<b>TITLE</b>
Gilder Hall Trust
<b>WHY IS IT COMING HERE? / WHAT DECISION IS REQUIRED?</b>
The Council currently hold the trusteeship for the Gilder Hall site at Greenside Road Mirfield. A decision is required on a proposal by a consortium of local groups to set up a new trust and develop the site for the benefit of local people.
<b>IS THIS AN URGENT ACTION APPROVED BY THE CHAIR OF SCRUTINY?</b>
No
<b>WHAT ARE THE KEY POINTS?</b>
The site comprises a recreation ground with a football pitch and a derelict building which has been subject to vandalism since a fire in 1994 (see appendix 1).
Under the terms of the current trust, there is a requirement that a facility similar to the provided prior to the fire, be reinstated.
Current total resources for the trust are in the region of 30K in respect of insurance monies following the fire, which would not be sufficient to restore the facility to its previous usage.
There has been expressions of concern from people locally on the perceived inaction by the Council in resolving the future of the site. In addition, the Charities Commissioners, (the body which oversees the running of trusts) also wishes to see the matter resolved, as there is a likelihood that the trust will be deemed to have failed.
The Council has been working closely with two local voluntary organisations,

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## Summary Template 1

Gearstones Trust and Mirfield Community Centre, who have formed a consortium, the Mirfield Working Group. This group has, following a consultation exercise with local people developed proposals for a new trust and a proposal for a new community/sports facility of Gilder Hall. Their proposal also envisages the rationalisation of another Council owned facility, Mirfield Community Centre, which if agreed, would be sold and capital receipts used toward the building of a new facility.

Both organisations have an excellent record in attracting funding and managing community facilities and represent the most feasible mechanism for provision of facilities at Gilder Hall.

All elected members are in effect trustees, therefore, full Council approval will be required on major decisions involving the closing or transfer of trusteeship.

The trusteeship places specific responsibility on the Council, in that it must be able to demonstrate that in reaching a decision on the future of Gilder Hall it acted in the best interest of the Trust and that all other considerations must be set aside.

**RECOMMENDATIONS**

The following:-

- 1 The setting up of a new trust for Gilder Hall based upon the Mirfield Working Group.
- 2 The transfer of any financial assets that have accrued to the existing trust, to the new trust including insurance monies.
- 3 An in-principle agreement to the sale of Mirfield Community Centre and transfer of capital receipts to the new trust.

**BACKGROUND**

This report brings to members attention the issues surrounding Gilder Hall and the need to reach a decision on the best way forward. Kirklees Council are the trustees for Gilder Hall and are responsible for decisions on its future. The Gilder Hall Youth Club Foundation was established in the will of a Mirfield women, Annie Robinson, who left it to for young people living in the Mirfield are, aged up to 25 years.

“The object of the foundation shall be to help and educate persons who have not reached the age of 25 years through their leisure-time activities, so to develop their physical mental and spiritual capacities that they may grow to full maturity as individuals and members of society and that their conditions of life may be improved, and for that purpose to establish and maintain a Youth Club or Youth Clubs in the Urban District of Mirfield.”

The Gilder Hall site comprising three acres, containing a football field and a now derelict building, is situated at the junction of Pumphouse Lane and Greenside Road Mirfield, the building was last used as a youth club in 1995, until closed by fire damage. It has been subject to increasing vandalism recently, which led to a decision to demolish a small extension to the main building last year, on health and safety grounds. There are insufficient funds in the trust to return the building to a useable state. Maps of both sites are appended.

There has at various times been strong expressions of local concern about perceived inaction by the Council by both individuals and “organisations” in Mirfield regarding Gilder Hall, and actions need to be taken in the near future.

In seeking a way forward KMC officers met with the Charities Commissioners to discuss what would be acceptable in relation to Gilder Hall. Their advice was that site disposal, site development and transfer of trusteeship, were all acceptable providing it could be demonstrated that the trustees had acted in the best interest of the Trust. This is a crucial point for the Council. **Other interests must be set aside in decisions on Gilder Hall.**

The situation is further complicated by the land being allocated for residential development on the approved UDP, however, because of recent planning guidance, PPG3 from Central Government, it may not be possible to develop the site for a number of years. The site also holds the key through access potential to land owned by Bellway Homes. Bellway made an offer of £900,000 for the Gilder Hall site in 1999, subject to planning permission. There is likely to be local objections to the disposal of the land for residential purposes, even if permission was granted.

**MIRFIELD WORKING GROUP**

Comprises the management committee of Mirfield Community Centre which is based in the old knowle School building on Waterroyd Lane (see appendix 2) the building is owned by the Council and administered through an agreement



## Summary Template 1

between Community Support Services (CSS) and the management committee. CSS provide some funding towards the running costs of the building which could be made available through grant aid towards the revenue needs of the new centre.

The other partner in the working group is the Gearstones Trust, who are a Mirfield based trust who run an outdoor centre in North Yorkshire at Ribble Head near Settle.

The proposition of rationalising facilities in closing one building that has reached its limits and refocusing resources on a new purpose-built site which is also currently under used, is a potentially attractive one. As, is vesting control of a local facility to local people.

Both organisations have an excellent track record in attracting local volunteers, managing and developing facilities and attracting funding from a wide variety of resources. They also both have local credibility as key players in the local voluntary scene. There is a range of funding opportunities which could be accessed by the group which are not open to the Council.

### **THE ORIGINAL PROPOSALS**

Following consultation through an extensive survey with the local community a proposal for a sports/community centre was developed and an outline business plan was considered by Admin and Business Core Team in April 2002. The report was welcomed by the chair of the core team who subject to assurances about aspects of the business plan was prepared to take a report to Cabinet for decision making.

### **APPRAISAL OF THE ORIGINAL PROPOSAL**

In order to gain an objective assessment of the proposal an independent consultant was commissioned by CSS, to appraise the proposal funding package, reports were also commissioned from planning on the implications of the type of building proposed on the site. A report was also commissioned from the Project Team in Estates & Properties to ascertain the viability of the use of a modular building.

The appraisal process did raise questions about the viability of the proposed funding package and the merits of using a modular building which can only be fully determined by further feasibility over the next 12 months. Mirfield Working Group have taken on board the questions raised by the appraisal process and been prepared to adjust their proposals accordingly.

### **THE NEED FOR DECISION MAKING**

This note has outlined some of the reasons why it is important that a decision is made on Gilder Hall as soon as possible. In additions to these, considerations must be given to the Mirfield Working Party and their need to know whether or not to commit more time to the development of Gilder Hall or



## Summary Template 1

refocus on their own individual projects.

Developing capital projects is, as members appreciate a complex and time consuming process, which can take in some cases several years from concept to completion. The working group have committed a tremendous amount of volunteers time into the Gilder Hall proposal over the last 12 months and have demonstrated a willingness to listen and be flexible in their approach, as a result of this the Mirfield Group and Mirfield Working Group have revised their original proposal in the light of the appraisal, assumptions.

### THE NEW PROPOSAL

Whilst retaining their original aspirations for a major sports/community facility the Mirfield Working Group have submitted a revised proposal. This is based on an initial phase costing in the region of 750k which is substantially less than the both original proposals and the suggested costings by consultants for such a facility.

The funding package for this is dependent on funding as follows:-

- \* 250k from the Community Fund
- \* 350k from the sale of Mirfield Community Centre
- \* 150k from local trusts and fundraising

Initial soundings suggest this funding package is achievable, however, the Council would have to make a decision on any capital receipts from such a sale being utilised for a new building at Gilder Hall therefore the group are looking for some commitment from the Council as soon as possible, if they are to stay engaged in the process. A proposal for the earmarking of capital receipts would have to be considered in the first instance by Cabinet Finance Sub Group.

The new proposal also envisages the new trust have a strategic role in the development of sport and sporting facilities in the Mirfield area.

### CONSIDERATIONS FOR THE COUNCIL

In acting in the best interest of the trust, the Council need to consider the following: is it in the best interest of the trust to agree to the setting up of a new trust based on the Mirfield Working Group. So far there appears to be no major barriers to the setting up of a new trust in ongoing discussions with the Charities Commission.

The group, as stated have put a considerable amount of time into developing proposals and now require some financial commitment to finalise these over the next 12 months. If the Council are willing to consider funding this one possible source would be the monies available from insurance resulting from the fire. There is currently 32k available from this source but only if the Council use it to reinstate the building. If it was to be to support a new development by a different organisation the amount available would be

## Summary Template 1

reduced to 20k. Discussions with the Council's Insurance Manager suggest this money could be made available for such a purpose.

During the next 12 months the range of assumptions could be tested out and serious funding bids assembled.

The Mirfield Working Group are confident that they can construct a viable building on the site. While the next 12 months require an element of trust in the group, it remains the most likely option for securing a facility in line with the objectives of the original trust.

The original building was constructed at a time when car parking was not as serious a consideration as it is now.

There is little likelihood of Council funding being available for the reinstatement of a viable building on the Gilder Hall site. Other than through the process outlined above involving the sale of Mirfield Community Centre and the capital receipts being used for a new venture.

### **RESOURCE IMPLICATIONS**

Mirfield Working Group are seeking in addition to the transferring of trusteeship to them, the following:

The capital receipts from the sale of Mirfield Community Centre. (The group have had a valuation of 350K on the property indications from Estates and Property suggest that this is not an unreasonable figure).

They have also requested financial help to recruit a project manager to help them develop the proposals and are seeking in the region of 30K for a 12 month period.

As stated earlier in the report, there is 20K available in the form of insurance monies. In addition Community Support Services are prepared to offer "in kind" support in the form of business planning and bid preparation over this period.

A viable facility will require adequate car parking area and to achieve this it is likely that this will infringe on land which is currently allocated for housing under the current UDP. Members can agree to approve a planning application which departs from Council Policy if there is a good reason to do so.

The group are also seeking that monies currently spent on the running costs of Mirfield Community Centre by Community Support Services, are transferred to support the revenue costs of the new building for an agreed time period. This could be achieved through grant-aid and a funding agreement.



## Summary Template 1

The Alternatives

To do nothing?

Clearly this would not be acceptable either locally or with the Charities Commissioners.

To set up another trust with redefined objectives?

This could involve a more limited use of the site purely as a recreational ground without a building. Mirfield Working Group would not be willing to be part of such a proposal, and it would involve recognising that the original trust would have seen to have failed.

Selling part or all of the land and using the capital receipts to set up an endowment for activities for young people elsewhere in Mirfield?

This is likely to be unpopular locally.

There can be no certainty about the Mirfield Working Group proposals, developing viable capital projects is always problematic. However, there are a number of key elements to the securing of a successful project already in place, these include:

A need

The area has lost the Marmaville Hotel, which provided meeting space for a host of community groups. In addition whilst Mirfield Community Centre, is extremely well used, its design and limited scope for expansion restricts further development and enhancement of that site.

Local Support

The community survey indicated that the proposals for Gilder Hall, have the support of local people.

Rationale for the Project

Its based on a partnership between local organisations with a strong track record in managing facilities as well as rationalising community facilities in the area.

Funding Potential

There are currently a number of time limited external funding opportunities for capital projects for community led initiatives in Kirklees.

Summary Template 1

**CONSULTEES**

Legal Services and the ward members of Dewsbury West & Mirfield.

**CONTACT OFFICER AND RELEVANT PAPERS**

Karen Johnson - Head of Community Support Services – 01484 221109 – 860 1109

Lawrence Dodson – Specialist Support Services Manager – 01484 221017 – 860 1017

Carol Rushton – Community Buildings Development Officer – 01484 224824 and 225715 – 860 4824 and 860 5715

Previous reports to Administration and Business Core Teams

CONTACT LIST

Logan, James and the staff members of Community Health & Wellness

CONTACT OFFICER AND RELEVANT AGENCIES

James Johnson - Lead of Community Health Services - 07464 221100  
074 221 1100

James Johnson - Executive Support Services Manager - 07464 221111  
074 221 1111

James Johnson - Community Health Development Officer - 07464 221100  
074 221 1100 and 074 221 1111

James Johnson - Executive Support Services Manager - 07464 221111





**Name of meeting:** Cabinet  
**Date:** 15 December 2015

**Title of report:** Overview and Scrutiny Management Committee –  
 Recommendations from Call-In Hearing – Mirfield  
 Community Centre Asset Transfer

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 – the implications of the Scrutiny recommendation are included in a further report for Cabinet’s consideration.
Is it in the <a href="#">Council’s Forward Plan</a> ?	No
Is it eligible for “call in” by <a href="#">Scrutiny</a> ?	Not applicable
Date signed off by <u>Director</u> & name	David Smith – 3.12.15
Is it signed off by the Director of Resources?	As above
Is it signed off by the Assistant Director – Legal, Governance & Monitoring?	Julie Muscroft – 3.12.15
Cabinet member <a href="#">portfolio</a>	Councillor Graham Turner Resources and Community Safety

**Electoral [wards](#) affected:**

**Ward councillors consulted:** None

**Public or private:** Public

## 1. Purpose of report

To advise the Cabinet of the decision and recommendations of the Overview and Scrutiny Management Committee following its consideration of a Call-In in respect of the decision made by Cabinet on 20<sup>th</sup> October 2015 on ‘Mirfield Community Centre – Asset Transfer’.

## 2. Key points

2.1 On 18<sup>th</sup> November 2015, the Overview and Scrutiny Management Committee met to consider a Call-In in respect of the decision made by Cabinet on 20 October 2015 on ‘Mirfield Community Centre – Asset Transfer’.

2.2 The Committee considered evidence from Councillors who were signatories to the Call-In, the Cabinet Member for Resources and

Community Safety, the Assistant Director for Physical Resources and Procurement, and members of the public. The Committee also considered all relevant background information used in the decision-making process and determined if the decision had been made in accordance with the Council's decision-making principles.

2.3 According to the Overview and Scrutiny Procedure Rules, the Committee had three options available to it:

- (1) To take no further action and free the decision for implementation.
- (2) To refer it back to Cabinet with recommendations for amendment.
- (3) To refer it back to the next Council, if the Panel considered that the decision was not made in accordance with the budget or policy framework.

2.4 Prior to the meeting the Committee had sought advice from the Assistant Director for Legal, Governance & Monitoring and was satisfied that the third option did not apply in this instance.

2.5 It is noted that Cabinet is also considering a report elsewhere on this agenda which sets out information to assist the Cabinet in making a decision about the action it wishes to take in response to the call in.

2.6 **The Committee's Findings:**

i. **Grounds of call in i:**

**The Cabinet's decision to review the previous decision of Cabinet in 2002 in relation to Mirfield Community Centre and to demand new terms from the Mirfield Community Trust failed to take full account of the Asset Advancement Policy set by Cabinet on 08 Oct 2013.**

After considering all the evidence presented the Committee concluded that it shared the concern. The cabinet report of 20 October 2015 stated that the current Asset Advancement Policy required asset transfers to be approved with restrictive covenants for community use. However, the Committee came to the view that the Asset Advancement Policy did not specify that it was a requirement to have a covenant.

The Committee noted that within the basis for transfer set out in the Asset Advancement Policy the text states " ....restrictions (called covenants) would normally ensure property remained available to local people ....". The Committee interpreted the word "normally" to mean that there may be exceptions. There was no mention of a covenant being a requirement, in the legal sense, of every decision made under the Asset Advancement Policy.

In addition, when considering the Council's decision making principles the Committee found no evidence that principles 13.2 a (due regard to all relevant considerations and disregard of all irrelevant factors) and 13.2 i (the ability to explain the options considered and the reasons for decisions) of the constitution were fully adhered to. The Committee concluded that there was no evidence that the flexibility allowed by the

Asset Advancement Policy was fully considered. It was the Committee's view that Cabinet had not explored all alternatives so they could say why they were not appropriate in this case and were discounted.

- ii. **Other asset transfers have not been subject to covenants, which was said to be applied to all transfers, and is not reflected in the policy mentioned above.**

The Committee was satisfied that other asset transfers had been subject to covenants.

- iii. **The decision made by Cabinet is a breach of Article 13.2 of the Council's Constitution.**

In addition to the concerns relating to 13.2 a and 13.2 i of the decision making principles, the Committee had further concerns relating to 13.2 b and 13.2 h with respect to the proportionality of the desired outcome, and the clarity of aims and desired outcomes. There was no evidence to show that the decision took into account whether it was feasible and desirable to enter into an agreement/arrangement that would enable the covenant to be released on sale and for the proceeds to be used specifically for the ongoing project to develop the Gilder Hall site.

- iv. **The decision made by Cabinet may have been pre-determined as the cabinet member's recommendation appeared on the report, before all consultation had been received. Therefore, the Cabinet Member was not in possession of all the facts when making his recommendation/judgement.**

The Committee was satisfied that there was no evidence of pre-determination of the decision.

## 2.7 **Scrutiny Committee Recommendations:**

It was therefore the Committee's decision, after taking all factors into account, that the decision should be referred back to Cabinet with the following recommended amendment:-

- That Cabinet consider the feasibility and desirability of entering into an agreement/arrangement that would enable the covenant to be released on sale and for the proceeds to be used specifically for the ongoing project to develop the Gilder Hall site.

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

This report sets out the recommendations of the Overview and Scrutiny Management Committee and the Cabinet has a number of options available to it. The implications for the Council will be dependent upon the course of action taken by the Cabinet.

**4. Consultees and their opinions**

None.

**5. Next steps**

Dependent on the Cabinet's response to the Scrutiny Committee's recommendation, officers will implement any agreed actions.

As required constitutionally the call in and its outcomes will be reported to Council.

**6. Officer recommendations and reasons**

That the Cabinet consider the Overview and Scrutiny Management Committee's findings and recommendation as set out in paragraph 2.6 of the report and determine one of the following courses of action:

- Accept the recommendation (in full or in part) of the Scrutiny Committee and amend its original decision accordingly;
- Decide that further work needs to be done and defer the item until this is completed. The Scrutiny Committee should be kept informed of the work as it progresses and be formally notified when it is to be reconsidered;
- Not accept the view of the Scrutiny Management Committee and confirm its original decision;
- Refer the issue for discussion at the next appropriate Council meeting.

**7. Cabinet portfolio holder recommendation**

As this is a Scrutiny referral, this is not applicable.

**8. Contact officer and relevant papers**

Penny Bunker, Governance & Democratic Engagement Officer  
Tel: 01484 221000 E-mail: penny.bunker@kirklees.gov.uk

Relevant papers: Agenda papers and decision of Overview and Scrutiny Management Committee on 18<sup>th</sup> November 2015 and the Cabinet meeting held on 20<sup>th</sup> October 2015.

**9. Assistant directors responsible**

Julie Muscroft, Assistant Director (Legal, Governance & Monitoring)  
Joanne Bartholomew, Assistant Director (Physical Resources and Procurement)



**Name of meeting:** Cabinet  
**Date:** 15 December 2015

**Title of report:** Freehold Asset Transfer of  
 Wooldale Community Centre Robert Lane  
 Holmfirth HD9 1XZ

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> ?	Yes
Is it eligible for "call in" by <a href="#">Scrutiny</a> ?	Yes
<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 &amp; Governance?</b>	Jacqui Gedman - 07.12.15 <i>Paul Kemp on behalf of</i> David Smith - 27.11.15 Julie Muscroft - 4.12.15
Cabinet member <a href="#">portfolio</a>	<b>Resources and Community Safety - Cllr Graham Turner</b>

**Electoral [wards](#) affected:**  
**Ward councillors consulted:**

**Public or private:** Public

**Electoral wards affected:** Holme Valley South

**Ward councillors consulted:** Cllr Kenneth Simms, Cllr Nigel Patrick & Cllr Donald Firth

**Public or private:** Public

## 1. Purpose of report

- 1.1 This report sets out the proposal to transfer the land and buildings, on a freehold transfer, which currently make up Wooldale Community

Centre Robert Lane, Holmfirth, HD9 1XZ to the Wooldale Community Association. The conditions of the freehold transfer will include covenants to ensure that Wooldale Community Centre is a building that principally remains available for community use only.

- 1.2 Community Asset Transfer involves transferring the ownership of land buildings from a statutory body to a community organisation at 'less than best consideration' - that is at less than its full market value - in order to further local social, economic and/or environmental objectives. The Council's Asset Advancement Policy was approved at Cabinet in 2013.

## **2. Key points**

### **Background**

- 2.1 Wooldale Community Centre located on Robert Lane, Wooldale; the community centre ("the Centre") is a vibrant venue that has been used by the community for more than 40 years. The centre is currently being leased to the Wooldale Community Association and they are currently holding over on their current lease which expired in June 2013. The centre over the last few years has seen an active interest from members of the community with the sole aim to maintain and develop the Centre.

More recently, members of the Committee met with officers of Kirklees Council with a view to taking sole ownership of the Centre on a freehold basis and strengthening their committee.

The Centre has a number of regular and private users.

The rear part of the Centre, constitutes the Kirkroyds Pre-School, which has been running as a pre-school for more than twenty years.

- 2.2 The current group have been running and managing the Centre since 1978. There is a lease in place with shared maintenance responsibilities, Wooldale Community Centre have maintained the Centre to a high standard and has made considerable improvements to the fabric of the building during the term of the lease.
- 2.3 Wooldale Community Association has continually increased the number of community members accessing the Centre. The Centre is a well-used hub of the community and delivers training and career opportunities as well as childcare and health. The Centre is well marketed and used over the weekend period for private parties.
- 2.4 Wooldale Community Association has submitted a robust application and business plan in line with the requirements of the Asset Transfer Policy, this includes development of policies, building running capacity, financial plans - this has been assessed by the Communities and Engagement Team, Locality, which is a third party who are working in partnership with the Council to support groups in capacity building and business planning, to ensure a robust application and Corporate Landlord. The application was assessed using the Asset Transfer assessment tool which assesses 5 areas including a financial

assessment, impact on community, risk, the asset and the strength of the organisation. This assessment was designed in line with the Hallmarks of an Effective Charity which is written and supported by the charity commission.

## **Asset Transfer**

- 2.5 The Council's Asset Advancement Policy was developed in response to the Quirk review and subsequent localism agenda and approved by Cabinet, 8 October 2013. The policy allows for assets to be transferred either through long term leases or freehold transfer, but normally with covenants which restrict use to community use.

The decision options for this request for asset transfer are:

- a. Refuse the request for asset transfer. The Community Association are currently holding over, on a 35 year lease and therefore have a leasehold interest, which means, they have an entitlement to apply to the Court for a new lease which might leave the Council with "landlord" responsibilities, for aspects of the maintenance and repair of the building, which in turn would continue to be a drain on the Council's resources and the prospect of a market rent being applied for the lease.

**Officers are of the opinion that this should not be the recommended option on the grounds that this would leave the Council with onerous responsibilities that would cost more for the Council to discharge, than any rent that would be received and also would not support the Groups submitted business case.**

- b. Transfer with a restrictive covenant. There are two choices/options here:
- o Transfer subject to a restrictive covenant that will prevent the Centre from being used for any other purpose than community use.

This would restrict the Community Association's ability to allow their current tenants to remain in situ and this would therefore have an effect on their ability to sustain the Centre in the longer term.

This would align with all preceding asset transfer decisions that have occurred with other community centres, however, it would restrict the Community Association's ability to allow their current tenants to remain in situ and this would therefore have an effect on their ability to sustain the Centre in the longer term.

**Officers are of the opinion that this should not be the recommended option on the grounds that this will not allow the Community Association sufficient flexibility to permit their current tenants, to continue using the Centre.**

- Transfer subject to a restrictive covenant which (i) restricts use of the rear part of the Centre to a pre-school and/or nursery and/or community use (as to enable the existing pre-school to continue) and (ii) which restricts the rest of the Centre to community use only. This allows the Community Association flexibility, to allow current tenants to continue at the Centre, helping to ensure the long term sustainability of the Centre and supports the submitted business case.

**Officers are of the opinion that this should be the recommended option, on the grounds that this allows the Community Association, flexibility to allow current tenants to continue at the Centre, helping to ensure the long term sustainability of the Centre.**

- c. Transfer the Centre without restrictive covenants in place. Whilst this approach has not been adopted before, it is recognised, that subject to Cabinet approval, this option would fit within the current Asset Transfer Policy. However there is significant risk, that the Centre's future use as a community venue could be lost.

**Officers are of the opinion that this should not be the recommended option on the grounds that the future use of the community venue could be lost to the local community.**

## **Costs**

- 2.6 The building at the Centre is in a good state of repair, however the Conditions Survey does identify works totalling £82,900, the main areas for investments would be external walls, windows and doors which are estimated at £59,300, Roofing works estimated at £6800 and internal walls and doors estimated at £6400. The majority of which, under their current lease, the Council will be responsible for. In transferring the building, the Capital Repayment Costs circa £5800 will be avoided.
- 2.7 The current building running costs to the Council are £8300, due to the lease currently holding over and having a shared responsibility for Repairs and Maintenance. The freehold transfer will result in a £8300 saving to the Council.

## **Unrestricted Value**

The unrestricted value is the best price reasonably obtainable for the property and should be expressed in capital terms. It is the market value of the land as currently defined by the RICS Red Book (Practice Statement 3.2), except that it should take into account any additional amount which is or might reasonably be expected to be available from a purchaser with a special interest (a "special purchaser"). When assessing unrestricted value, the valuer must ignore the reduction in value caused by any voluntary condition imposed by the Authority. In other words, unrestricted value is the amount that would be paid for the property if the voluntary condition were not imposed (or it is the value of the property subject to a lease without the restriction).



**The unrestricted value of Wooldale Community Centre is: £250,000**

### **Restricted Value**

The restricted value is the market value of the property having regard to the terms of the proposed transaction. It is defined in the same way as unrestricted value except that it should take into account the effect on value of any voluntary condition(s).

**The restricted value of Wooldale Community Centre is: £ Nil**

### **Voluntary Conditions**

A voluntary condition is any term or condition of the proposed transaction which the Authority chooses to impose. It does not include any term or condition which the Authority is obliged to impose, (for example, as a matter of statute), or which runs with the land. Nor does it include any term or condition relating to a matter which is a discretionary rather than a statutory duty of the Authority.

**The value of voluntary conditions in the proposed transaction is: £ Nil**

### **Amount of discount given by the Council**

The difference between the unrestricted value of the land to be disposed of and the consideration accepted (the restricted value plus value of any voluntary conditions).

**The amount of discount in the proposed transaction is: £250,000**

*In respect of Local Government Act 1972 general disposal consents (England 2003) disposing of land for less than best consideration that can be reasonably obtained the transaction does not require the Council to seek specific consent from the Secretary of State as the difference between unrestricted value of land to be disposed of and the consideration accepted is £2,000,000 or less.*

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

- 3.1 The Local Government Act 1972 General Disposal Consent, means that specific consent is not required for the disposal of any interest in land/buildings at less than best consideration, which the Authority considers will help it to secure the promotion or improvement of the economic, social or environmental well-being of its area. Following their assessment, the Council are confident that Wooldale Community Association meets the economic and social factors for the Holme Valley area.
- 3.2 The transfer of Wooldale Community Centre will support the community and recognises the benefit of these groups in sustaining the economic, health and wellbeing of the local community.

#### **4. Consultees and Their Opinions**

- 4.1 Wooldale Community Association is constantly consulting with the local community regarding their needs from the community centre. When the group considered asset transfer back in 2013, they carried out a substantial community consultation with regards to the communities need for the buildings and also to attract volunteers to assist with running the centre.

The group have been consulted in December 2015 and have no further comments to add and agree with the recommendations based on this report.

- 4.2 Ward Councillors have been consulted in November 2015 and support the asset transfer to Wooldale Community Association.

#### **5. Officer Recommendations and Reasons**

- 5.1 Members are requested to authorise officers to transfer the freehold of Wooldale Community Centre to Wooldale Community Association for no premium/nil consideration and to include covenants to ensure that (i) the rear of the Wooldale Community Centre that is currently occupied by Kidroyds School can only be used as a pre-school and/or nursery and/or for community use and (ii) that the other parts of the Wooldale Community Centre can only be used for community use.
- 5.2 Members are requested to note the Assistant Director of Physical Resources and Procurement and Assistant Director Legal Governance & Monitoring have delegated authority to negotiate and agree the terms of the freehold transfer that relate to the transfer of the Wooldale Community Centre to the Wooldale Community Association.

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

- 6.1 The Portfolio Holder, Cllr Graham Turner recommends the freehold transfer of Wooldale Community Centre to Wooldale Community Association for no premium/nil consideration subject to the restrictive covenants discussed in paragraph 2.5 - which states - *that the proposed asset transfer route, subject to Cabinet approval, is therefore to transfer the buildings and land on a freehold basis to Wooldale Community Association at nil cost but with a restrictive covenant which (i) restricts use of the rear part of the Centre to a pre-school and/or nursery and/or community use (as to enable the existing pre-school to continue) and (ii) which restricts the rest of the Centre to community use only.*

#### **7. Next Steps.**

- 7.1 Officers from Physical Resources and Procurement will complete negotiations and agree terms of the transfer for the asset transfer to take place.

## **8. Contact Officer and Relevant Papers**

Mark Gregory, Head of Corporate Landlord  
[mark.gregory@kirklees.gov.uk](mailto:mark.gregory@kirklees.gov.uk)  
(01484) 221000

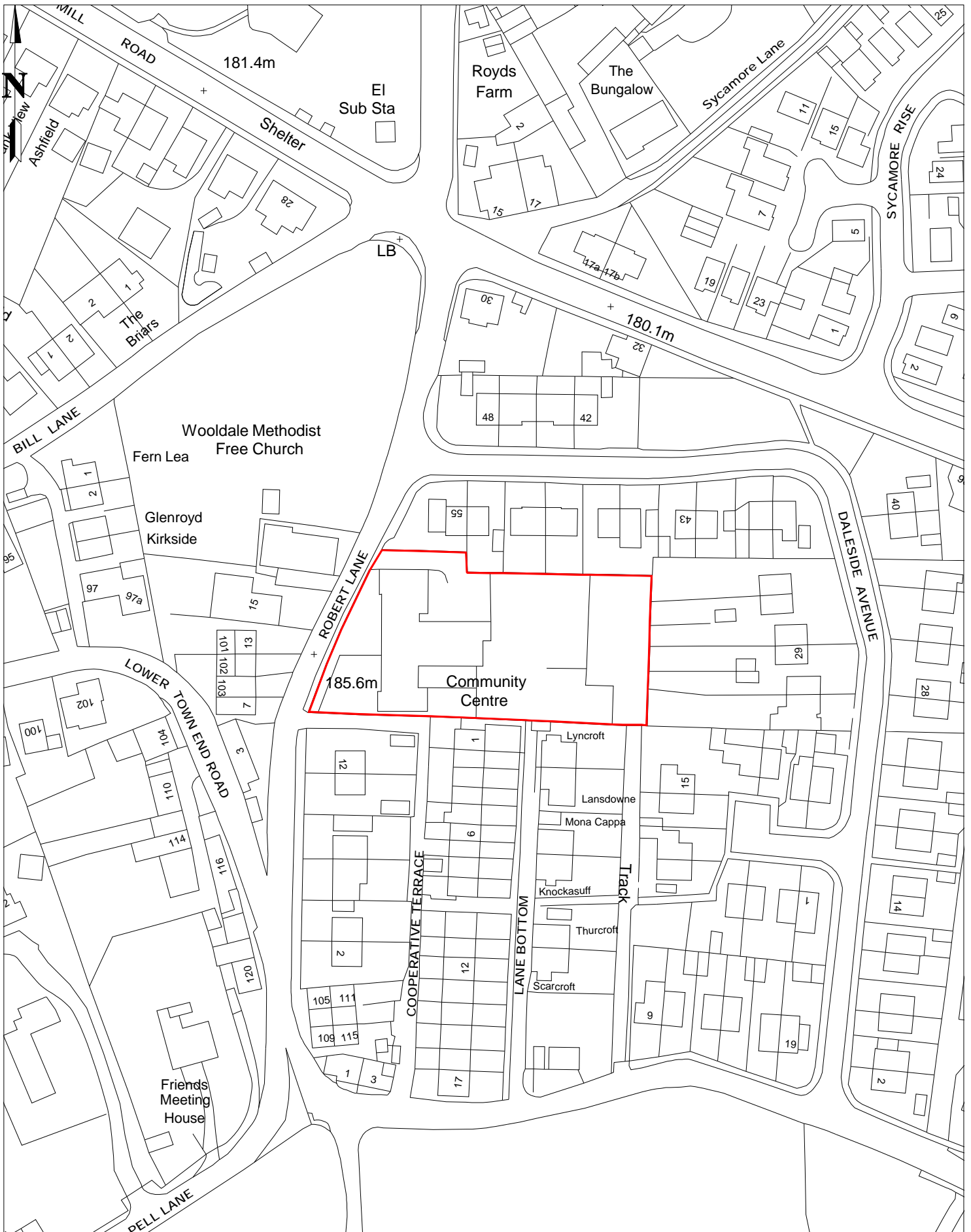
Jonathan Quarmby, Corporate Facilities Manager  
[jonathan.quarmby@kirklees.gov.uk](mailto:jonathan.quarmby@kirklees.gov.uk)  
(01484) 221000

## **9. Assistant Director Responsible**

Joanne Bartholomew - AD - Place

## **10. Appendices**

10.1 Wooldale Community Centre Red Line Boundary



**PHYSICAL RESOURCES  
& PROCUREMENT**

Plan No: 15-0519

Scale: 1250

Required by:

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**Name of meeting:** Cabinet  
**Date:** 15 December 2015

**Title of report:** Town & Parish Council Accommodation

<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>	Yes
<b>Date signed off by <u>Director</u> &amp; name</b>	Jacqui Gedman, Director of Place – 4 December 2015
<b>Is it signed off by the Director of Resources?</b>	David Smith – 3 December 2015
<b>Is it signed off by the Assistant Director - Legal &amp; Governance?</b>	Julie Muscroft – 3 December 2015
<b>Cabinet member <a href="#">portfolio</a></b>	<b>Joint portfolio Place/Resources/Communities</b>

**Electoral [wards](#) affected:** Almondbury, Dalton, Denby Dale, Holme Valley North, Holme Valley South, Kirkburton and Mirfield

**Ward councillors consulted:** See Appendix One

**Public or Private:** PUBLIC

**1. Purpose of report**

1.1 Parish and Town Councils are the lowest tier of local government and work to improve community well-being and provide better local services. They also have variable tax-raising capacity.

1.2 Within the Kirklees Ward boundaries there are currently a total of five Parish and Town Council's:-

Denby Dale Parish Council, Holme Valley Parish Council, Kirkburton Parish Council, Meltham Town Council and Mirfield Town Council.

1.3 Four of the Parish and Town Councils currently occupy office accommodation within the ownership of Kirklees Council with the fifth

(Kirkburton) occupying accommodation that is leased in from a private owner.

1.4 The basis of occupation of the four Parish and Town Council's (excluding Mirfield Town Council) is user rights established pursuant to Section 254 of the Local Government Act 1972 and the Local Authorities (England) (Property etc) Order 1973/1861 and the guidance issued in the Transfer of Property Memoranda published by the Department of the Environment in 1973 and 1974. It should be noted that Mirfield is not a successor Parish Council, having been established in 1988, and therefore does not have the same legal rights as successor Parish Councils.

1.5 Having defined User Rights and Rights of User the memoranda states:-

"The Authority exercising user rights would normally expect to pay a share of current expenses including loan charges actually being paid, but not a full market rent.

In any event user rights will no doubt often be regarded as a temporary expedient to be ended by agreement as soon as more permanent arrangements can be made".

1.6 In the case of the four Parish and Town Councils, it would seem they are still occupying Kirklees Council premises by virtue of "user rights" created under the 1972 Act. The properties transferred to the Council under the 1973 Order. Land and Property belonging to the former Urban Districts and Borough Council's transferred to Kirklees Council on 1 April 1974.

1.7 The occupancy position was given detailed consideration in the report to the Policy and Resources (Estate and Property) Sub-Committee on 10 February 1988.

1.8 It was resolved:-

- (1) That the principle of recharges and provision of facilities to Parish Councils in respect of accommodation in use, on the basis as outlined in the report now submitted, be adopted.
- (2) That recharges operate from 1 April 1989.
- (3) That Parish Council's be informed of the above decisions and the estimates of costs involved.

It is believed that this resolution was never implemented.

1.9 Denby Dale Parish Council currently occupies Skelmanthorpe Council Offices and there will shortly be an asset transfer of these offices to the Parish Council. The Cabinet report of 10 March 2015 refers. Subsequent to any transfer any associated charges will cease.

- 1.10 Where Parish and Town Councils complete an Asset Transfer any office accommodation charges associated with that building will cease.
- 1.11 Mirfield Town Council is not a “successor Parish Council” and does not enjoy legal rights associated with successor Parish Councils and therefore it is reasonable and proper for it to be charged for accommodation. However, it seems that irrespective of status, Parish and Town Councils have all been treated the same. It is considered that they should all be charged on the same basis.
- 1.12 This report provides an overview of the current position and asks Cabinet to provide clarity on potential accommodation costs that are currently being met by Kirklees Council budgets.

## **2. Key points**

- 2.1 Kirklees Council clearly understands the important role that Parish and Town Councils play in some of our communities and are currently working closely with them to develop better communication and a more pro-active relationship. Cabinet members recently met with representatives of the Parish and Town Councils to ensure it has a better understanding of the key issues, such as assets, as well as providing a forum to promote a more responsive and successful partnership.
- 2.2 A Charter between the Council and the Parish and Town Councils is in effect, the Charter is available via the following link  
  
<https://www.kirklees.gov.uk/you-kmc/deliveringServices/pdf/parishCharter.pdf>
- 2.3 In their role as a democratically accountable body, Parish and Town Councils could offer a means of helping to shape the decisions that affect their communities and help support better service delivery at a local level.
- 2.4 They can offer a means of decentralising the provision of certain services and of revitalising local communities. In turn, the five Parish and Town Councils recognise the strategic and service delivery role of Kirklees Council and the equitable distribution of services which it has to achieve across the borough.

## **Budget**

- 2.5 Kirklees Council currently under-write the office accommodation costs for all of the Parish and Town Council's as part of the overall portfolio of premises which Corporate Landlord manage and oversee.
- 2.6 The total premise costs are a significant amount (in excess of £100,000) but as the occupation of the buildings is only partial from the perspective of office accommodation the following tables provide occupancy information and potential costs for a suggested recharge.

The following table shows the Gross Internal Area (GIA) in metres squared of the premises which the Parish and Town Council's occupy and the percentage of the GIA that their occupation takes up.

Parish	GIA	% Occupancy	Average Premise Running Costs	Backlog Maintenance
Denby Dale Parish Council	416	15	27,899	£65,000
Holme Valley Parish Council	537	22	35,000	£93,000
Meltham Town Council	336	23	15,500	£110,000
Mirfield Town Council	522	12	35,000	£147,000

2.7 The following suggested re-charges are based on a corporate standard of accommodation costs for both internal and external services covering all utilities, services, repairs, and management costs (these are generic overheads but each building will have a variation on these costs dependent on size of accommodation, occupancy, age and so forth)

2.8 This standard accommodation costs of £232 per square metre (This is built up from £147 per square metre for premises; £35 per square metre management and £50 per square metre rent.) which is multiplied by the area of current occupation of the Parish & Town Councils.

2.9 This gives a suggested re-charge as follows:-

Denby Dale Parish Council	£14,848 p.a. suggested re-charge
Holme Valley Parish Council	£27,840 p.a. suggested re-charge
Meltham Town Council	£17,632 p.a. suggested re-charge
Mirfield Town Council	£14,848 p.a. suggested re-charge

2.10 Kirkburton Parish Council is currently operating from Burton Village Hall, and the space they occupy is leased in from Kirkburton and Highburton Community Association at a cost of £4,077.10 per annum which is paid for by Kirklees Council.

2.11 The decisions before Cabinet are whether: -

- i) To continue to subsidise the office accommodation costs for the Parish and Town Council's in their current accommodation, in part or in whole; or
- ii) To pass on the office accommodation costs for the areas of occupation in total, subject to agreement being reached

### Practical Support

2.12 Kirklees Council will, where practical, continue to offer Parish and Town Council's access to their own support services, to enable them to take advantage of facilities such as printing and purchasing, at a mutually



agreed price. All Parish and Town Councillors and Parish and Town Clerks can access Kirklees Council's internal training courses at the same cost that it charges to its own services.

- 2.13 Parish and Town Councillors who are representatives on District Committees can access training, development, advice and support through the Local Area Structures Team in the same way as other District Committee members. Area Committees can extend this training to other Parish and Town Councillors, if this is resourced locally.
- 2.14 Should the Town and Parish Councils wish to explore the asset transfer of civic buildings within their districts the Council will provide support and guidance in accordance with the relevant policy.

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

- i) The current occupation of the offices by the Town and Parish Councils is not cost effective i.e. c. £100k + p.a. subsidy
- ii) Re-charge the Parish and Town Council's for the occupation of their accommodation based on a rental and service charge basis, either in total or part
- iii) Asset Transfer the buildings of current occupation or other identified building to release the Council from operating costs and associated backlog maintenance subject to an application being made by the appropriate Town or Parish Council.

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

Nick Howe, Policy and Governance

Jane Brady/Dave Thompson, Customer and Exchequer Services

Asset Board – Asset Board have considered the principles of the report and support the charging of full accommodation costs of areas occupied to Parish and Town Councils accommodated in Council buildings and the ceasing of the grant for external accommodation, in its entirety, from 31 March 2016 and in a timely fashion before they set their precept and provided agreement can be reached

Ward / Parish and Town Councillors – see Appendix One

### **5. Next steps**

- 5.1 Should Cabinet support the charging of accommodation costs, Parish and Town Councils will be informed.

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

- 6.1 In order to reduce the revenue and capital liabilities of these underutilised buildings officers recommend that full costs are recovered from the Parish and Town Councils for, in principle, the accommodation they occupy, at commercial rates provided agreement can be reached.

- 6.2 The recharges operate from 1 April 2016 subject to agreement with the Town and Parish Council's.
- 6.3 Authorise the Assistant Director Physical Resources and Procurement and Assistant Director Legal Governance and Monitoring to negotiate legal occupancy agreements with the Councils at a full market rent where practicable.

**7. Cabinet portfolio holder recommendation**

- 7.1 The Portfolio Holder recommends the charging of full accommodation costs of areas occupied to Parish and Town Councils accommodated in Council buildings and the ceasing of the grant for external accommodation, in its entirety, from 31 March 2016

**8. Contact officer and relevant papers**

Mark Gregory  
Head of Corporate Landlord  
Tel: 01484 221000  
Email: [mark.gregory@kirklees.gov.uk](mailto:mark.gregory@kirklees.gov.uk)

**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 ONE

Who	Relating to	Rec'd	Comments
<p>Cllr Nigel Patrick</p>	<p>Holme Valley</p>	<p>27/10/15 12:57</p>	<p>This is basically about introducing commercial rental agreements with Parish and Town Councils where none exists. The report seeks to show the losses to Kirklees, or the costs to Kirklees of the current situation where no rent is charged and the amount of rent to be charged. What the report does not show is the actual cost to Kirklees Council of introducing a commercial rental agreement. Where there is a backlog of building repairs to the external walls and roof for example, Kirklees may be forced to pay for the repairs if a formal legally binding landlord/ tenant commercial agreement is set up. I suggest those costs need to be shown in the report for members to understand if the proposals will actually lead to savings. The current informal arrangement may have advantages to Kirklees Council, in that expensive repairs may not have to be carried out within a specific time frame. I think it is important to see all the potential costs before making a decision. Any tenant expecting to pay a high commercial rent will expect a high standard of service by the landlord.</p> <p>In relation to Holme Valley Parish Council I would not expect to see any recharges introduced for the Council Offices since the Cabinet has already made a decision to dispose of the Council Offices. The Holme Valley Parish Council is currently negotiating an asset transfer of the Civic Hall which would result in savings for Kirklees Council. A charge of £27,840 a year for a building that is not considered fit for purpose, and is to be disposed of seems very steep to me.</p>
<p>Cllr John J Taylor</p> <p>Tel: 07831 810096</p>	<p>Kirkburton</p>	<p>30/10/20 15 17:43</p>	<p>Thank you for the attached information and I was wondering if it would be possible to clarify a couple of points in this for me. Clearly my interests in this matter relate to the Kirkburton Parish Council, which covers all of the ward which I represent but also portions of two neighbour Kirklees wards. Unlike the other Urban District Councils, the major asset of Kirkburton District Council was Kirkburton Town Hall which was sold following the merger and Kirkburton Parish Council was given temporary accommodation in Cliffe House in Shepley, something which continued until around 2000 when the Parish moved to private accommodation as the increasing focus on safeguarding was at the time given as a reason for Cliffe House no longer being a suitable location.</p> <p>Are you able to confirm what happened to the proceeds from the sale of Kirkburton Town Hall, did these come to</p>

APPENDIX ONE

			<p>the Parish Council or were they used by Kirklees Council because if it is the latter surely there is an argument to suggest that the Council is honour bound to continue to meet the modest (circa £4K) costs of the parish Office as it had the benefit of the proceeds of the sale of what remains an impressive building on Penistone Rd in Kirkburton.</p> <p>You will also probably be aware that Cabinet has recently agreed to a community asset transfer of the Kirkburton Library to the Parish Council but will also no doubt be aware that the Council no longer proposes to downsize the Library and incur costs in the region of £35k to wall off the children's library so as to create a bespoke office for the part time Parish Clerk. In these times of austerity such a shameful use of Council Taxpayer's monies could not be justified.</p> <p>I will be unable to provide my considered comments on the cabinet report until we have clarified the position regarding the disposal of Kirkburton Town Hall following the creation of Kirklees in 1974. I look forward to hearing from you.</p>
<p>Cllr John J Taylor</p> <p>Tel: 07831 810096</p>	<p>Kirkburton</p>	<p>05/11/15 12:17</p>	<p>Thank you for your response, I have been a Parish Councillor in two stints for long enough to remember the issue of the Coach House, although I was not on the Council when the property was sold by Kirklees. My point about ownership actually related to ownership prior to it being vested in Kirklees Council on 1 April 1974, I believe before that it was in the ownership of the predecessor Council, Kirkburton Urban District Council and so in that respect the residents of the Kirkburton Parish Council had in the past contributed to the purchase or development of Kirkburton Town Hall &amp; then when it was sold in 1993 the proceeds of that asset were used for the benefit of the whole of Kirklees, not just for the benefit of the people of the Parished area.</p> <p>Given that, it does not seem unreasonable therefore for the Parished area to expect Kirklees Council to meet the accommodation costs of the Parish Council as it has had the benefit of the proceeds of the disposal of an asset which was originally funded by the residents of the areas for the specific purpose of housing their local Council &amp; it's representatives. Given that Kirkburton Parish Council's costs are relatively modest I would have considered this a reasonable request &amp; would think that the Council would be willing to look at ways in which it could further reduce those costs by seeking, on occasions, to meet in locations which could be provided</p>

APPENDIX ONE

			<p>rent free.</p> <p>On this basis I cannot support the proposals contained in the draft paper &amp; suggest that the matter be referred back for further discussion. I would stress that my contribution merely relates to the Parish Council which covers the area which I represent &amp; I do not wish to make any comments on the proposals on any other Parish or Town Council as I do not feel qualified to comment on these.</p>
Angela Royle (Clerk)	Kirkburton	06/11/15 17:17	<p>I would like to feedback the comments made at Kirkburton Parish Council meeting last night, which are as follows:</p> <p>The predecessor of Kirkburton Parish Council was Kirkburton Urban District Council, whose precept payers funded Kirkburton Town Hall. When the District Council was dissolved in 1974 that asset was passed over to Kirklees Council, who sold it to a private resident in 1993.</p> <p>The Parish Council feels, therefore, that as all the council taxpayers across Kirklees Council area have benefitted from the assets realised on the sale of the Town Hall, they should also take over the responsibility of funding the accommodation costs of its successor council, Kirkburton Parish Council.</p> <p>I should be grateful if these views could be taken account of before a final decision on the matter is taken.</p>
Sally Barber (Clerk to the Council/ Responsible Financial Officer)	Holme Valley	10/11/15 15:23	<p>Please find attached letter from Holme Valley Parish Council, being comments to be included in the draft report to be considered by Kirklees Cabinet on 17 November 2015.</p> <p>It has also been suggested that where the draft Cabinet Report refers to the Parish Council being the 'lowest tier' of local government, it should be changed to the 'first level' of local government; this is in line with terminology used by Central Government.</p> <p>Finally, if Kirklees Council agrees to make a charge for the Council Offices, Holmfirth (subject to agreement with the Parish Council) it would be helpful if further information could be provided by Kirklees Council as follows:</p> <p>a) What would the actual office accommodation comprise, in addition to the Council Chamber itself? At present, the Council has access to upstairs and downstairs toilet facilities and use of the kitchen.</p> <p>b) If the ground floor meeting room was to be made available as extra accommodation, what would be the</p>

[Type text]

		<p>annual charge?</p> <p>c) Details of Kirklees' schedule of maintenance, redecoration and repairs (including itemised list of backlog maintenance) to make the Council Offices fit for purpose, with timescale(s) for completion of the scheduled works.</p> <p>d) The Condition Report for the Council Offices building (copy provided in July 2014 by Jonathan Quarmby, of last survey carried out on 20/6/2011) is out of date. When will building be re-surveyed to ensure that it meets current day requirements?</p> <p>To enable the Parish Council to consider its own requirements and to inform Members on any relocation decision, please provide the above information within the next 10 days if possible – the Parish Council next meets on 23 November 2015, when it would be beneficial to have this information.</p> <p><b>Attached letter:</b></p> <p>I am authorised to write to you on behalf of Holme Valley Parish Council, following a Special Meeting of the Council yesterday evening. At that meeting, Members considered the draft Cabinet report supplied to the Parish Council on 23 October 2015, with an initial deadline for comments of 6 November 2015. Thank you for subsequently agreeing to a slight extension to that deadline, to allow the Parish Council to meet and comment before the end of business today.</p> <p>The Parish Council disagrees with the proposal to charge full accommodation costs to this Council which is accommodated in the Council Offices, Holmfirth and the ceasing of the grant for external accommodation, in its entirety, from 31 March 2016. It is noted that the suggested re-charge is £27,840 per annum.</p> <p>The Parish Council challenges the proposal on the following basis:</p> <ol style="list-style-type: none"> <li>1. Since the Local Government Act 1972 reorganisation and subsequent abolishment of the Holmfirth UDC (1974) and formation of successor parish (Holmfirth Parish Council, subsequently changed to Holme Valley Parish Council in 1975), no charge has been made by Kirklees Council for office accommodation used by the Parish Council.</li> <li>2. In a letter dated 4 February 1974 the Parish Council informed Kirklees MDC (Director of Administration) of its wish to exercise rights for a room to be made available to the Parish Council for the purpose of holding meetings of the Parish Council and Parish Meetings, and that the room of choice was the Council Chamber,</li> </ol>
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		<p>Council Offices, Huddersfield Road, Holmfirth. The Parish Council expressed its wish to retain user rights in the Council Offices, Holmfirth for the purposes of administration and has continued to exercise those rights ever since (except for a brief period when the Parish Council was moved to the Civic Hall, whilst the Council Chamber was being decorated by Kirklees Council, in 1987-89 or thereabouts).</p> <p>3. In a letter dated 17 February 1986, Mr Vause (Chief Legal Adviser to Kirklees) confirmed that the Parish Council's user rights in the property (Council Offices, Holmfirth) were permanent in nature and that, accordingly they would continue to hold such user rights whichever Body, be it a successor authority to the County Council or a Residuary Body appointed by the Secretary of State under the LGA 1985, were to become responsible for the premises. He subsequently confirmed, on 22 December 1986, that "the user rights which you presently hold from the Residuary Body will, on the transfer of the property to Kirklees, be held from the Kirklees Council".</p> <p>4. Advice provided by the National Association of Local Councils (NALC) to the Parish Council in November 1980 confirmed the "rules" that applied to successor parish councils, where the Parish Council gets the use of office accommodation and a Council Chamber from the District Council. It is accepted by the Parish Council that the District Council could have required the Parish Council to pay the "actual expenses" of the accommodation used by the Parish ("actual expenses" being such things as the cost of heating and lighting, and a reasonable proportion of the costs of maintenance and repair of the building in which the rooms are situated).</p> <p>It is further accepted that in exercising its user rights, the Parish Council would normally have expected to pay a share of current expenses (including any loan charges actually being paid), but not a full market rent.</p> <p>To summarise:</p> <p>a) The Parish Council exercised its user rights in 1974 and has continued to do so since then.</p> <p>b) Kirklees Council (and its Residuary Body) has made no charge since the Council Offices have been vested in Kirklees Council (1 April 1986) but also prior to the transfer, since the Local Government re-organisation (1974). The Council Chamber accommodation has therefore been used by the Parish Council entirely free of charge. The Parish Council sees no reason why that policy should change.</p> <p>c) The Parish Council does not, therefore, agree to the proposals. It would be helpful if the above comments</p>
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## APPENDIX ONE

			could be included in the "Consultees and their opinions" section of the Cabinet report and the outcome of the Cabinet meeting reported back to the Parish Council in due course.
Lisa Staggs (Mirfield Town Council Clerk)	Mirfield	12/11/15 15:24	Cllr Bolt Proposed MTC writes the following to Kirklees: Mirfield Town Council welcomes the opportunity to explore options as set out & looks forward to discussing these in greater detail with Kirklees cabinet Cllr Pinder Seconded Vote: All in favour.





**Name of meeting:** Cabinet  
**Date:** 15<sup>th</sup> December 2015

**Title of report:** Impact of VAT on Theatre Hire charges in Town Halls

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Is it in the <a href="#">Council's Forward Plan</a> ?	No
Is it eligible for "call in" by <a href="#">Scrutiny</a> ?	
Date signed off by <u>Director</u> & name	David Smith – Director of Resources
Is it signed off by the Director of Resources?	Yes – 2 <sup>nd</sup> December 2015
Is it signed off by the Assistant Director - Legal & Governance?	Yes – 3 <sup>rd</sup> December 2015
Cabinet member <a href="#">portfolio</a>	Cllr Graham Turner

**Electoral [wards](#) affected:** All  
**Ward councillors consulted:** N/A

**Public or private:** Public

## 1.0 Purpose of report

To bring to the attention of cabinet the changes in VAT expectations for theatre hire in our Town Halls. To seek approval to increase the charges to hirers to reflect the VAT element and a voluntary disclosure to the HMRC for backdated VAT payments.

## 2.0 Key Points

- 2.1 Local authorities (LA's) generally have not charged VAT on the hire of concert halls, but have done so on all other charges associated with the hire.
- 2.2 The Town Halls service does not currently charge VAT apart for additional services associated with the hire e.g. resources, staffing and catering (we charge VAT on the additional services only - not the hire of the concert hall)

- 2.3 In December 2014 LA's received advice from Her Majesty Revenue & Customs (HMRC) who confirmed its view on the VAT treatment of theatre hire.

HMRC guidance is that for VAT to not apply *'the hirer must be able to occupy the building as though it were the owner and as such the actual owner takes no more than a passive role, first in transferring the right and second in providing no other services'*.

- 2.4 Since December 2014 there have been ongoing discussions with the HMRC and LA representatives and it is now accepted that we need to charge VAT on the full amount of services provided – e.g. hall hire, inclusive services (box office, stewarding) and any additional services.
- 2.5 As HMRC claim that they are only confirming existing guidance, there is a risk that they may seek to recover underpaid VAT retrospectively. The maximum period they could backdate is 4 years.
- 2.6 There are ongoing discussions between local authority representatives and HMRC. To date no decision has been made on backdating the charge.
- 2.7 There is an acceptance that VAT charges should be made and LA's are now preparing to make those charges. The voluntary disclosure from December 2014 is a local decision only following discussions with our own tax advisors. There is no national guidance at the present time.

### **3.0 Implications for the Council**

- 3.1 We currently receive approximately £90,000 in income from theatre hire in our Town Halls. The additional amount in VAT charges (20%) would increase this by £18,000.
- 3.2 Passing on the VAT charges will be difficult for some hirers. The service has already sought to help hirers mitigate the impact of VAT by offering an alternative charging structure. Whereby hirers can opt not to have all levels of the concert hall open and paying just for the parts of the hall they use, available at Huddersfield, Dewsbury & Cleckheaton town halls.
- 3.3 An implementation date of 1<sup>st</sup> April 2016 is sought meaning that the Council will meet the VAT charges up to and including 31<sup>st</sup> March 2016.
- 3.4 Attached at, appendix A, are the theatre hire charges for 2016/17 with the increase for VAT added. The attachment also shows the respective charges (including VAT added) for those hirers who opt to not have all levels of the concert hall open.
- 3.5 HMRC could set an implementation date in the past as they state that in December 2014 they were confirming existing guidance. Should this happen it will cost the Council approximately £18,000 for each year the charge is backdated.

3:6 Making a voluntary disclosure of payment from 1<sup>st</sup> December 2014 and absorbing the VAT charges on hires up to 31<sup>st</sup> March 2016 will cost the Council approximately £24,000. The cost can be met from the underspend within the Resources Directorate reported to Cabinet in November 2015.

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

4.1 Colleagues in Finance and the Council's tax advisers have been consulted and their advice is that the Council should arrange to amend its charges to reflect VAT charges.

4:2 They further advise that the Council should make a voluntary disclosure to HMRC and meet the VAT charges on hires from December 2014.

#### **5 Decisions required by Cabinet**

5.1 To implement the new charges taking into account the VAT to hirers on all hires from 1<sup>st</sup> April 2016.

5:2 Alert hirers affected and confirm the opportunity to mitigate additional costs as identified in 3:2 & at Appendix A.

5.3 To offer to pay the HMRC through a voluntary disclosure the VAT on hires for the period beginning 1<sup>st</sup> December 2014.

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

6.1 That Cabinet approve the updated Town Hall charges for theatre hire to include the 20% VAT charge from 1<sup>st</sup> April 2016.

6.2 That the Council meets the additional cost of VAT on hires up to 31<sup>st</sup> March 2016 and does not pass the backdated charge onto hirers.

6:3 That a voluntary disclosure is made to HMRC for payment of VAT on appropriate hires from 1<sup>st</sup> December 2014.

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

Portfolio Holder supports officer recommendations.

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

Dave Thompson, Head of Customer Services  
David Roche, Town Halls manager

#### **9. Assistant Director responsible**

Jane Brady, Assistant Director for Customer & Exchequer Services

## **Appendix A – Current Concert Hall Charges from 1<sup>st</sup> April 2016 (not including VAT)**

### **Huddersfield Town Hall**

	Monday – Wednesday	Thursday – Sunday
Concert	£1194.00	£1342
Rehearsal	£235 per session (4 hrs)	£275 per session (4 hrs)

### **Dewsbury Town Hall**

	Monday – Sunday
Concert	£408.00
Rehearsal	£102 per session (4 hrs)

### **Cleckheaton Town Hall**

	Monday – Sunday
Concert	£372.00
Rehearsal	£77 per session (4 hrs)

### **Batley Town Hall**

	Monday – Sunday
Concert	£205.00
Rehearsal	£35 per session

## Appendix A – Concert Hall Charges from 1<sup>st</sup> April 2016 including VAT

### Huddersfield Town Hall

	Monday – Wednesday	Thursday – Sunday
Concert	£1433.00	£1610.00
Rehearsal	£282 per session (4 hrs)	£330 per session (4 hrs)

### Dewsbury Town Hall

	Monday – Sunday
Concert	£490.00
Rehearsal	£122 per session (4 hrs)

### Cleckheaton Town Hall

	Monday – Sunday
Concert	£447.00
Rehearsal	£92 per session (4 hrs)

### Batley Town Hall

	Monday – Sunday
Concert	£246.00
Rehearsal	£42 per session

### **NEW CHARGING OPTION FOR MAIN HALL HIRES (Huddersfield, Dewsbury, Cleckheaton)**

<b>HUDDERSFIELD</b>	<b>All Levels Open</b>	<b>Stalls &amp; Balcony Only</b>
Mon-Wed	£1433	£1224
Thu-Sun	£1610	£1366
<b>DEWSBURY</b>	<b>All Levels Open</b>	<b>Stalls Only</b>
Mon-Sun	£490	£428
<b>CLECKHEATON</b>	<b>All Levels Open</b>	<b>Stalls Only</b>
Mon-Sun	£477	£386

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**Name of meeting:** Cabinet December 15<sup>th</sup> 2015

**Title of report:** The Government's Spending Review and Autumn Statement 2015

<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 <a href="#">Director</a> &amp; name</b>	David Smith, November 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**

- 1.1 To inform Cabinet of the Chancellor of the Exchequer's Autumn Statement and the outcome of the Government's Comprehensive Spending Review.

## **2. Key points**

### **2.1 Background**

2.1.1 National government's policy on reducing the national debt burden through significant public expenditure reductions has had a significant impact on Council funding; both over the lifetime of the previous parliament and further anticipated funding reductions over the lifetime of the current parliament.

2.1.2 The Council has planned for and achieved savings of £83m between 2011-15, and last year's budget strategy update report indicated a further savings requirement of £69m over the 2015-18 period; £152m in total over 2011-18.

2.1.3 In view of the continued scale of national funding reductions over the 2015-18 period, the Council's MTFP has been informed in particular by the aim of delivering options for re-shaping to a New Council, guided by the Council's two strategies; Economic Strategy and Health & Wellbeing strategy, to achieve the following :

- i) the Council will use available resources to best effect/support the Council's priorities, and
- ii) the Council can live within its means for the foreseeable future

### **2.2 Public Finances**

2.2.1 National Debt as a proportion of national income is expected to be

2015/16 82.5%  
2016/17 81.7%  
2017/18 79.9%  
2018/19 77.3%  
2019/20 74.3%

2.2.2 The deficit as a proportion of national income will fall

2015/16 3.9%  
2016/17 2.5%  
2017/18 1.2%  
2018/19 0.2%

2.2.3 Borrowing will fall

2015/16 £73.5 billion  
2016/17 £49.9 billion  
2017/18 £24.8 billion  
2018/19 £4.6 billion  
2019/10 £10.1 billion surplus



## **2.3 Welfare Reform**

- 2.3.1 At national level, the Government is committed to £12 billion of welfare savings. Changes to tax credits prior to the introduction of universal credit will now not take place, but a lower welfare cap set at the Budget remains.
- 2.3.2 The rate of Housing Benefit in the social sector will be capped at the relevant local housing allowance – in other words, the same rate paid to those in the private rented sector who receive the same benefit. This will apply to new tenancies only. Housing benefit and pension credit will no longer be paid to people who have left the country for more than a month..

## **2.4 Departmental Spending**

- 2.4.1 Government spending in relation to national income will fall from 45% to 36.5 by 2019/20. Real term cuts are 0.8% on average compared to 2% under the last Parliament. The Chancellor has set four objectives

“First – to develop a modern, integrated, health and social care system that supports people at every stage of their lives.

Second - to spread economic power and wealth through a devolution revolution and invest in our long term infrastructure.

Third – to extend opportunity by tackling the big social failures that for too long have held people back in our country.

Fourth – to reinforce our national security with the resources to protect us at home and project our values abroad.”

- 2.4.2 For the NHS £22 billion of savings are planned with an injection of £10 billion most of this in the early years. The Chancellor commented that

“..the health service cannot function effectively without good social care.

The truth we need to confront is this: many local authorities are not going to be able to meet growing social care needs unless they have new sources of funding.

That, in the end, comes from the taxpayer.

So in future those local authorities who are responsible for social care will be able to levy a new social care precept of up to 2% on council tax.

The money raised will have to be spent exclusively on adult social care – and if all authorities make full use of it, it will bring almost £2 billion more into the care system.

It’s part of the major reform we’re undertaking to integrate health and social care by the end of this decade.

To help achieve that I am today increasing the Better Care Fund to support that integration, with local authorities able to access an extra £1.5bn by 2019-20.

The steps taken in this Spending Review mean that by the end of the Parliament, social care spending will have risen in real terms.”

A 2% rise in Council Tax would bring in approximately £2.9 million for Kirklees if we chose to levy this. It is not 100% clear, but it appears that this would be an annual uplift ie in year 2 we could raise council tax by another 2% raising £6 million. It is also unclear what conditions are necessary for the precept to qualify ie do we need to maintain adult social care spend at a specific level.

## **2.5 Local Government Finance**

- 2.5.1 The Chancellor has confirmed that he intends to abolish the uniform business rate. Allowing Council's to reduce the rate and Regional Mayors to raise the rate by a restricted amount and with the agreement of the local business community. Because the amount of business rates is rising and revenue support grant is being cut, the Government will phase out grant and also give Council's more responsibilities. These are likely to include housing benefit administration and public health both of which are currently funded through specific grants.
- 2.5.2 Council's will be encouraged to sell assets and draw on reserves to fund reforms. The Government will require us to publish details of our land and property assets on the government's electronic Property Management Information system. They also intend to strengthen existing legislation around Right to Contest to allow local communities to challenge the use of land and property that is in use by local authorities, not just property that is empty or under-used, where these assets could be made surplus and put to better use.
- 2.5.3 By counting the increase in local council tax income and the cut in grant, the Chancellor believes that Council's will be spending the same in cash terms as now. Inflation over the last five years has been about 15% - the forecast for the next five is 9%. It is anticipated that the Secretary of State will announce the Revenue Support Grant draft settlement around the 16<sup>th</sup> December 2015. This will give detail figures for each authority. Our current assumption is that Kirklees figures will be broadly in line with the draft Budget book published in October.
- 2.5.4 The Government also plans a review of New Homes Bonus, shortening the period of payment from 6 to 4 years (and therefore reducing the amount). This will include a preferred option for allocating the consequent savings of at least £800 million for social care. Details of the consultation will be set out in the Local Government Finance Settlement.
- 2.5.4 The support to small businesses through the rate relief scheme will continue for another year.

## **2.6 Schools**

- 2.6.1 The Government aspiration is for all secondary schools and sixth form colleges to become academies and to that end they are cutting Education Support Grant paid to LEAs by £600 million in anticipation of “making local authorities running schools a thing of the past”. We currently receive some £5 million per annum this is treated as an unringfenced grant and not allocated to individual services. The cut at national level represents about 75% of the existing grant and so pro-rata our loss would be £3.75 million. It is not yet clear when the start date for

this cut will be, especially if the removal of statutory duties is involved. The Government will consult on removing a number of statutory duties. Funding for free infant school meals will continue, as will pupil premium. The schools funding formula will be reformed.

## **2.7 Local Growth**

2.7.1 The Local Growth Fund will continue. 26 new Enterprise Zones will be created including a Leeds City Region Zone – which covers two sites in Kirklees at Lindley Moor and Moor Park, Mirfield.

## **2.8 Apprenticeship levy**

2.8.1 Large employers including the Council will pay a 0.5% payroll levy to fund apprenticeships. We estimate a cost to Kirklees of £800,000 a year from 2017/18. It is not clear yet whether there could be any offsetting of the cost of existing apprenticeship schemes or by taking on new apprentices.

## **2.9 Housing**

2.9.1 The focus of the Government's approach is on building affordable homes for sale to

- Deliver 400,000 affordable housing starts by 2020/21 including
  - 200,000 starter homes sold at a discount to first time buyers, 60,000 to be delivered with a £2.3 billion fund and the remainder through reform of the planning system
  - 135,000 Help to Buy shared ownership homes – the scheme will be open to all households earning less than £80,000 outside London and £90,000 in London, and the Government will relax and remove previous restrictions such as local authorities' rights to set additional eligibility criteria.
  - 10,000 homes that will allow tenants to save for a deposit while they rent.
  - At least 8,000 specialist homes for older people and people with disabilities.

A proportion share for Kirklees of these projected numbers of affordable homes would be 1,500 starter homes, 1,000 Help to Buy shared ownership, 78 rent deposits and 62 specialist homes

2.9.2 The Government has confirmed plans to extend the Right to Buy to Housing Association tenants and is launching a pilot with five Housing Associations, to inform the design of the final scheme.

2.9.3 It also plans to accelerate supply by further changes to planning, releasing Government land for sale, and offering £2.3 billion in loans to help regenerate large council estates and other infrastructure to assist housing development.

2.9.4 Help to Buy will be extended to 2021 and a more generous London scheme will be launched.

2.9.5 Higher rates of Stamp Duty will be imposed on purchases of additional residential property, such as buy to let properties and second homes, with effect from April 2016.

**3. Consultees and their opinions**

This report is based on consultation with the Council's Directors Group and Cabinet Members.

**4. Next steps**

The detailed Local Government Settlement is expected around 16<sup>th</sup>/17<sup>th</sup> December 2015.

Cabinet will bring forward detailed budget proposals in the New Year, for consideration at full Council in February 2015.

**6. Officer recommendations and reasons**

6.1 That Cabinet note the Chancellor's proposals.

**7. Cabinet portfolio holder recommendation**

Cabinet portfolio holders agree with the recommendation

**8. Contact officer and relevant papers**

Debbie Hogg,  
Assistant Director, Financial Management, Risk & Performance

Eamonn Croston, Strategic Council Finance Manager

**9. Director responsible**

David Smith, Director of Resources

**10. Background Papers**

Spending Review and Autumn Statement 2015 – Chancellor of the Exchequer.



**Name of meeting:** Cabinet Briefing, Cabinet

**Date:** 15 December 2015

**Title of report:** Tax Credit and the Autumn Statement

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Is it in the <a href="#">Council's Forward Plan</a> ?	No
Is it eligible for "call in" by <a href="#">Scrutiny</a> ?	No
<b>Date signed off by <u>Director</u> &amp; name</b>	<b>David Smith</b>
Is it signed off by the Director of Resources?	<b>David Smith – 2 December 2015</b>
Is it signed off by the Assistant Director – Legal, Governance & Monitoring?	<b>Julie Muscroft – 4 December 2015</b>
Cabinet member <a href="#">portfolio</a>	<b>Cllr Graham Turner</b>

**Electoral [wards](#) affected:** All  
**Ward councillors consulted:** n/a

**Public or private:** Public

## 1. PURPOSE OF REPORT

1.1 On the 11<sup>th</sup> November 2015 Council approved the following motion:

“This Council is concerned by the effects the Government’s proposed changes to the welfare system, particularly but not exclusively to tax credits, as it demonstrates a clear attack on the lowest paid families.

Of particular concern is the effect these cuts will have on many of the low paid, hardworking families across Kirklees and the wider impact this will have on the diverse communities across the district.

We therefore request following:

1. That Cabinet ask the Director of Resources to produce a report as to the effects of this attack on working families in Kirklees.
2. This Council therefore asks that the Chief Executive writes a letter to Government requesting it seriously reconsiders implementation of these changes, so as to not enforce further undue financial suffering to many already hard working families of Kirklees.”

This report is in response to the request in Paragraph 1.

## **2. BACKGROUND**

- 2.1 Subsequent to the decision on the 11<sup>th</sup> November the chancellor issued his Autumn Statement on 25<sup>th</sup> November.

The Chancellor announced that he would scrap his plans in relation to Tax Credit. It is worth noting that we believe he refers only to the changes that were to be introduced by way of statutory instrument, namely:

- an increase in the tax credit taper rate from 41% to 48%;
- a reduction in the tax credit income threshold for working families from £6,420 to £3,850; and
- reduce the tax credit income threshold for families eligible for Child Tax Credit only (and therefore not working sufficient hours to be eligible for Working Tax Credit ) from £16,105 to £12,125 a measure which would have only affected relatively few families.

His plans to scrap the Tax Credit changes do not at this stage extend to reforms to tax credit that were to be introduced through the Welfare Reform Bill. The Bill contains provisions, in relation to new claims from April 2017, and to limit tax credit and Universal Credit payments related to the number of children in a family to two children and abolish higher payments for the first child.

At the time of writing, the Bill has completed its passage through the Commons and is to enter its committee stage in The Lords on the 7th December. It remains to be seen whether the Chancellor’s announcement extends to the provisions in the bill but current thinking is that it does not.

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

- 3.1 There are no direct implications for the council as a result of this announcement but there are clearly positive impacts upon those families that might otherwise have been affected.

- 3.2 In the Work and Pension Select committee report “A reconsideration of Tax Credit cuts” published 9<sup>th</sup> November 2015 the committee sets out the following in its summary.

*“Our analysis has been hampered by the inaccessibility of data about the effects of both the original proposals and potential mitigations. Government should do more to make data available, not least because it makes for better policy.”*

Notwithstanding the announcements made by the Chancellor on 25<sup>th</sup> November in the statement around Tax Credit and other welfare reforms analysis of the impact is extremely difficult, both because of the number and complexity of the changes and the paucity of data.

- 3.3 The Chancellor announced two measures that he expects will deliver some of the welfare savings that might otherwise have been delivered by the cuts to Tax Credit.
- 3.4 **“Cap the amount of rent that Housing Benefit (HB) will cover in the social sector to the relevant Local Housing Allowance”** - This will apply to tenancies signed after 1 April 2016, with Housing Benefit entitlement changing from 1 April 2018 onwards

Year	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
Saving	0	0	0	£120m	£170m	£225m

This will affect all unprotected (those that are neither care leavers under 21, nor severely disabled) single people under 35 without children. Their HB will be limited to £55 per week at today’s values. KNH rents might be typically £70 per week, whilst generally other Registered Social landlord rents for similar property would be greater. There is no indication as to how this might also interact with the bedroom tax for those that find themselves in property that is too large. At this stage we believe that the bedroom tax measure would not apply in those cases. Those affected by the measure might typically lose between £15 and £20 per week in HB.

The Local Housing Allowance (LHA) for each area and size of household need is set at the 30<sup>th</sup> percentile of the private rented market as determined by the Valuation Office Agency. The Kirklees Broad Rent Market Area has LHA rates set at the following:

Shared Accommodation Rate:	£55.00 per week
One Bedroom Rate:	£80.55 per week
Two Bedrooms Rate:	£96.91 per week
Three Bedrooms Rate:	£113.92 per week
Four Bedrooms Rate:	£149.59 per week

It is unlikely that other household groups will be affected to the same degree in Kirklees given LHA rates and Social Sector rents but it is inevitable that some will, particularly those in specialised, more expensive accommodation.

It is worth noting that the total number of claimants aged under 35 and receiving housing benefit in the social rented sector in Kirklees is 1,674. It is however impossible at this stage to predict numbers likely to be affected. The authority might need to consider its allocation policy given that it understands the potential impact upon those taking tenancies after April 2016 but of course we cannot predict whether those individuals will be in a relationship (and therefore unaffected) or paying their own rent by April 2018.

- 3.5 **“Limit Housing Benefit and Pension Credit payments to 4 weeks for claimants who are outside Great Britain, from April 2016.** At present, Housing Benefit recipients can go abroad for up to 13 weeks while continuing to receive Housing Benefit. The benefit system should not subsidise those on benefits to go abroad for extended periods: this reform will ensure the benefit system is not paying the rent of people who go abroad for more than 4 weeks at a time”

Year	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
<b>Saving</b>	<b>0</b>	<b>£25m</b>	<b>£20m</b>	<b>£15m</b>	<b>£10m</b>	<b>£10m</b>

It’s worth noting that the statement requires some clarification because the part in bold does not say the same as the remainder. It is unclear at this stage whether absences exceeding 4 weeks will mean no HB at all or whether payment will be limited to 4 weeks in any event.

The projected savings are based upon data from the International Passenger Survey because data of the numbers affected are not available from Local Authorities. Local experience suggests that the numbers affected will be very small in respect of HB in Kirklees.

3.6 **Rollout of Universal Credit**

At the moment Universal Credit (UC) requires a manual claim, the digital service is only available in the London borough of Sutton. The rollout of the digital service is expected in May 2016 but only for those authorities going live in December 2015, we don’t expect any change to rollout in Kirklees until 2017 at the earliest.

To date, 1835 claims for UC have been made in the Kirklees area. Not all of those people will have housing costs or responsibility for Council Tax and so the authority isn’t involved in all of that activity.



109 Kirklees Neighbourhood Housing tenants are recorded as receiving UC. Due to the waiting period of around 6 weeks before the first payment is made it is inevitable that those people will have rent arrears. 101 of those affected have rent arrears totalling £57,921. Some of that arrear is not be due to the structural nature of the benefit but we know that around £38,000 of it is.

Housing officers in KNH are carefully considering each case in terms of the action necessary to secure payments and reduce the outstanding arrear.

We are aware of 136 UC claimants in the private rented sector and 14 in the housing association sector.

#### **4. NEXT STEPS**

This paper does not rehearse the welfare changes set out in the summer budget or planned over the current spending review period. Those changes are still expected to be implemented in full including for example the benefit cap of £20,000 for those out of work and the freeze on uprating.

The rollout of Universal Credit is to be accelerated though specific roll out plans are yet to be announced.

Officers are continuing to work on implementing the changes where the authority has a statutory function.

Officers are working on a strategy and action that seeks to tackle poverty through focusing our efforts on maximising household income and minimising outgoings.

#### **5. CONSULTEES AND THEIR OPINIONS**

n/a

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

That this report be received and noted

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

That Cabinet note with concern the impact of the proposed changes on Kirklees residents.

#### **8. CONTACT OFFICER AND RELEVANT PAPERS**

Julian Hobson, Policy Officer, Resources

#### **9. ASSISTANT DIRECTOR RESPONSIBLE**

Jane Brady, Assistant Director (Customer and Exchequer)

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**Name of meeting: Cabinet**

**Date: 15th December 2015**

**Title of report: Quarter 2, 2015/16 Corporate Performance Report**

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Is it in the <a href="#">Council's Forward Plan?</a>	Not applicable
Is it eligible for call in by <a href="#">Scrutiny?</a>	Not applicable
<b>Date signed off by David Smith, Director of Resources</b>	
Is it signed off by the Director of Resources?	Yes
Is it signed off by the Assistant Director - Legal & Governance?	Not applicable
Cabinet member <a href="#">portfolio</a>	Resources

**Electoral [wards](#) affected: Not applicable**

**Ward councillors consulted: Not applicable**

**Public or private: Public**

## 1. Purpose of report

The purpose of the Corporate Performance Report, supported by reports on progress against outcomes in the Joint Health and Wellbeing Strategy and Kirklees Economic Strategy, is to provide Members with an overview of the Council's performance at the end of quarter 2, 2015/16.

## 2. Key points

A new approach to performance management has been adopted for 2015/16 which provides a stronger focus on outcomes in the Joint Health and Wellbeing Strategy (JHWS) and the Kirklees Economic Strategy (KES). The associated performance reports provide updates on progress on these outcomes and an overview of performance, financial, risk and the New Council programme.

Executive Team have noted and responded to the quarter 2 updates. Key points included:

- We continue to develop our Early Intervention and Prevention approaches, re-configuring resources and re-defining roles and responsibilities in ways that maximise the opportunity to 'get things right first time' – an 'All Age Disability Service' to combine expertise and resources across Health, Social Care and Education.
- There are many good examples of 'doing things' differently utilising digital options for access whilst providing face to face assistance for vulnerable people who require more assistance - Libraries supporting adult taster sessions to improve job seeker skills and using assistive technology to support independence for adults with Learning Disabilities

- Building economic resilience through a focus on strengthening the learning and skills link between schools and the workplace, developing opportunities for apprenticeships and exploiting Kirklees' position in specialist engineering and manufacturing - Use of the Local Economic Partnership (LEP) Skills Service by Kirklees businesses is growing, the apprenticeship Hub goes from strength to strength and the build for National Process Manufacturing Centre, located at Kirklees College in Huddersfield began on site in July
- Operational Pressures are noted in three key areas. There are there are difficulties in recruiting and retaining staff in Social Care, Nursing and Care Homes. There are learning pressures as National Teaching shortages are beginning to have an effect locally. Finally, access to external funding to support economic activity in the district is becoming increasingly scarce.

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

The attached reports show progress in relation to the Council's key strategies and the Corporate Plan for 2015/16.

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

The performance information that informs the attached reports is considered by Directorate Management Teams prior to presentation to Executive Team.

### **5. Next steps**

The reports may be considered by Overview and Scrutiny Management Committee.

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

It is recommended that the report is noted.

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

Not applicable.

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

Directorate Performance Lead Officers:

- Sue Grigg, (Adult and Children's Services & Public Health)
- Nick McMillan (Place)
- Clare O'Regan (Resources & Communities and Transformational Change)

### **9. Assistant director responsible**

Debbie Hogg, Assistant Director for Financial Management, Risk and Performance, telephone 01484 221000

**July to September 2015**

**Quarter (2)  
Corporate Performance  
Report**










**2015/16**



# Contents

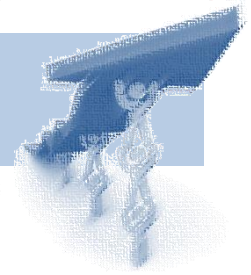
<b>1. Overview</b>	<b>Page 2</b>
<b>2. Joint Health and Wellbeing Strategy</b>	<b>Page 5</b>
<b>3. Kirklees Economic Strategy</b>	<b>Page 11</b>
<b>4. Summary of Core Performance Indicators</b>	<b>Page 15</b>
<b>5. Key Service Performance Issues</b>	<b>Page 21</b>
<b>6. Corporate Health</b>	<b>Page 22</b>
<b>7. Key Corporate Risks</b>	<b>Page 25</b>
<b>8. Financial Position Overview</b>	<b>Page 26</b>
<b>9. New Council Programme Summary</b>	<b>Page 27</b>
<b>Appendices</b>	<b>Page 28</b>

**RAG Key:**

	On Track
	
	Off Track
	
	At Risk
	Data Not Due
	Not Provided

# 1.

## Overview



### Overarching Themes: JHWS

The overarching themes arising from the analysis of Directorate Contributions to the JHWS Outcomes at quarter 2 as follows.

We are responding to a range of significant Legislative changes e.g. the Care Act and the Children's and Families Act, including an 'All Age Disability Service' to combine expertise and resources across Health, Social Care and Education. We continue to develop our Early Intervention and Prevention approaches, re-configuring resources and re-defining roles and responsibilities in ways that maximise the opportunity to 'get things right first time'.

Across the board we are supporting individuals, groups and communities to develop resilience skills to increase their self-reliance and confidence to meet individual and neighbourhood challenges. This ranges from our Emergency Planning preparations to the transfer of the commissioning responsibility of 0-5 from NHS England on 1 Oct 2015 to Public Health. This presents an opportunity to align our children's priorities; also to share knowledge and skills to further improve outcomes.

Our emphasis on wellbeing is evidenced by our commitment to employee wellbeing to ensure a resilient workforce of the future and the development of the My Health Tools (Self Care Hub) successfully launched and now available to the public. Health Trainers continue to be on track to meet the performance requirements of seeing 1000 people per year.

There are many good examples of 'doing things' differently utilising digital options for access whilst providing face to face assistance for vulnerable people who require more assistance, Libraries supporting adult taster sessions to improve job seeker skills and using assistive technology to support independence for adults with Learning Disabilities. The programme 'Making the Most of Teaching Assistants' was launched in September 2015 with over 70 schools already signed up to be involved.

#### There are two areas of concern

**Social Care Pressures:** A number of pressures are identified this quarter i.e. we have difficulties in recruiting and retaining staff in Social Care, Nursing and Care Homes. The living wage will also affect costs. Pressures in the health system are impacting on reablement - data is indicating a high volume of hospital referrals which require a proportionately greater investment of reablement. CAMHS remains an area of significant challenge.

**Learning Pressures:** The National Teaching shortages are beginning to have an effect locally. Post 16 Area based partnership review will take place on the 11th of November to report In March 2016, this will have an impact upon Kirklees College, New College and Greenhead. There are also implications for future self-evaluation and monitoring due to national changes of the assessment process, this will mean our ability to compare previous years data will not be possible.

### Overarching Themes: KES

The Council continues to make strides in putting Kirklees at the heart of innovative manufacturing and engineering for the Leeds City Region (LCR), specifically in the development of effective engineering supply chains. Use of the Local Economic Partnership (LEP) Skills Service by Kirklees

businesses is growing. And the build for National Process Manufacturing Centre, located at Kirklees College in Huddersfield began on site in July.

The apprenticeship Hub goes from strength to strength with 60 apprenticeship starts year to date and with the busiest period of the year to come. A further 51 young people have been employed through the 'Headstart' programme, bringing a total year-to-date of 71 young people employed. The Careers Education Information Advice and Guidance is developing career pathways around the Health and Social Care and Engineering sectors. A Specialist Personal Advisor has been appointed to work with Looked After Children in encouraging greater up-take of appropriate education, employment and training. Contracted service for mental health employment continues to be well used with an increase in usage above the reported average.

In terms of housing supply there has been progress both on the small and large sites programme and the delivery of affordable homes has picked up significantly in Quarter (2). Also, good progress is being made on delivery of the highways capital plan. A further 110 businesses have now expressed an interest in the Kirklees Core (super-fast broadband) during Quarter (2), bringing the total year to date to 360. And a significantly revised refuse collection regime has been implemented across Kirklees.

Though good progress is being made on a number of fronts, funding appears to be an overarching issue in two ways. First, there are reports of a growing scarcity of funding opportunities (e.g. LCR Growth Fund, the external investment secured PI). Second, there are examples where developments are currently on hold pending decisions on funding applications. This is the back-drop for many of the Amber Green ratings presented below.

*The following key Corporate Risks demonstrate the correlation between operational pressures and our agreed corporate risk register.*

## Significant Areas of Risk

*\*For full details of all Corporate Risks at quarter 2 see page 25 of this report.*

1. Lack of timely decision will impact on budget savings in the Medium Term Financial Plan. The financial impact of this risk has been increased from £1.0m to £2.0m because not making timely decisions creates a cumulative effect in subsequent years. This risk already has the maximum score of 25. (Risk Z3). **Mitigated** by robust financial monitoring – for the quarter 2 financial reporting summary see page 26 of this report.
2. The risk of overspending and additional expenditure obligations not being fully anticipated has been reassessed. The financial impact of the risk has been increased from £1.0m to £1.5m due to concerns of actual growth exceeding budgeted growth. The risk score of 16 remains unchanged. (Risk Z17)
3. The risk management records are also amended, without effect on scores or values, for the following risks:
  - Workforce management (Z6)
  - Insufficient staff resources, across a number of key areas (Z11)
  - Voluntary sector, relating to service redesign (Z38).

*Risks 2 and 3 reflect a combination of pressures at quarter 2 from the following key areas:*

- i. **Operational Pressures - Social Care:** We have difficulties in recruiting and retaining staff in Social Care, Nursing and Care Homes. The Introduction of the living wage will*



also affect the costs of commissioning. Pressures in the health system are impacting on reablement - data is indicating a high volume of hospital referrals which require a proportionately greater investment of reablement. CAMHS remains an area of significant challenge as does the increase of post 16/17 year olds in the LAC population.

- ii. **Learning Pressures:** The National Teaching shortages are beginning to have an effect locally. A Post 16 Area based partnership review will take place on the 11th of November and report in March 2016, this will have an impact upon Kirklees College, New College and Greenhead. There are also implications for future self-evaluation and monitoring due to national changes of the assessment process, this will mean our ability to compare previous years data will not be possible.
  - iii. **Funding Pressures:** Access to External Funding: funding appears to be an overarching issue in two ways. Firstly, there are reports of a growing scarcity of external funding opportunities (e.g. LCR Growth Fund, the external investment secured PI). Secondly, there are examples where developments are currently on hold pending decisions on funding applications.
4. There is an increased risk of the council facing violent extremism. The risk score has been increased from 15 to 20. No change has been made to financial value of the risk. (Risk Z42) **Mitigating actions include:** a focus on Emergency Planning and Community Resilience. Kirklees local risk assessments have been reviewed. Prevention activities have focused on reducing and managing risks of people being drawn in to violent extremism:
- The Prevent Channel Process identifies and supports individuals at risk of violent extremism. Over 250 front line staff have received training to raise awareness of violent extremism and associated risks resulting in an increase in cases to Channel. The number of accredited trainers has been increased.
  - There is a new Community mobilisation plan, covering Batley, Dewsbury and Huddersfield, and a Mosque and Madrassah training programme including Prevent awareness, and safeguarding.

## 2. Joint Health And Wellbeing

### Outcome (1) Support prevention and early intervention – i.e. focus on stopping health and wellbeing issues from starting

Headline Action		Q1	Q2	Q3	Q4
CHP001	Legislative framework – Health and Social Care				
CHP002	Stronger families – Trouble Families Programme				
CTC001	ElandP – crime, anti-social behaviour and extremism				
FSP001	ElandP – Child protection				
LS001	Improving quality of schools and settings				
LS002	Quality of schools and settings – curriculum and youth employment				
PH001	Infection or communicable/non-communicable diseases				
PH002	Every child has the best start in life				
PL001	School catering - Best nutritional start in life				
RES001	ElandP – Resources support to specific frontline programmes				
SCW001	Care Act implementation				

#### Progress against the outcome

- **Responding to new Legislation.** Care Act: Government announced in August that changes due in April 2016 have been delayed until 2020. The focus is now on continuing to embed new procedures and ways of working inside the Council and across the sector to ensure there is sufficient capacity both in terms of beds and staff and continue to improve support for carers and self-funders
- **Self-Funders Pathway.** Although the Cap on Care has been deferred for another 4 years, work is progressing with the social marketing project (to encourage people to plan for their future care support needs), by improving the information offer via the website
- **Early Intervention Children’s Services.** Positive progress with the changes in early intervention and prevention evidenced by the following: New integrated service management arrangements are now in place. Workflow management will incorporate de-escalation and escalation with acute services and early intervention and prevention work with the Learning and Community Hubs. A single point of management of Integrated Youth Support Services preventative teams within a 4 area model has been established. Positive impact of services provided to vulnerable families is resulting from linkages between Early Intervention and Targeted Support and the Referral and Response Service, significant reduction in enquiries which received No Further Action (NFA).
- **Improving Learning and Skills Support.** All schools have received the allocation of their Kirklees Learning Partnership funding and meetings are agreed with Head teachers and Chairs of Governors where outcomes have raised concerns. Rollover funding has been secured to develop a limited offer to develop progression routes and intervention programmes from September 2015. Further opportunities via European and Local Economic Partnership funding will be scheduled throughout the year. Any funding secured will focus on our priority themes e.g. full

participation in education, employment and training, apprenticeships, enterprise and innovation.

- **Improving Nutritional Start in Life.** We are working with schools, promoting cooking and growing clubs as showcased on the CBBC programme "Winner, Winner School Dinner" which visited Ashbrow School. The Food for Life partnership with schools currently has the following number of accreditations - 29 Bronze, 12 Silver and 6 going for Gold. *The national uptake of universal free school meals is 86%. All our schools have an uptake above this average.*
- **Library support to Early Intervention.** Supported over 40 young people who volunteered as Summer Reading Challenge champions in the Summer Reading Challenge events to encourage children's reading they were attended by nearly 3000 people. Adult learning taster sessions and Reading Friends sessions to support jobseekers with essential basic skills have been run in conjunction with Kirklees College. Working with: Age UK, Volunteering Kirklees and Cummins to investigate the impact of loneliness on older people, using the mobile library and home service.

### Areas of risk or concern against the outcome

- **Service Pressures in Adults Services.** The Better Care Fund (BCF) continues to be jointly managed effectively and it is demonstrating an appetite for more joint funding beyond BCF requirements. System pressures are challenging however, we are realising the benefits in reducing or delaying the need for long term residential/nursing care (*Kirklees is one of the best performing Councils nationally in this area*) however acute pressures and system resilience challenges remain.

<b>Outcome (2) Enable people to have control, independence and resilience</b>					
<b>Headline Action</b>		<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>
CHP003	Wider safeguarding agenda				
CHP006	Housing related support – vulnerable people				
FSP002	Resilience and independence for looked after children				
LS003	CYP with Social Emotional and Mental Health needs receive appropriate support				
PH003	Self-care approach for people living with Long Term Conditions				
PH004	Major incidents readiness				
PH005	Personal resilience and emotional wellbeing for Young People				
PH006	Healthy living – food, skills and physical activity				
RES002	Access to services – through appropriate channels				
SCW003	Self-management of adult care packages				
SCW005	Vision to prevent adult abuse and neglect				

### Progress against the outcome

**Emergency Planning and Community Resilience.** Kirklees local risk assessments have been reviewed and will go to the next Kirklees Emergency Planning Group for sign-off. We continue to promote community resilience to schools - several have signed up for emergency preparedness lessons from October 2015. The Emergency Planning team have won the prestigious title of Resilience Team of the Year 2015 by The Emergency Planning Society. Winter Pressures: 5 beds have been agreed at Ings Grove (jointly funded by Health) with an option for the CCG's to joint fund a further 12 beds at Moorlands. The beds will help facilitate hospital discharges where patients have a short term rehabilitation need.

Prevention activities have focused on reducing and managing risks of people being drawn in to violent extremism. The Prevent Channel Process identifies and supports individuals at risk of violent extremism. Over 250 front line staff have received training to raise awareness of violent extremism and associated risks resulting in an increase in cases to Channel. The number of accredited trainers has been increased. There is a new Community mobilisation plan, covering Batley, Dewsbury and Huddersfield, and a Mosque and Madrassah training programme including Prevent awareness, safeguarding. *While progress on delivering early intervention and prevention activities for reducing crime and antisocial behaviour and the risks of people being drawn into extremist ideologies and gangs has been assessed as Green by the service, the Corporate Risk Matrix highlights an increased risk of the council facing violent extremism.*

- **Building Early Resilience.** The commissioning responsibility for PH 0-5 transferred to Kirklees Council from NHS England on 1 Oct 2015. The process to review current 0-5 services (comprises health visiting and Family Nurse Partnership) has started with a view to have a recommissioned service in place before the contract expires. The Integrated Commissioning Group (Children and Young People and Maternity) has identified its priorities.
- **Improving the resilience of Care Leavers.** A recruitment campaign for Supported Lodgings carers has taken place alongside the fostering campaigns. All prospective carers can be assessed for Fostering or Supported lodgings. There have been a series of meetings about the funding model and Supported Lodgings and Staying Put policy to help young people remain in placements post 18.
- **Wellbeing and individual Resilience.** Expert Patient Programme has improved the uptake. Health Trainers continue to be on track to meet the performance requirements of seeing 1000 people per year. My Health Tools (Self Care Hub) has been successfully launched and is now available to the public. The Food for Life programme is working with older people in care homes and the hospital project to improve the quality of food and food cultures in Huddersfield Royal Infirmary. The Oral health epidemiological report for Kirklees has outlined the need to improve oral health across the district.
- **Refocussing customer access.** Cash payment kiosks have been removed from the customer service centres, 2 town halls and a library. In Customer Service Centres (CSCs) at first point of contact customers are being steered to on-line channels. There continues to be use of online support e.g. web-chat and 'floor walkers' to enable use of public access PCs. There are 200+ public access PCs in Library and Information Centres, and 50+ in CSCs dedicated to council transactions.

### Areas of risk or concern against the outcome

- **Safeguarding Leadership.** Kirklees recently participated in a regional external review and challenge exercise as one of two pilot areas. The Board has agreed areas for improvement and development in accordance with its new statutory status. The new strategy and performance framework will be signed off by the board in Oct 2015. A workshop is planned for November 2015 with the children's safeguarding board and the community safety partnership. This will progress work on themes which overlap the three boards (e.g. domestic abuse, sexual exploitation).
- **Children and Young People with Social Emotional and Mental Health needs receive appropriate support.** We are developing a continuum of support for pupils with Social, Emotional and Mental Health Difficulties that provides guidance to schools and timely intervention to children and young people. Autistic Spectrum Disorder provision is still on hold while we analyse the take up this year and then determine future actions.
- **Virtual School for Looked After Children.** We have secured an agreement to second a head teacher for two terms to oversee plans for proposed changes this includes funding and staffing. Training for new Electronic personal education plans has been completed; the re-shape of the

team is underway; Pupil Premium allocation system is now clear and the Pupil Premium pilot is underway. *The Pupil premium is designed to help reduce exclusions of LAC, and to provide earlier intervention for their social and emotional needs.*

<b>Outcome (3) Promote and create opportunities for improving physical and emotional health and wellbeing</b>					
Headline Action		Q1	Q2	Q3	Q4
CTC002	Sustainable culture and leisure opportunities				
FSP003	Therapeutic assessment and support for LAC				
LS004	Partnership focus on maximising learning provision				
PH007	Public health support to Council commissioning				
PH008	Health safety wellbeing of council staff				
SCW002	Avoidable adult admissions to hospital and long term care				

### Progress against the outcome

- **Promoting and access to wellbeing opportunities.** Physical activity targets are being met and in the case of the Practice Activity and Leisure Scheme (PALS) exceeded with 639 new patients and 919 support sessions were delivered. Outcomes reported include: improved mobility, reduced pain, enhanced independence (PALS); improved mental health (Active for Life); reduction in body mass index for children exiting the START programme; increased connectedness, healthy eating, physical activity and ownership of own health (Community Health Inequality Interventions).
- **Supporting workforce wellbeing.** All statutory Health and Safety site visits and responses completed to meet statutory responsibilities. In addition we have responded to requests with a range of interventions to help employees remain in work or return to work after ill-health.

### Areas of risk or concern against the outcome

- **Emotional wellbeing of Looked After Children.** There is now a Pillars of Parenting Steering Group with the remit to plan the roll-out of the approach to all foster carers. The Child and Adolescent Mental Health Service (CAMHS) escalation protocols are now in place. A key objective of the CAMHS transformation plan and funding is to establish discrete provision for Looked After Children, Young Offenders and those at risk of Child Sexual Exploitation (CSE) by funding a new flexible team to focus on these vulnerable children CAMHS is also at the root of the Amber rating as we know this is an area of significant challenge.
- **Supporting Adult wellbeing and independence.** Carephones and Mobile Response are working alongside Community Partnerships to identify frequent users who might benefit from a Better in Kirklees (BiK) referral with the aim of encouraging participation in community activities helping to reduce their isolation. Recruitment in the Reablement service is ongoing with the aim of building capacity to support expansion of the service into the care reviewing process. Referrals continue to increase, along with improved volumes of people discharged with positive outcomes. Pressures in the health system are impacting on reablement - data is indicating a high volume of hospital referrals which require a proportionately greater investment of reablement. *This is being explored further and results in a cautious Amber Green rating.*

<b>Outcome (4) Reduce avoidable differences in health and wellbeing and prioritise according to need and impact</b>					
Headline Action		Q1	Q2	Q3	Q4
CTC003	Commission Health watch and NHS Complaints Advocacy				

FSP004	Integration of Special Educational Needs and Disability services				
FSP005	Looked After Children close to home				
FSP006	Youth offender services				
FSP007	Embed Multi Agency Safeguarding Hub into practice				
LS005	Compliance with Children and Families Act (SEN – specialist learning)				
PH009	Integrated intelligence function across the Council				
PL002	Access to suitable settled homes				
SCW004	Personalised adult care support				

### Progress against the outcome

- **Capturing and using available intelligence.** We are developing a 'Hub and spoke' model for integrated intelligence and it is central to the implementation of the intelligence change plan for new council. This work is aligned with the integrated commissioning priorities and action plan for the Clinical Commissioning Groups.
- **Promoting and maintaining Adult independence.** Care Closer to Home agenda in partnership with Locala Community Health Services has begun. The 'Just Right Select' Learning Disability project secured a commitment from private care providers to participate in the project. Partners are using assistive technology to support people with learning disabilities so that the level of care in supported living is 'Just Right'. Kirklees REAL Employment recently received a national 'highly commended' award from the British Institute for Supported Employment.

### Areas of risk or concern against the outcome

- **Developing an all age Disability Service.** The Disabled Children's Charter has been endorsed by Wellbeing Board. Pilot work started on small scale with integrated commissioning between health and social care focussed on domiciliary care. The Disability Register Form is being developed in order to share data. Data will provide a more accurate picture of the needs of children/young people with additional needs and help to inform decisions about planning, development of services and information for the Council, NHS and other organisations. The Longley and the Lydgate Project Plans are on track. Development of Cliffe House: We have an agreed refreshed vision (September 2015. The new senior leadership team is now in post). Following a successful national bid between two Teaching School Alliances and the LA the project 'making the Most of Teaching Assistants' was launched in September 2015 with over 70 schools already signed up to be involved. *A lot of progress is being made, however there is still a significant amount of change to implement and there are some risks attached to this hence the Amber rating*
- **Homelessness prevention.** A group of young people supported by voluntary housing providers have successfully gained an accredited qualification in peer mentoring (a 15 week course). Using their skills with a group of summer care leavers, to provide lived experience of being homeless and/or vulnerable – how to avoid the pitfalls of living independently for the first time. We have achieved 459 successful homeless preventions (an increase of 37% over the same quarter in the previous year). National figures are showing an overall fall in preventions of 3%. Homelessness acceptances currently show a significant increase when compared with the previous year e.g. 111 (average 35 per month) for last quarter (an average figure of 70 per quarter over the previous two years). We have seen an increase in relationships breakdowns including violence, both within and outside the home. There is also a significant increase in single people with mental health/complex problems presenting to the service. We are meeting with mental health colleagues to investigate this. *This still represents a much improved picture from the period*



preceding the Council investment in prevention resources i.e. in 2004/05 the average acceptances per quarter were 360.

### Outcome (5) Ensure collaboration and integration across services and partnership organisations

Headline Action		Q1	Q2	Q3	Q4
CHP005	Integrated commissions to deliver care pathways				
CTC004	Strengthen strategic partnerships, increase collaboration				
LS006	Strategic leadership to education system and partnership				
LS007	Infrastructure planning for schools – council wide approach				
PH010	Embed JHWS in planning for future health and wellbeing				
SCW006	Vulnerable adults health and wellbeing				

#### Progress against the outcome

- Collaboration and partnership working.** The focus on collaboration and partnership is shown in four main areas in quarter 2: Our Social Value commissioning approach is new and communities at neighbourhood level will identify their commissioning priorities which are being developed with Koru Consulting. The four outcomes of the Community Safety Partnership Strategic Intelligence Assessment will be launched to senior leadership in the police, Kirklees Neighbourhood Housing, and the council. The outcomes are: Improving Confidence and Satisfaction, Reducing Crime, Tackling Anti-Social Behaviour and Protecting People from Serious Harm, the last of which illustrates a shift in approach integrating cross cutting safeguarding issues like child sexual exploitation, forced marriage, domestic abuse and human trafficking into the strategy.

#### Areas of risk or concern against the outcome

- Integrated Commissioning.** The CAMHS summits have met and an overview of specific action plans linked to the Transformation Plan are monitored. A Chief Officer group is established and reports on all Integrated Commissioning Groups (ICG) activities. The Better Care Fund continues to be jointly managed effectively and it is demonstrating the appetite for more joint funding. The Health and Social Care economy is seeing benefits in reducing or delaying the need for long term residential/nursing care (*Kirklees is one of the best performing Councils nationally in this area*) however acute pressures and system resilience remains challenging. *These are being managed via the joint strategic arrangements but they contribute towards an adjusted Amber Green RAG rating at Q2.*

### Outcome (6) Involve people and communities to create and deliver solutions

Headline Action		Q1	Q2	Q3	Q4
CHP004	Strengthen Community Investment – to improve access to Services to gain independence				
CTC005	Enable and nurture volunteering and social action				
LS008	Strong partnerships across Education sector				
PH011	Community engagement in Joint Strategic Assessment				

#### Progress against the outcome

- Community involvement in solutions.** Community Partnerships have approved funding to 28 community organisations, a further 10 are pending. BiK Social prescribing contract is on Yortender this will create stronger links with primary care, enabling GPs to support patients with

local nonclinical community services. We supported 115 community organisations in 2014-15 (providing advice on business planning and sustainability). We are on target to support a similar number in 2015-16.

- **Schools as Community Hubs:** The Vision is agreed. The Programme definition document/action plan has been produced. Building the Future Together Conference has been held to share the vision to a wide range of stakeholders. A designated programme team will be in post from 1<sup>st</sup> November. The Schools as Community Hubs Programme is a facilitative outward facing piece of work which is intended to support collaboration between schools, statutory services and the voluntary and community sector to maximise all potential resources within a community. This piece of work supports understanding about how schools can strengthen their role in the heart their communities and become leaders, deliverers and commissioners of local services. This work is being trialled and tested across a small number of sites across Kirklees. Some early activity has seen increasing collaboration and some co-location of family support services at hub sites e.g. The re-location of the children’s centre and pre-school playgroup to Windy Bank Community Centre in order to meet the needs of the local community more effectively.
- **Supporting Post 16 provision.** Termly meetings are taking place with post 16 providers and this has become more important as a Review of provision across West Yorkshire has been announced the Progression Board has considered the employment and skills needs. Communication has taken place with parents and carers in relation to enabling physical accommodation at Reinwood Schools. Engagement with parents has taken place throughout the statutory processes and further opportunities will continue to be made as part of the implementation processes.

### Areas of risk or concern against the outcome

- **Community Capacity Building.** We are delivering transformational support programmes e.g. Comoodle, Cities of Service and Community Capacity Building. Outcomes of the Cities of Service cross-sector conference included understanding of using impact methodologies, using internet for engaging citizens, measuring social value and good collaboration between sectors. Kirklees Shares website was launched to “share what you have, get what you need”. *Whilst constituent parts of the programme are green and on track, the overall rating of Amber Green is given to reflect the need to assign capacity to linking the activities into an overall transformation.*

## 3. Kirklees Economic Strategy



Outcome (1) Business... economic competitiveness and profitable business					
Headline Action		Q1	Q2	Q3	Q4
CHP007	Development of health and social care market	●	●	○	○
CTC006	Resilient and competitive creative sector	●	●	○	○
LS009	Enterprise culture for young people and schools	●	●	○	○
PH012	A sustainable food culture to promote health	●	●	○	○
PL003	Kirklees as a manufacturing and engineering cluster	●	●	○	○
PL004	Maximise innovation and enterprise assets	●	●	○	○
PL005	Value for money procurement	●	●	○	○



## Progress against the outcome

- **Manufacturing and engineering:** Kirklees officers are working with Cummins to develop a model of supply chain delivery which will be submitted to the Local Economic Partnership (LEP) Business Innovation and Growth Panel for approval. It is noted that development of the regional ecoda (economic data model that will provide an interactive visualisation of our regional assets) is now on hold pending the outcome of the European Strategic Investment Fund (ESIF) bid.
- **Support for businesses:** The LEP Skills Service, launched in April, continues to promote the service to businesses in Kirklees via the LEP Engagement Brokers, local Small and Medium Enterprise Growth Managers and local providers. 11 Kirklees businesses have had their grant applications approved totalling a value of £27.5k. The Enterprise Governor Network and Enterprise Adviser project is progressing and a further recruitment drive is planned in October 15 –aiming to cultivate the employability and enterprise skills that young people need to enter the labour market.
- **Innovation assets:** Construction of the National Process Manufacturing Centre started on site in July 2015 with completion scheduled for January 2016. It is set to create 26 jobs, including construction workers, technicians, teaching and administration staff and is expected to take 800 new learners over a period of four years.
- **Creative industries:** CreativeKirklees.com continues to develop and increase usage. Around a third of interaction with the site is by users in Kirklees and two thirds from users outside the District from places such as Leeds, Sheffield, Bradford, Manchester, Birmingham and London – thus promoting Kirklees nationally.
- **Council procurement:** 100% of eligible contracts have considered social value in establishing the procurement plan this quarter. The value of these contracts is £6.1m. A total of 46 Quick Quotes have been issued this quarter and the training required for key Building Services staff has been completed.

## Areas of risk or concern against the outcome

- **Business Growth Fund:** Access to Leeds City region (LCR) funds from the Business Growth Programme presents a shortfall on target - at quarter 2 achieving £1.65m of private sector matched investment against a year-end target of £5m.

<b>Outcome (2) People... skilled, able and healthy people/communities, supporting good employment rates and outcomes</b>		Q1	Q2	Q3	Q4
<b>Headline Action</b>					
CHP008	Support vulnerable people to employability	●	●	○	○
CHP009	Workforce Planning Strategies – Adult Social Care	●	●	○	○
CTC007	Up-skilling: creative, community, cultural, physical activity sectors	●	●	○	○
FSP008	Looked after children employability	●	●	○	○
LS010	High quality education, learning and skills provision	○	●	○	○
LS011	Connecting businesses to skills	●	●	○	○
PH013	Tackling health related worklessness	●	●	○	○
PL006	Stimulate activity through local land planning	●	●	○	○
RES003	Support benefits claimants employability	●	●	○	○

## Progress against the outcome

- **Local Planning:** The Local Plan is progressing according the project plan. The decision to proceed to consultation will be taken on 6th October. For quarter 2 major planning applications currently

















stand at 88% completed within agreed timescales, improved on quarter 1 performance which was 69%.

- **Young people employability:** The Apprenticeship Hub has delivered 60 apprenticeship starts, set against a target of 150 for the year. Confidence is high that the target will be exceeded. A further 108 starts are in the pipeline. A further 51 young people have been employed through the programme, bringing a total year-to-date of 71 young people employed against a year-end target of 86. Additionally, the main cohort of 38 apprentices joined the Council during the course of Quarter 2. Rollover funding for the Careers Education Information Advice and Guidance (CEIAG) has been secured for pathways around the Health and Social Care and Engineering sectors. Further opportunities via European and LEP funding will be scheduled throughout the year.
- **Disability employment:** We are currently exceeding our targets for Mental Health Employment, we continue to see service user's preference for volunteering, this is often due to the greater flexibility volunteering offers compared to a work placement, and it provides a supportive gradual progression towards work. Numbers of people with mental health issues supported in to paid work remains above plan, however in this quarter we have seen an increase of almost 200% in those taking up a volunteering opportunity
- **Looked after children employability:** The recruitment of a Specialist Personal Advice, working with our over 18's, is starting to help in improving our numbers of young people who are positively engaging in the process of seeking appropriate education, employment and training. The Electronic Personal Education Plan (ePEP) system is now live and all PEP's are being recorded using this system as they are due.
- **Volunteer up-skilling:** 118 people have trained to deliver safe and effective sport and physically activities in local communities. 207 volunteers are working in the sport and physical activity service and are delivering 5,228 volunteer hours.

### Areas of risk or concern against the outcome

- **Jobs and growth:** Year to date, through the LCR Business Growth Programme (BGP), the Council has supported Kirklees businesses secure £275k of BGP funding leveraging £1.65m of private sector business investment, securing 36 jobs. This is significantly down on our target to generate 125 jobs by year-end. The Business Team has reduced in recent months. The PI that supplies this data is flagged as Red for quarter 2.
- **Social Care Sector:** We are working closely with NHS partners to address nursing capacity issues. The pay and cost of care is also an area of concern (this is a national issue) and we are continuing to review the prices we pay providers along with ensuring we maximise the impact of early intervention (reducing demand). The impact of the living wage is also being considered as part of the councils approach. The revised social care workforce strategy is (focusing on 2 key themes, capacity and capability) and is a result of collaborative planning with Health partners, e.g. CCGs have begun to take ownership of the recruitment and retention issues for nurses in care homes.

<b>Outcome (3) Place... high quality places / environments and infrastructure that support business, health and life</b>					
<b>Headline Action</b>		<b>Q1</b>	<b>Q2</b>	<b>Q3</b>	<b>Q4</b>
CTC008	Community involvement in place shaping				
LS012	Secure sufficient quality learning places				
PH014	Embed JHWS KES in infrastructure planning				
PL007	Improve connectivity for communities across Kirklees				
PL008	Increase the number and quality of homes				
PL009	Regeneration initiatives in our town centres				

PL010	Good quality and sufficient social housing				
PL011	Enhance Kirklees through environment and greenspaces				
PL012	Environmental improvements for Kirklees				
RES004	Infrastructure for digital connectivity across Kirklees				

### Progress against the outcome

- Community facilities:** The Built Sports and Leisure Facilities Strategic Framework and recommendations in the Playing Pitch Strategy will inform the development of the final Local Plan and therefore impact on future decisions on investment in sports facilities. Tree planting and infrastructure works have been completed at Dewsbury Country Park, undertaken in a partnership between the Council, Cummins and the University of Huddersfield. The partnership has decided to continue, with a focus on Castle Hill.
- Sufficient school places:** Sufficiency documents for Early Learning and Childcare/Statutory School Places are in the final stages, to be published in October 2105. A final decision was made by Cabinet in September for the Huddersfield South West primary amalgamation.
- Schools as Community Hubs:** The Vision is agreed. A 'Building the Future Together' conference has been held to share the vision to a wide range of stakeholders. A designated programme team will be in post from 1<sup>st</sup> November. This work is being trialled and tested across a small number of sites across Kirklees. Some early activity has seen increasing collaboration and some co-location of family support services at hub sites, such as the re-location of the children's centre and pre-school playgroup to Windy Bank Community Centre in order to meet the needs of the local community more effectively.
- Housing supply:** Planning permission has been received for seven small sites and three decisions are currently pending with decisions expected in the next few weeks. Six more planning applications were submitted in early September. Two open days will be held in November to promote the availability of these small sites to builders and developers. The first stage of the procurement process, to appoint a delivery partner for this first scheme in Ashbrow, has commenced. The outline planning application for the second large site was submitted on 9th September. An additional 68 affordable homes have been delivered during the quarter taking the total for the year so far to 103. Given the slow start to delivery in the first quarter, this represents a significant improvement.
- Highways infrastructure:** Development works are continuing on the four major highways schemes - (i) A62 Leeds Road, Cooper Bridge Scheme (ii) A629 Halifax Road (Ainley Top to Cavalry Arms) (iii) A616 Lockwood Bar (iv) A62 Gasworks Street. Design and construction works have commenced on the 15/16 Highways Capital Plan. Progress on delivery is generally good with 25% of plan delivered by week 20 and an additional grant of £340,000 being received from the Environment Agency for flooding studies/works.
- Digital connectivity:** 360 businesses have now expressed an interest in 'Kirklees Core'. It is set to commence Quarter 1 2016. Over 45km of new fibre is now in the ground across Kirklees with the majority of the planned work complete in North Kirklees.
- Town Centre vibrancy:** Alternative Markets have been held throughout the summer and autumn in Huddersfield and are planned to be part of the Welcome to Huddersfield Event arranged for October 10th and 11th as part of the test Town Initiative. Construction of additional bus gates for Westgate, Kirkgate, Market Street and High Street along with other associated works are progressing as planned. Implementation has been revised to early in 2016. Discussions are taking place with Kirklees College regarding the potential for them to develop a scheme for Pioneer House in Dewsbury. This is the subject of a current funding bid. The first scheme within the Dewsbury Townscape Heritage Initiative has been completed. Three more schemes are at various stages of development and are making progress towards a Cabinet approval.
- Environmental improvements:** Several West Yorkshire Combined Authority bids are being submitted for funding - encourage the uptake of Low emission Vehicles, Low emission Taxis, the

introduction of Eco Starts for local businesses and Clean Bus Funding. The West Yorkshire Low Emissions Strategy is out for consultation in October 2015 and the West Yorkshire Air Quality Planning Guide is being applied to developments in the Kirklees area.

- **Environment and greenspace:** Implementation of significant changes to refuse collection took place towards the end of the second Quarter. The workforce moved from a 4.5 day shift to a 4 day shift, with extended hours, plus a zonal working pattern that sees all crews working together in the same area on the same day. Given the scale of the changes, implementation has been a success. There have been some teething issues which have resulted in a short term increase in missed bin collections and some public dissatisfaction.

### Areas of risk or concern against the outcome

- **Highways infrastructure:** Resource problems in the Structures area and delivery issues in some of the other areas of the Highways Capital Plan has resulted in a revision report being prepared for submission to Cabinet in October 15. Additionally, a lack of financial information and resource concerns continue gives cause for concern (as was reported in quarter 1).
- **Environmental Improvement:** Delivery has commenced for the LCR/Green Deal ECO Scheme, now called "Better Homes Yorkshire". However the contract is operating in national uncertainty regarding ECO funding and this may ultimately impact on delivery. There have been 340 solar panel installations in council homes since April 2015. Progress is slower than anticipated due to issues finding suitable roofs. Indications are that the income generated from the feed in tariff will drastically reduce from January 2016, which may make the project unsustainable.
- **Strategic Investment:** Additional to funding issues being reported elsewhere, the external investment secure PI (KI325) is flagged Red. The year-end target is to have secured £5m but at the half way point we have only secured £743k, a significant shortfall. Bidding opportunities continue to be significantly reduced since the National Election in May.

## 4. Core Performance Indicators



There are 66 core performance indicators in total. A full schedule of indicators and RAG ratings can be found in Appendix (1). This section highlights the exceptions only, those that report either significant risk or significantly high performance. Services also monitor a full range of operational performance

## Adult Services

### Progress against the targets

Good progress being made against the following KIs:

- KI 158 - Social Care clients receiving Self Directed Support (%).
- KI 158a - Social Care clients receiving Direct Payments (%).
- KI 159 - Acceptable waiting times for social care assessment (all adults). (%) Target achieved so Green Rag, however latest trends pose concern
- KI 165 - Adults with learning disabilities in employment (%).
- KI 167 - Adults in contact with secondary mental health services in employment. (%).
- KI 442 - Permanent Admissions to residential and nursing care homes (per 100,000 populations) has been re focussed on over 65 admissions.
- KI 487 - Effectiveness of short term support services (%).

## Areas of risk or concern against targets

- **KI 156 - Achieving independence for older people through rehabilitation/intermediate care. (%)**. This measure forms part of the Better Care Fund set of metrics and measures the proportion of older people still living independently at home at 91 days following discharge from hospital. Performance and monitoring data for the reablement service shows the service is increasingly efficient with successful outcomes. However since December 2014 the service has seen an increase in referrals particularly in complex hospital referrals which have led to some regression in performance (this is corroborated by Health indicators such as rate of emergency admissions and rate of emergency bed days, Average Length of Stay etc.). Performance year to date indicates 92 out of 107 older people (discharged from hospital during April to June) still at home at 91 days which equates to a performance position of 86% and a Red RAG rating based on the tolerances set.
- **KI 206 - Clients receiving a review. (%)**. This PI is based on all clients receiving a review of their care during the year. Current performance of 48.6% equates to a Red RAG rating. Volume increases in people requiring formal social care support, along with the impact of increased volumes of Deprivation of Liberty applications (where staffing resource has been shifted from core assessment/reviewing activity to DOL work to meet this demand) has had a significant impact on reviewing performance. Additional resources have been allocated to meet the DOL activity. This is an urgent priority for both services and we are continuing to focus on the impact on reviews this is being managed through Joint Area Managers and the Head of Service led Reviews Group.

## Children's Services - FSCP

### Progress against the targets

Good progress being made against the following KIs:

- KI 069 - Rate of proven re-offending by young offenders. (Number).
- KI 220 - Young people within the Youth Justice System receiving a conviction in court who are sentenced to custody. (Number).
- KI 223 - First time entrants to the Youth Justice System aged 10-17 years. (Number).
- KI 443 - Successful outcomes for Kirklees Looked after Children who successfully completed their interventions with YOT (%).
- KI 458 - The percentage of Young People aged 16+ on an Order to the YOT who are in full-time education/training/employment at the end of their intervention (%).
- KI 476 - The percentage of former relevant young people aged 19 - 21 who were in education, employment or training (%).
- KI 479 - Repeat Referrals - Percentage of referrals within 12 months of a previous referral. (%). The Amber RAG should be treated as draft while checks are performed by the Information Unit on all the single assessment data and indicators.

## Areas of risk or concern against targets

- **KI 391 - The average time between a child entering care and moving in with its adoptive family, for children who have been adopted (Days)**. As at 31 August 2015, this measure stood at 631 days. This is based on a cohort of 14 this year to date with a large range of individual outcomes from 195 to 1,355 days. Work that took place following the last service performance meeting pointed to the final outturn for this indicator being 605 days based on the known cohort and likely key dates. The target will be challenging due to it being based on the DfE adoption scorecard threshold of 14 months (426 days). This means it is likely to be RED all year. For context, the last published England average for this indicator was 628 days (3-year average 2011-14). The adoption scorecard for 2015 is likely to be released in the next quarter.



- **KI 392 - The average time between a local authority receiving court authority to place a child and the local authority deciding on a match to an adoptive family (Days).** As at 31 August 2015, this measure stood at 344 days. This is based on a cohort of 14 this year to date with a large range of individual outcomes from 72 to 819 days. Work that took place following the last service performance meeting pointed to the final outturn for this indicator being 346 days based on the known cohort and likely key dates. The target will be challenging due to it being based on the DfE threshold of 4 months (121 days). This means it is likely to be RED all year. As per KI 391, this is a key adoption scorecard indicator. The 2015 scorecard is likely to be released in the next quarter.
- **KI 397 - Percentage of assessments completed within 45 working days (as per Working Together).** This indicator will need to be monitored closely to keep on top of the impact of the single assessment. We are now able to obtain a true reflection of the single assessment timescales and this draft outcome points to an improvement since the introduction of the new process. The service is currently developing the wider set of single assessment indicators. Benchmarking data for 2014/15 will be available before the next quarter. This will provide a wider range of comparators for this indicator as the single assessment is rolled out in other LA areas. Quarter 1 64.7%, quarter 2 71.6%, Year-end target set at 83%.
- **KI 477 - Number of Looked after Children (LAC) per 10000 aged 0 - 17 years (per 10000).** Current LAC numbers remain very low against statistical neighbour and West Yorkshire averages. The projection for this year is that the number of children coming into care will reduce slightly but this will be offset by a reduction in the number leaving care. Hence, we expect stable numbers overall. 63.0 per 10,000 was the 2014/15 outcome. During quarter 3, national data will be released that will enable comparisons to be made with national and regional averages.

## Children's Services – Learning and Skills

### Progress against the targets

Good progress being made against the following KIs:

- KI 012a - Number of schools judged as in an Ofsted category. 2 x Special Measures and 1 x Serious Weaknesses - 3 in total. Below the national average which is 2% of schools. Proportion of good and outstanding continues to improve as schools are inspected and move from RI to Good or better.
- KI 445 - Percentage of young people academic age 17 participating in learning or approved training.

### Provisional data at quarter 2 against the Core Indicators

The following indicators have been Ragged Amber green based upon our provisional data. Validated information should be available at Q3.

- KI 014 - Achievement of 5 or more A\*-C grades at GCSE or equivalent including English and Maths. (%).
- KI 016 - Reduction in the number of schools where fewer than 40% of pupils achieve 5 or more A\*-C Grades at GCSE or equivalent including English and maths and below the national medians for KS2-KS4 Progress.
- KI 029 - Percentage of 16-18 year olds not in employment, education or training (NEET).
- KI 033 - Looked after children achieving 5 A\*-C GCSEs (or equivalent) at Key Stage 4 (including English and Maths). (%).
- KI 369 - Take up of free early education and care by 2 year olds.
- KI 400 - Reduction in the number of schools where fewer than 65% of pupils achieve Level 4 or above in reading, writing and maths and below the national medians for KS1 - KS2 progress in reading, in writing and in maths.

- KI 403 - Achievement gap between pupils eligible for free school meals (Ever 6) and their peers achieving at least Level 4 in reading, writing and maths at Key Stage 2.
- KI 423 - Key Stage 2 attainment for black and minority ethnic groups in achieving at least level 4 in reading, writing and maths - Asian/Asian British – Pakistani (APKN).
- KI 425 - Looked after children reaching level 4 in Reading at Key Stage 2. Provisional data stands at 67% - This represents a positive improvement on 2014 outcomes.
- KI 430 - Early Years Foundation Stage - % achieving a good level of development. Provisional data only shows an uplift of 5 percentage points. To be in the top quartile nationally we would need to be 67%. From 10 of the Yorkshire and Humber results know, Kirklees is currently ranked 4th. Further data release due 13th October 2015.

## Communities Transformation and Change

### Progress against the targets

Good progress being made against the following KIs:

- KI 188 - Percentage of residents feel there is a problem with anti-social behaviour in their local area.
- KI 190 – Number of visits to museums and galleries.
- KI 317 – Percentage of respondents who feel crime has increased in their local area.
- KI 462 – Number of apprentices in the council workforce.
- KI 480 – Number of sports and physical activity coaches, leaders and volunteers trained.
- KI 489 - Number of community organisations engaged with by council services.

### Areas of risk or concern against targets

- None reported.

## Place

### Progress against targets

Good progress being made against the following KIs:

- KI 060a Take up of paid lunches – Primary.
- KI 060b Take up of paid lunches – Secondary – This is Red because take up is significantly down compared to the previous period. However, this is a cyclical event which results from Ramadan. Take up will recover in the following Quarter.
- KI 130 Number of affordable homes delivered.
- KI 131a Percentage of major planning applications determined within agreed timescales.
- KI 432 We will work with businesses to create new apprenticeship opportunities for young people aged 16-24 in the District.
- KI 439 Number of unemployed young people getting a job through Headstart.
- KI 457 We will increase the number of cases where homelessness has been prevented or relieved.
- KI 067 People killed or seriously injured in road traffic accidents.
- KI 001 Customer satisfaction with responsive repairs.

### Areas of risk or concern against targets

- **KI 074 – Number of homeless acceptances.** There were 111 homeless acceptances in the quarter. This is significantly higher than for the same period in the previous year, where the figure was 58. The current RAG is Red. However, there are a couple of contextual factors (delays in processing due to introduction of new computer system and 14/15 acceptances were unusually low in comparison the average over five years)

- **KI 325 – external investment secured:** Additional to funding issues being reported elsewhere, the external investment secure PI (KI325) is flagged Red. The year-end target is to have secured £5m but at the half way point we have only secured £743k, a significant shortfall. Bidding opportunities continue to be significantly reduced since the National Election in May.
- **KI 433 We will increase the number of jobs created as a result of council interventions:** Year to date Business Growth Programme funding has secured 36 jobs. This falls significantly short where we would expect to be if we are to achieve the year-end target of 125 jobs secured. Business Team has reduced in recent months.
- **KI 437 We will secure £4 of investment from the private sector for every £1 of business support investment by the Council:** Year to date, through the LCR Business Growth Programme, we have supported Kirklees businesses secure £275k of BGP funding leveraging £1.65m of private sector business investment. This falls significantly short of where we would expect to be if we are to achieve the £5m target for private sector business investment. Business Team has reduced in recent months.

## Public Health

### Progress against the targets

Good progress being made against the following KIs:

- KI 057a - Prevalence of breastfeeding at 6-8 weeks from birth. (%)
- KI 298a - Number of drug users that left treatment successfully (free of drug(s) of dependence) who do not then re-present to treatment again within six months as a proportion of the total number in treatment. (Opiate Clients) (%)
- KI 309 - NHS Health Checks (%)
- KI 456 - Transformation of food culture in schools by promotion of the Food for Life Partnership healthy eating curriculum (Number). The Food for Life Programme has enrolled 6 additional schools in this quarter which is good considering schools are closed for 6-7 weeks over the summer. The Food of Life Local Programme Manager is engaging schools through the new Ofsted inspection framework as schools need to demonstrate that they are considering their dining room environment for the children in their schools. Also the Food for Life programme are linked and supporting the delivery of a Family Lifestyle pilot programme in collaboration with the FINE programme and Start programme engaging families in targeted schools in a healthy lifestyle programme working with both the adults and the children.
- KI 488 - Successful completions as a proportion of all in alcohol treatment. Latest data available from Public Health England is for quarter 1 2015/16. This shows us to be at 46.9%. Although slightly under target we are confident that we will be able to meet this target in the next quarter. Providers continue to focus on successful completions across all substances. Although we are still in the top quartile nationally we continue to ensure services are effective and that we achieve our target of 48%. There is no significant risk at this moment in time to achieving this target.

### Areas of risk or concern against targets

- **KI 284 - Smoking during pregnancy in Kirklees.** Our year-end target is 11% current quarterly data is 12% but it refers to quarter 1 as reporting runs a quarter behind; this equates to an Amber RAG. There is a lot of collaboration work with both MYHT and CHFT as well as provider teams within Calderdale and Wakefield to ensure consistency of service. There is also a new Public Health Midwife appointed at MYHT which is a significant benefit to this agenda, however the capacity to delivery project will be considered by PH as part of their current review of Project delivery methods across the Service. The dedicated advisor in North Kirklees is finding high success rates and both North and South Kirklees are monitoring their approaches and results.



There is ongoing work with pharmacies and there is a review of the GP contract to increase activity.

- **KI 284a - Smoking in pregnancy excluding South Asian women.** Our year-end target is 11% current quarterly data is 12% but it refers to quarter 1 as reporting runs a quarter behind; this equates to an Amber RAG. CHFT and MYHT have different referral systems, CHFT are an opt out service which overwhelms the service and subsequent call backs to arrange appointments and MYHT is opt in which generates fewer referrals but with more success. We are monitoring this for this financial year and this will help inform the approach for next year. MYHT will also receive CO monitors so screening for carbon monoxide will become more routine and hopefully this will pick up more referrals. The newly appointed Public Health Midwife at MYHT will also support this agenda and it also means that the provision around this role is now equal across both sites.

## Resources

### Progress against the targets

Good progress being made against the following KIs:

- KI 075 - Time taken to process housing benefit / council tax changes of circumstances.
- KI 076 - Time taken to process new claims for Housing Benefit and Council Tax Benefit.
- KI 083 – Proportion of previous year’s council tax arrears collected.
- KI 085 – Proportion of previous year’s business rates arrears collected.
- KI 147a – Number of ICT standard requests completed in agreed timescales.
- KI 363 – Percentage of Freedom of Information and Environmental Information Regulation requests responded to within 20 working days.

### Areas of risk or concern against targets

- **KI 366 - Percentage of data protection information requests replied to in 40 days.** Performance on Data Protection requests in Q2 was 68% against the target of 100%. Compliance rates were: April 83%; May 63%, June 58%. A number of factors are understood to have impacted on performance: A high number of requests were received in June, more than double the number received in April, and almost double the number received in May. The total number of Data Protection requests was 54, with the Directorate for Children and Young People receiving 36 of these. The dip in performance in May and June may be explained by receipt of a number of requests for large amounts of information and also by the availability of skilled resources to complete these. During the quarter there was a change in staff dealing with Subject Access Requests and also a push to complete the older overdue requests, some of which were high volume. This impacted on completion of other requests received.

## 5. Key Service Issues



*The Corporate Performance Report focuses only on significant contributions to either the JHWS or KES. This section is an opportunity for Directorates to highlight significant issues in service delivery that fall outside significant contributions to either JHWS or KES.*

### Family Support and Child Protection

The following indicator has been escalated from the Service Dashboards as an area of concern.

- **KI 073 - Number of Children Looked After at end of the period aged 16 or 17.** There has been a general increase in numbers of 16/17 year olds since 2013/14. Although in comparison to our statistical neighbours we have a much smaller number of LAC our cohort of 16 and 17yr olds is increasing. This is in part due to compliance with the Southwark Judgement (requiring the assessment of 16/17 years olds presenting as homeless); this is expected to continue to be a pressure on resources and budgets. The current position (over 21%) is now higher than the last national average (21% in 2013/14), and our Statistical Neighbour averages are (15% in 2013/14). The number coming into care aged 15+ is 32% of the total compared to 21% in 14/15 and 15% in 13/14.

### Learning and Skills Service

There are three issues to note from the Learning and Skills Service

- A Post 16 Area based partnership review will take place on the 11th of November and report back In March 2016, this will reflect upon Kirklees College, New College and Greenhead.
- The national issue of teacher recruitment is also being felt here in Kirklees.
- There are implications for future self-evaluation and monitoring due to national changes of the assessment process, this will mean our ability to compare previous years data will not be possible.

### Resources

There are two issues to note from Resources Directorate:

- The Legal and Governance Service are seeing an increase in volume of Deprivation of Liberty work and are planning accordingly, to ensure we have sufficient skills in-house to meet potential demand when filling vacancies and through appropriate training. A risk is noted of a possible need to outsource work to meet demand.
- During Q2 there was an increase in call volumes to Kirklees Direct affecting customer service. As a result of some teething problems with the planned changes to the telephony system some calls were not fully accepted in to the system. This resulted in some customers needing to ring again and some increase in missed calls at KD. This telephony issue has been resolved.

## 6. Corporate Health



### Corporate Health Issues

The purpose of the Corporate Health PIs is to provide a quarterly snapshot of the health of the council.

#### Progress against the targets

Good progress being made against the following KIs:

- **KI 084 - Business rates collection** for the 5 months to the end of August was 45.96%. Performance is expected to achieve the year-end target of 96.5%. The service continues to review large balances and more cases are being passed to external bailiff companies to maximise collection by year end.
- **KI 459 - The number of ICT incidents resolved at first contact.** This remains below the target of 70%. A dip from 66% at quarter 1 is reported, reflecting rota changes and the peak holiday period. This will be resolved in Q3.
- **KI 112 - The percentage of undisputed invoices paid with 30 days,** at 97.9% is slightly below quarter 1 performance of 98.2%. The transfer of payment of housing benefit has not impacted as negatively as anticipated.
- **KI 486 – The percentage of audits demonstrating arrangements that provide at least adequate assurance.** 75% of internal audits year to date have demonstrated arrangements that provide at least an adequate assurance. Quarter 2 performance was 69%. As audit assessment in 2015/16 uses a slightly different model to 2014/15, it is not practical to say if this demonstrates a change in position from the previous regime that targeted “unsatisfactory” outcomes.

#### Areas of risk or concern against targets

Amber and Red Amber ratings are noted for a further 2 PIs:

- **KI 475 - The % of calls answered in the Contact Centre.** Performance was affected by bin round changes, with Streetscene calls doubling in September. Performance was 79% against the target of 80%.
- **KI 140a – Average number of days sickness absence per FTE in the last 12 months.** There has been an increase in sickness absence from 10.27 in quarter 1 to 11.19. To help improve performance beyond quarter 2 human resources (HR) have rolled out a restyled attendance toolkit and employee guide, ‘Talking Head’ videos (short clips of council staff sharing their experiences and offering advice), and an HR Yammer feed to share good practice. HR business intelligence on SAP went live in quarter 2, putting in place the tool needed to identify performance, patterns and trends for sickness absence and HR other metrics.

<b>Financials</b>	To succeed financially, what are the key monetary processes that we must manage?
-------------------	--

Objective	Measure	Figure	Q2 RAG
Effective management of income to the Council	Rent collected by the Council as a proportion of rents owed	97.3%	
	Proportion of Council Tax collected	*52.65%	
	Proportion of Business Rates collected	*45.96	
	Income from sale of land and property	Not Provided	
Economic impact: Effective procurement: Welfare advice	Percentage of eligible contracts over £20k subject to a social value assessment	100%	
	Maximise the value of monetary gain to residents using 'Better off Kirklees' self-service system and welfare employment advice	Not Provided	

<b>Customers</b>	To achieve our vision, how do we demonstrate a quality customer experience?
------------------	---

Objective	Measure	Figure	Q2 RAG
Responsiveness to complaints	Percentage of third stage complaints – partial and fully upheld	19%	
Effective access to Council services	Percentage of contact centre calls answered	79%	

**Note: \*Denotes 'Cumulative Indicator' Total to date**

<b>Internal Business Processes</b>	To satisfy our stakeholders and customers, what business processes must we excel at?
------------------------------------	--

Objective	Measure	Figure	Q2 RAG
Effective deployment of our technology	Availability of ICT network (24 hours) (%)	98.5%	
	Availability of servers and service (24 hours) (%)	98.5%	
	Number of ICT incidents resolved at first contact	64%	
	Percentage of undisputed invoices paid within 30 days	97.9%	
	Payroll – percentage of payroll accuracy	98.81%	
Effective Council stewardship	Debtor days	45	
	Percentage of audits demonstrating arrangements that provide at least adequate assurance	75%	

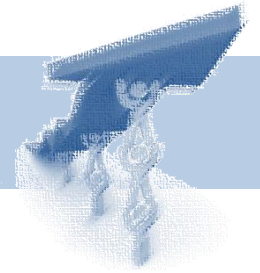
<b>Learning and Growth</b>	To achieve our vision, how will we sustain our ability to change and improve?
----------------------------	---

Objective	Measure	Figure	Q2 RAG
Effective leadership and Council management	Percentage of leaders and managers doing a good job of leading change	Not Due at Q2	
	Percentage of employees feeling that the Council is a better place to work compared with 6 months ago	Not Due at Q2	
Absence	Number of sick days lost per full time equivalent employee	11.19	

## Service Volumes Overview

Area of Activity	Number
Total of authority waste collected - tonnes (all data lagging Apr - Jun)	55,014.07
Percentage of household waste collected (9902.61 tonnes commercial and gulley emptying)	82% (45,112.09)
Percentage of local authority collected waste landfilled	18.5% (10,169.84)
Number of potholes reported	4388
Number of potholes repaired	6064 (incl. contractors)
Number of kilometres of road substantially resurfaced	4
Number of kilometres of road surface dressed	Nil (Completed in Q1)
Number of Kirklees Neighbourhood Housing (KNH) managed properties	22666
% KNH managed properties occupied	99.7%
The number of Looked After Children this quarter	625
<ul style="list-style-type: none"> <li>• The number received into care this quarter</li> <li>• The number who have left care this quarter</li> </ul>	68 61
Proportion of new referrals proceeding to formal assessment in Adult Social Care	10%
Effectiveness of Short Term Support in Adult Social Care	74%
Care Act - number of new service user assessments complete	586
Corporate Training delivered (online and class based learning) - (Numbers receiving)	3680
Channel Shift - % of interactions that are self-serve	64.13%

## 7. Key Corporate Risks

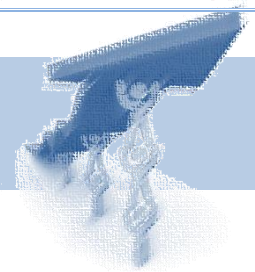


The Council Corporate Risk Matrix for 2015/16 was agreed in February 2015.

The following changes to Corporate Risks are noted at the end of quarter two.

- Lack of timely decision will impact on budget savings in Medium Term Financial Plan. The financial impact of this risk has been increased from £1.0m to £2.0m because not making timely decisions creates a cumulative effect in subsequent years. This risk already has the maximum score of 25. (Risk Z3)
- The risk of overspending and additional expenditure obligations not being fully anticipated has been reassessed. The financial impact of the risk has been increased from £1.0m to £1.5m due to concerns of actual growth exceeding budgeted growth. The risk score of 16 remains unchanged. (Risk Z17)
- Progress on changing to web based services is positive to date. The financial value of this risk has been reduced from £0.3m to £0.1m and the risk score reduced from 25 to 15. (Risk Z30)
- Leadership changes in the Directorate for Children and Young People Services areas create a reputational risk. This has been added to the Risk Register as a new risk. Amendments have also been made to the risk “management of schools and children’s services” to reflect this. (Risks Z32 and Z32A).
- There is an increased risk of the council facing violent extremism. The risk score has been increased from 15 to 20. No change has been made to financial value of the risk. (Risk Z42)
- As the Huddersfield Leisure Centre is now complete, with no anticipated unexpected costs, the risks associated with this major construction project now falls below the 15 score threshold. (Risk Z43)
- There is a potential longer term risk that proposed changes in trade union legislation may affect the council’s approach to implementing organisational change. This however does not impact in current year. (Risk Z6)
- The risk management records are also amended, without effect on scores or values, for the following risks:
  - Workforce management (Z6)
  - Insufficient staff resources, relating to the councils new programmes and initiatives (Z11)
  - Voluntary sector, relating to service redesign (Z38).

## 8. Financial Overview



### Summary of Financial Monitoring at Quarter 2

This is a high level extract from the more detailed Quarter 2 revenue monitoring report provided to Cabinet, on the 17th November.

The headline net controllable revenue budget is £314.1million. The current forecast is an overall underspend of £992k or -0.3%. Within the overall forecast, there are net Directorate pressures of £9.8m set against £257.6m Directorate budget (3.8%). Headline pressures include:

- Directorate demand led pressures on Adults £5.1m and Children and Young People £3.1m
- Waste Services volume pressures £0.8m and Schools transport budget pressure £1.1m
- In-year government public health grants clawback; estimated in the region of £1.6m.

Directorate pressures are being mitigated by:

- Better Care Funding applied in-year against Adult Social Care pressures (£2.2m); (£0.9m) Older people, (£1m) Learning Disabilities, (£0.3m) Contracts and Commissioning
- Central (contingencies) base budget applied to Directorate pressures (£1.9m)
- “One-off” earmarked reserves applied to Directorate/service pressures (£6.3m)

Other Central Budgets have a forecast underspend £2.5m; of which £1.7m is due to treasury management savings.

Housing Revenue Account forecast a surplus of £3.6m against an annual budgeted turnover of £96m.

### Collection Fund

- Council tax; the projected in-year forecast is a surplus of £1.6m, due to improved income collection rates.
- Business Rates; the projected in year forecast is a deficit of £2m, largely due to a review of outstanding backdated appeals currently with the Valuation Office. In addition there is an emerging risk in relation to appeals for Doctor’s Surgeries and Virgin Media which if successful could result in a one off cost to Kirklees of £1.1m for backdated payments plus reduced rates income of £300k per annum going forwards.

### Emerging developments/risks and headline announcements

- National minimum wage uplift to £9/hour by 2020. The Council implemented a local living wage from April 2015 at £7.88 per hour, and the financial implications of this were factored into approved budget plans. Consideration would need to be given to the impact of any future national minimum wage uplift relative to the Council’s current local living wage hourly rate.
- Reduction in social housing rents of 1% per annum for each of the next 4 years starting in 2016/17. The estimated impact for Kirklees HRA is a £10m annual loss by 2020 of rent income when compared to current HRA business plan forecasts. A major review of the current HRA business plan is required.
- Proposals for councils to retain 100% of Business Rates collected locally. This will have significant implications for future Council funding, although unlikely to be implemented before 2018-19 at the earliest.
- Future proposals for regional devolution and the pooling of the existing 89 Local Authority pension funds into half a dozen British Wealth Funds also announced recently.

## 9.

# New Council Programme Summary



In the 2<sup>nd</sup> quarter of 2015-16 the council has continued to develop the work to take us to what is being called 'New Council' by the end of March 2018; an organisation that addresses our budget challenges and provides or commission's services that support our Vision.

The programme of work has proceeded into implementation and the delivery of plans, whilst checking that their combined impact will achieve the desired Vision. Performance measures for the overall achievement of New Council are in development.

During quarter 2 there has been an increased focus on ensuring the quality and robustness of our change plans, through detailed discussions with senior officers. This is leading to the identification and prioritisation of support to ensure delivery and further analysis of opportunities for change. Progress is being reported at a weekly item at Management Board for which the lead Director for New Council is present.

The council's budget process, including this year's main budget consultation, is now underway and will have an impact on the need to refresh programme and change plans once the requirements emerge.

During quarter 2 the 'our new council – the way we do things around here ...' leaflet was released to staff, via CMG+ and further manager briefings. The leaflet sets out a pictorial representation of the Vision for New Council and summarises the Target Operating Model (TOM) for a much broader audience than the staff working on the programme day-to-day. Feedback has been positive.



# Appendices



## Full Schedule of Core Performance Indicators

Note: \* Denotes 'Cumulative PI' – Total figure to date

### Adult Services

#### Commissioning and Health Partnerships

PI Ref	Title	Good Performance Shown by	Target	Quarter Figure	RAG
KI 165	Adults with learning disabilities in employment (%)	Increase	10	10	●
KI 167	Adults in contact with secondary mental health services in employment (%)	Increase	8	8.1	●

#### Social Care and Wellbeing

PI Ref	Title	Good Performance Shown by	Target	Quarter Figure	RAG
KI 156	Achieving independence for older people through rehabilitation/intermediate care (%)	Increase	95.1	86	●
KI 158	Social Care clients receiving Self Directed Support (%)	Increase	88	96	●
KI158a	Social Care clients receiving Direct Payments (%)	Increase	30	50	●
KI 159	Acceptable waiting times for social care assessment (all adults %)	Increase	80	80	●
KI 206	Clients receiving a review (%)	Increase	65	48.6	●
KI 442a	Permanent Admissions of people aged 65 and above to residential and nursing care homes (per 100,000 population)	Decreasing	506	187.2	●
KI 487	Effectiveness of short term support services (%)	Increasing	72	74	●

### Children's Services

#### Family Services and Child Protection

PI Ref	Title	Good Performance Shown by	Target	Quarter Figure	RAG
KI 069	Rate of proven re-offending by young offenders (No.)	Decrease	1.3	1.3	●
KI 220	YP within the Youth Justice System receiving a conviction in court, sentenced to custody (No.)	Decrease	22	*7	●

KI 223	First time entrants to the Youth Justice System aged 10-17 years (No.)	Decrease	200	162	
KI 391	Average time between a child entering care and moving in with its adoptive family (Days)	Decrease	426	631	
KI 392	Average time between LA receiving authority to place a child and LA deciding a match to adoptive family (day)	Decrease	121	344	
KI 397	Percentage of assessments completed within 45 working days (as per Working Together)	Increase	83	71.6	
KI 443	Successful outcomes for Kirklees LAC who successfully completed their interventions with YOT (%)	Decrease	50	*66.6	
KI 458	Young People aged 16+ on an Order to the YOT who are EET at the end of their intervention (%)	Increase	65	*155	
KI 476	Former relevant young people aged 19 - 21 who were in education, employment or training (%)	Increase	50	50.6	
KI 477	Number of Looked after Children (LAC) per 10,000 aged 0 - 17 years (per 10,000)	Decrease	60	63.7	
KI 479	Repeat Referrals - Percentage of referrals within 12 months of a previous referral (%)	Decrease	22	23.9	

### Learning Service

PI Ref	Title	Good Performance Shown by	Target	Quarter Figure	RAG
KI 012a	Number of schools judged as in an Ofsted category	Decrease	3	3	
KI 014	Achievement of 5 or more A*-C grades at GCSE or equivalent including English and Maths (%)	Increase	57	56.4	
KI 016	Reduction in the no. of schools where less than 40% of pupils achieve 5 or more A*-C Grades at GCSE...	Decrease	0	2	
KI 029	Percentage of 16-18 year olds not in employment, education or training (NEET).	Decrease	4.7	5	
KI 033	Looked after children achieving 5 A*-C GCSEs (or equivalent) at Key Stage 4 (incl. English and Maths) (%)	Increase	15	-	
KI 369	Take up of free early education and care by 2 year olds (%)	Increase	80	-	
KI 400	Reduction in the number of schools where fewer than 65% of pupils achieve Level 4...	Decrease	10	12	
KI 403	Achievement gap between pupils eligible for free school meals (Ever 6) and their peers... (% points)	Decrease	15	13.5	
KI 423	KS 2 attainment for BME groups in achieving at least level 4 in reading, writing and maths – (incl. APKN)	Increase	75	73	
KI 425	Looked after children reaching level 4 in Reading at Key Stage 2	Increase	68	Not Provided	
KI 430	Early Years Foundation Stage - % achieving a good level of development	Increase	67	65.2	
KI 445	Percentage of young people academic age 17 participating in learning or approved training	Increase	90	89.6	

## Communities Transformation and Change





PI Ref	Title	Good Performance Shown by	Target	Quarter Figure	RAG
KI 188	Reduce the percentage of residents who feel there is a problem with anti-social behaviour in their local area	Decrease	10	10.4	
KI 190	Number of visits to museums	Increase	228,000	*131853	
KI 317	Perception of the level of crime in their local area [% of residents]	Decrease	13	14.4	
KI 462	Number of apprentices within the Council workforce	Increase	120	129	
KI 480	Numbers of sports and physical activity coaches, leaders and volunteers trained	Increase	595	*307	
KI 489	Total number of community organisations engaged with by council services	Increase	875	*923	

## Place








PI Ref	Title	Good Performance Shown by	Target	Quarter Figure	RAG
KI 001	Customer Satisfaction with Responsive Repairs (%)	Increase	92.5	98	
KI 060a	Take up of paid school lunches - Primary schools (%)	Increase	56	55	
KI060b	Take up of paid school lunches - Secondary schools (%)	Increase	55	39	
KI 067	People killed or seriously injured in road traffic accidents	Decrease	170	70	
KI 074	Number of Homeless Acceptances	Decrease	340	*192	
KI 129	Net additional homes provided: net increase in dwelling stock over the year	Increase	1,700	0	
KI 130	Number of affordable homes delivered	Increase	235	*103	
KI 131a	Percentage of major planning applications determined within agreed timescales	Increase	70	88	
KI 325	External investment secured (measured in £m)	Increase	5	*0.743	
KI 432	Number of Apprentice starts with SME employer HUB	Increase	150	*60	
KI 433	We will increase the number of jobs created as a result of Council interventions (A2F, LCR, etc.)	Increase	125	*36	
KI 437	Secure £4 of investment from the private sector for every £1 of business investment by the Council	Increase	5	*1.65	
KI 439	Number of unemployed young people getting a job through the Job Fund	Increase	86	*71	
KI 457	Increase the number of cases where homelessness has been prevented or relieved	Increase	1,971	*920	

## Public Health

PI Ref	Title	Good Performance Shown by	Target	Quarter Figure	RAG
KI 057a	Prevalence of breastfeeding at 6-8 weeks from birth (%)	Increase	43	43.1	
KI 284	Smoking during pregnancy in Kirklees	Decrease	11	12	
KI284a	Smoking in pregnancy excluding South Asian women (%)	Decrease	14	15	

KI 298a	Drug users that left treatment successfully, not re-presenting to treatment within 6 months...	Increase	9	9.1	
KI 309	NHS Health Checks (%)	Increase	20	*15.9	
KI 456	Transformation of food culture in schools by promotion of the Food for Life Partnership healthy eating curriculum	Increase	120	*100	
KI 488	Successful completions as a proportion of all in alcohol treatment	Increase	48	46.9	

## Resources

PI Ref	Title	Good Performance Shown by	Target	Quarter Figure	RAG
KI 075	Time taken to process Housing Benefit / Council Tax Benefit Change of circumstance [days]	Decrease	10	7.7	
KI 076	Time taken to process new claims for Housing Benefit/Council Tax Benefit [days]	Decrease	25	26.71	
KI 083	Proportion/amount of council tax previous years arrears collected as at 31 March. [%]	Increase	38	21.73	
KI 085	Proportion/amount of business rates previous years arrears as at 31st March collected [%]	Increase	35	24	
KI 147a	Number of ICT standard requests completed within agreed timescales	Increase	90	91	
KI 363	% of FOI and Environmental Information Regulation (EIR) requests responded to within 20 working days	Increase	100	85	
KI 366	% of Data Protection information requests replied to within 40 calendar days	Increase	100	68	

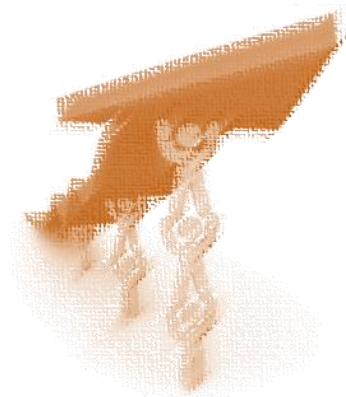
**July to September 2015**

**Council Delivery Plan contribution at Quarter (2)**

# **Joint Health & Wellbeing Strategy**



**2015/16**



# Contents







What follows is the analysis of performance data from Directorate Delivery Plan progress reports for the Quarter. The analysis focuses on the significant contributions being made to the Joint Health & Wellbeing Strategy.

## Strategic Outcomes

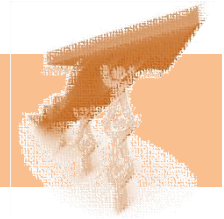
### Summary – Overview

- 1. Supporting prevention and early intervention**
- 2. Enabling people to have control, independence  
And resilience**
- 3. Promote and create opportunities for improving  
Physical and emotional health and wellbeing**
- 4. Reduce avoidable differences in health and wellbeing  
And prioritise according to need and impact**
- 5. Ensure collaboration and integration across services  
And partnership organisations**
- 6. Involve people and communities to create and  
Deliver solutions**

RAG Key:

	On Track
	
	Off Track
	
	At Risk
	Not Provided

## Summary - Overview



The overarching themes arising from the analysis of Directorate Contributions to the JHWS Outcomes at Quarter 2 as follows:

We are responding to a range of significant legislative changes e.g. the Care Act and the Children's and Families Act, including an 'All age Disability service' to combine expertise and resources across Health, Social Care and Education. We continue to develop our Early Intervention and Prevention approaches, re-configuring resources and re-defining roles and responsibilities in ways that maximise the opportunity to 'get things right first time'.

Across the board we are supporting individuals, groups and communities to develop resilience skills to increase their self-reliance and confidence to meet individual and neighbourhood challenges. This ranges from our Emergency Planning preparations to the transfer of the commissioning responsibility of 0-5 from NHS England on 1 Oct 2015 Public Health. This presents an opportunity to align our children's priorities; also to share knowledge and skills to further improve outcomes.

Our emphasis on wellbeing is evidenced by our commitment to employee wellbeing to ensure a resilient workforce of the future and the development of the My Health Tools (Self Care Hub) successfully launched and now available to the public. Health Trainers continue to be on track to meet the performance requirements of seeing 1000 people per year.

There are many good examples of 'doing things' differently utilising digital options for access whilst providing face to face assistance for vulnerable people who require more assistance, Libraries supporting Adult taster sessions to improve job seeker skills and using assistive technology to support independence for Adults with Learning Disabilities. The programme 'making the Most of Teaching Assistants' was launched in September 2015 with over 70 schools already signed up to be involved.

### Areas of Concern

**Social Care Pressures:** A number of pressures are identified this quarter i.e. we have difficulties in recruiting and retaining staff in Social Care, Nursing and Care Homes. The living wage will also affect costs.

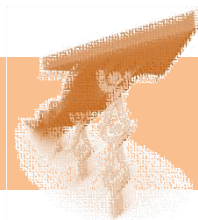
Pressures in the health system are impacting on reablement - data is indicating a high volume of hospital referrals which require a proportionately greater investment of reablement. Child and Adolescent Mental Health services (CAMHS) remains an area of significant challenge.

**Learning Pressures:** The National Teaching shortages are beginning to have an effect locally.

Post 16 Area based partnership review will take place in November to report In March 2016, this will have an impact upon Kirklees College, New College and Greenhead College. There are also implications for future self-evaluation and monitoring due to national changes of the assessment process, this will mean our ability to compare previous years data will not be possible.

## Outcome (1)

## Supporting prevention and early intervention



Headline Action		Q1	Q2	Q3	Q4
CHP001	Legislative framework – Health & Social Care	●	●	○	○
CHP002	Stronger families – Trouble Families Programme	●	●	○	○
CTC001	EI&P – crime, anti-social behaviour and extremism	●	●	○	○
FSP001	EI&P – Child protection	●	●	○	○
LS001	Improving quality of schools and settings	●	●	○	○
LS002	Quality of schools and settings – curriculum & youth employment	●	●	○	○
PH001	Infection or communicable/non-communicable diseases	●	●	○	○
PH002	Every child has the best start in life	●	●	○	○
PL001	School catering - Best nutritional start in life	●	●	○	○
RES001	EI&P – Resources support to specific frontline programmes	●	●	○	○
SCW001	Care Act implementation	●	●	○	○

### Progress against the outcome

#### Responding to new Legislation

Care Act: Monitoring of the impact of new rules and procedures is ongoing, parts of this are reflected in Q2 service volumes, additional work is underway to validate data and explore underlying reasons for patterns emerging. Government announced in August that changes due in April 2016 have been delayed until 2020. The focus is now on continuing to embed new procedures and ways of working inside the Council and across the sector to ensure there is sufficient capacity both in terms of beds and staff and continue to improve support for carers and self-funders

#### Self-Funders Pathway

Although the Cap on Care has been deferred for another 4 years, work is progressing with the social marketing project (to encourage people to plan for their future care support needs), by improving the information offer via the website and with Connect to Support for people who are self-funding. Our volume data indicates that almost 80% of referrals during 2015/16 are for new people, further work to be done on understanding the volume of self-funders approaching the Council for support. Research results will be available at Quarter 3 and will include impacts for service users.

#### Early Intervention Children's services

Positive progress with the changes in Early Intervention and prevention evidenced by the following: New integrated service management arrangements are now in place. Workflow management will incorporate de-escalation and escalation with acute services and early intervention and prevention work with the Learning and Community Hubs. A single point of



management of (Integrated Youth Support Services) IYSS preventative teams within a 4 area model has been established. Positive impact of services provided to vulnerable families is resulting from linkages between Early Intervention and Targeted Support (EITS) and the Referral and Response Service (RARS), significant reduction in enquiries which received No Further Action (NFA). The EITS response is now via the Children's centres. IT capabilities are being used to facilitate regular updates and virtual meetings of staff.

### **Improving Learning and Skills Support**

All schools have received the allocation of their Kirklees Learning Partnership (KLP) funding and meetings are arranged with Head teachers and Chairs of Governors where outcomes have raised concerns.

Rollover funding has been secured to develop a limited offer to create progression routes and intervention programmes from Sept 2015. Further opportunities via European and Local Economic Partnership funding will be scheduled throughout the year. Bids have been submitted for LEP funding to support education and business partnership activity. Any funding secured will focus on our priority themes e.g. full participation in education, employment and training, apprenticeships, enterprise and innovation.

### **Improving Nutritional Start in Life**

We are working with schools, promoting cooking and growing clubs as showcased on the CBBC programme "Winner, Winner school dinner" which visited Ashbrow School. We are also agreeing healthy eating promotions in high schools linking a system of point's rewards to healthy eating options.

The Food for Life partnership with schools currently has the following number of accreditations - 29 Bronze, 12 Silver and 6 going for Gold. *The national uptake of universal free school meals (UFSM) is 86%. All our schools have an uptake above this average.*

### **Library support to Early Intervention**

Library staff has supported early intervention and prevention in Q2. Examples include:

- Supported over 40 young people who volunteered as Summer Reading Challenge champions in the Summer Reading Challenge events to encourage children's reading they were attended by nearly 3000 people.
- Adult learning taster sessions and Reading Friends sessions to support jobseekers with essential basic skills have been run in conjunction with Kirklees College.
- Working with; Age UK, Volunteering Kirklees & Cummins to investigate the impact of loneliness on older people, using the mobile library & home service.
- Bibliotherapists are working with Volunteering Kirklees to train & support volunteers to deliver Bookchats to people with dementia in care homes & other settings.

## **Areas of risk or concern against the outcome**

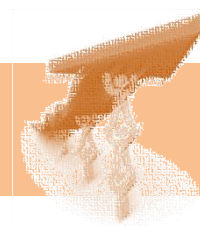
### **Service Pressures in Adults services**

The Better Care Fund (BCF) continues to be jointly managed effectively and remains positive and it is demonstrating an appetite for more joint funding beyond BCF requirements. System pressures are challenging however, we are realising the benefits in reducing or delaying the need for long term residential/nursing care (*Kirklees is one of the best*

performing Councils nationally in this area) however acute pressures and system resilience challenges remain. These are being managed via the joint strategic arrangements and contribute towards an adjusted AG RAG rating at Q2.

## Outcome (2)

## Enabling people to have control, Independence and resilience



Headline Action		Q1	Q2	Q3	Q4
CHP003	Wider safeguarding agenda	●	●	○	○
CHP006	Housing related support – vulnerable people	●	●	○	○
FSP002	Resilience & independence for looked after children	●	●	○	○
LS003	CYP with Social Emotional & Mental Health needs receive appropriate support	●	●	○	○
PH003	Self-care approach for people living with Long Term Conditions	●	●	○	○
PH004	Major incidents readiness	●	●	○	○
PH005	Personal resilience & emotional wellbeing for Young People	●	●	○	○
PH006	Healthy living – food, skills & physical activity	●	●	○	○
RES002	Access to services – through appropriate channels	●	●	○	○
SCW003	Self-management of adult care packages	●	●	○	○
SCW005	Vision to prevent adult abuse and neglect	●	●	○	○

### Progress against the outcome

#### Emergency Planning and Community Resilience

Kirklees local risk assessments have been reviewed and will go to the next Kirklees Emergency Planning Group for sign-off. We continue to promote community resilience to schools - several have signed up for emergency preparedness lessons from October 2015. The Emergency Planning team have won the prestigious title of **Resilience Team of the Year 2015** by The Emergency Planning Society. The team is responsible for writing, maintaining, and training, exercising and implementing the plans that outline our response to major incidents and planned events, such as natural disasters, severe weather and utility failures. For the third year running Health and social care are undertaking a winter pressures project. 5 beds have been agreed at Ings Grove (jointly funded by Health) with an option for the CCG's to joint fund a further 12 beds at Moorlands. The beds will help facilitate hospital discharges where patients have a short term rehabilitation need.

- Prevention activities have focused on reducing and managing risks of people being drawn in to violent extremism: The Prevent Channel Process identifies and supports individuals at risk of violent extremism.

- Over 250 front line staff have received training to raise awareness of violent extremism and associated risks resulting in an increase in cases to Channel. The number of accredited trainers has been increased.
- There is a new Community mobilisation plan, covering Batley, Dewsbury and Huddersfield, and a Mosque and Madrassah training programme including Prevent awareness, safeguarding.
- *Despite strong performance in this area due to the unpredictability of risk we have applied requires us to provide a cautious Amber Rag*

### **Building Early Resilience**

The commissioning responsibility for Public Health 0-5 transferred to Kirklees Council from NHS England on 1 Oct 2015. The provision of services remains with the current provider. The Council will contract manage the services. The process to review current 0-5 services (comprises health visiting and Family Nurse Partnership) has started with a view to have a recommissioned service in place when the contract expires. The Integrated Commissioning Group (CYP and Maternity) has identified its priorities and is working through the commissioning cycle to agree commissioning intentions for each of these. As part of Nurturing Parents (NP), work is ongoing with maternity services at both Trusts, at Locala, Auntie Pam's and other community partners to finalise the integrated antenatal/parent education course to be piloted across Kirklees from September.

### **Improving the resilience of Care Leavers**

A recruitment campaign for Supported Lodgings carers has taken place alongside the fostering campaigns. We have recruited 3 additional carers in the period with 2 being assessed currently. All prospective carers can be assessed for Fostering or Supported lodgings. There have been a series of meetings about the funding model and the impact of benefit changes on Supported Lodgings and Staying Put policy and new documentation has been produced for roll-out during October 2015. This will help young people remain in placements post 18 where appropriate. The Care Leavers Forum is now up and running.

### **Wellbeing and individual Resilience**

Expert Patient Programme (EPP) has improved its performance in terms of the uptake of courses and conversations are beginning with the Batley and Spenningsdale District Committee to increase the availability of EPP in that committee area. Health Trainers continue to be on track to meet the performance requirements of seeing 1000 people per year. My Health Tools (Self Care Hub) has been successfully launched and is now available to the public. We are in the process of commissioning a university to do a study over a 12 month period to follow users and determine the impact of the system.

The Food for Life programme has begun working with older people in care homes and the hospital project to improve the quality of food in Huddersfield Royal Infirmary. The Oral health epidemiological report for Kirklees has outlined the need to improve oral health across the district.

### **Refocussing customer access**

Cash payment kiosks have been removed from the customer service centres, 2 town halls and a library, driving channel shift for payments to other options including online and direct

debit. This is enabling staff to concentrate on supporting customers with more complex needs.

In Customer Service Centres at first point of contact customers are being steered to on-line channels. There continues to be use of online support e.g. web-chat and 'floor walkers' to enable use of public access PCs. (There are 200+ public access PCs in LICs, & 50+ in CSCs dedicated to council transactions.)

A new design and navigation has been developed for the 'Local Offer' (The Local Offer web site contains information about services relating to special educational needs, disabilities, education and more for people aged 0-25.) and the content is currently being re-structured, to be launched in Q3.

## **Areas of risk or concern against the outcome**

### **Safeguarding Leadership**

Kirklees recently participated in a regional external review and challenge exercise as one of two pilot areas. The Board has agreed areas for improvement and development in accordance with its new statutory status. These include the development of a longer term strategy. The New strategy and performance framework will be signed off by the board in Oct 2015, and presented to Health & Wellbeing Board. In addition a workshop is planned for November 2015 with the children's safeguarding board & the community safety partnership. This will progress work on themes which overlap the three boards (e.g. domestic abuse, sexual exploitation).

### **CYP with Social Emotional & Mental Health needs receive appropriate support**

We are developing a continuum of support for pupils with Social, Emotional and Mental Health Difficulties (SEMHD) that provides guidance to schools and timely intervention to children and young people. The first draft of guidance is complete, ready for the legislation compliance review. Continuum plans are included in the Transformation Plan. Autistic Spectrum Disorder provision is still on hold while we analyse the take up this year and then determine future actions.

*A lot of progress is being made however there is still a significant amount of change to implement and there are some risks attached to this hence the Amber rating.*

### **Virtual School for Looked After Children**

We have secured an agreement to second a head teacher for two terms to oversee plans for proposed changes this includes funding and staffing. Training for new (Electronic personal education plans) EPEPs has been completed; the re-shape of the team is underway; Pupil Premium allocation system is now clear and the Pupil Premium pilot is underway. *The Pupil premium is designed to help reduce exclusions of LAC, and to provide earlier intervention for their social and emotional needs.*

## Outcome (3)

## Promote & create opportunities for improving Physical & emotional health & wellbeing

Headline Action		Q1	Q2	Q3	Q4
CTC002	Sustainable culture & leisure opportunities				
FSP003	Therapeutic assessment and support for LAC				
LS004	Partnership focus on maximising learning provision				
PH007	Public health support to Council commissioning				
PH008	Health safety wellbeing of council staff				
SCW002	Avoidable adult admissions to hospital and long term care				

### Progress against the outcome

#### Promoting and access to wellbeing opportunities

Physical activity targets are being met and in the case of PALS exceeded (639 new patients and 919 support sessions were delivered). Outcomes reported include: improved mobility, reduced pain, enhanced independence (PALS); improved mental health (Active for Life); reduction in body mass index for children exiting the START programme; increased connectedness, healthy eating, physical activity and ownership of own health (Community Health Inequality Interventions).

In learning 2015-16 sees additional capacity, secured through the associate framework, relating to wellbeing, preventing radicalisation, British values and child mental health in schools. We will embed provision focused on New Council, and prioritise making a difference for vulnerable learners e.g. Cliffe House, PSHE, and the Teaching Assistants programme.

#### Developing an area vision for commissioning

Public Health has a Memorandum of Understanding (MOU) with Clinical Commissioning Groups (CCG) this details the Public Health Offer to them. The joint work programme reflects a combination of CCG priorities and public health priorities. Public health is contributing to the delivery of the integrated commissioning vision for the council and its partners.

#### Supporting workforce wellbeing

All statutory Health and Safety site visits and responses completed to meet statutory responsibilities. In addition we have responded to requests with the following interventions:  
 283 requests from management to provide occupational health advice on individual employees (including attendance advice)  
 225 face to face counselling sessions on a self-referral or management referral basis  
 325 pre-placement assessments carried out in person prior to offer of employment to ensure a fit and healthy future workforce and discharge responsibilities under the Equalities Act

262 interventions with individuals to improve physical wellbeing and enable them to remain in work or return to work after ill-health, injury or accident  
 41 workplace assessments completed. These are bespoke to individuals who have specific medical conditions/needs.

### Areas of risk or concern against the outcome

#### Emotional wellbeing of Looked after Children

There is now a Pillars of Parenting Steering Group with the remit to plan the roll-out of the approach to all foster carers. The pilot has two cohorts of children. The impact will be reviewed in July 2016. The CAMHS escalation protocols are now in place. A key objective of the CAMHS transformation plan and funding is to establish discrete provision for Looked After Children, Young Offenders and those at risk of Child Sexual Exploitation (CSE) by funding a new flexible team to focus on these vulnerable children CAMHS is the root of the A rating as we know this is an area of significant challenge. *A lot of progress is being made, however there is still a significant amount of change to implement and there are some risks attached to this hence the Amber rating*

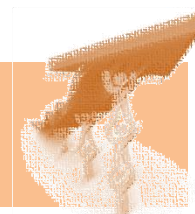
#### Supporting Adult wellbeing and independence

Carephones and Mobile Response are working alongside Community Partnerships to identify frequent users who might benefit from a Better in Kirklees (BiK) referral with the aim of encouraging participation in community activities helping to reduce their isolation. A range of technical solutions are being tested with Carephones to support vulnerable people to meet their care needs.

Recruitment in the Reablement service is ongoing with the aim of building capacity to support expansion of the service into the care reviewing process. Referrals continue to increase, along with improved volumes of people discharged with positive outcomes. Pressures in the health system are impacting on reablement - data is indicating a high volume of hospital referrals which require a proportionately greater investment of reablement. *This is being explored further and results in a cautious AG rating.*













**Outcome  
(4)**

**Reduce avoidable differences in health & wellbeing & prioritise according to need and impact**



Headline Action		Q1	Q2	Q3	Q4
CTC003	Commission Health Watch and NHS Complaints Advocacy	●	●	○	○
FSP004	Integration of Special Educational Needs & Disability services	●	●	○	○
FSP005	Looked After Children close to home	●	●	○	○
FSP006	Youth offender services	●	●	○	○
FSP007	Embed Multi Agency Safeguarding Hub into practice	●	●	○	○
LS005	Compliance with Children & Families Act (SEN – specialist learning)	●	●	○	○



PH009	Integrated intelligence function across the Council				
PL002	Access to suitable settled homes				
SCW004	Personalised adult care support				

## Progress against the outcome

### Capturing and using available intelligence

We are developing a 'Hub & spoke' model for integrated intelligence and it is central to the implementation of the intelligence change plan for new council. Mapping of data / intelligence flows/ gaps/ priorities is now underway within the Health and Social Care 'spoke'. This work is aligned with the integrated commissioning priorities and action plan for the Clinical Commissioning Groups. A new 'live' web-based template has been developed for JS(N)A updates. The revised sections will include clearer messages about needs, assets and inequalities across the authority.

### Promoting and maintaining independence

Planning and implementing the Care Closer to Home agenda in partnership with Locala Community Health Services has begun. Our engagement event for the 'Just Right Select' Learning Disability project secured a commitment from private care providers to participate in the project. Partners are using assistive technology to support people with learning disabilities so that the level of care in supported living is 'Just Right'. We now have a 'base' in the new Leisure Centre in Huddersfield and continue to develop partnership working with KAL. More service users are taking part in physical activities to improve their well-being. Kirklees REAL Employment recently received a national 'highly commended' award from the British Institute for Supported Employment (BASE).

## Areas of risk or concern against the outcome

### Developing an all age Disability Service

The Disabled Children's Charter has been endorsed by Wellbeing Board. Pilot work has started on small scale integrated commissioning between health and social care focussed on domiciliary care. Work is continuing to develop the criteria for the Communication Aids budget. The Disability Register Form is being developed in order to share data. The Additional needs register has been created in association with PCAN (Parents of Children with Additional Needs) via internet links within the Kirklees Council and Kirklees Local Offer websites. Data will provide a more accurate picture of the needs of children/young people with additional needs and help to inform decisions about planning, development of services and information for the Council, NHS and other organisations. The Longley and the Lydgate Project Plans are on track.

650 Transfer Reviews (moving from Statements to EHCA) are now underway and due to be completed by August 2016. The newly designed Local Offer is due to be launched in October 2015. A consultant has been engaged to align processes across health, education and social care - initial engagement work to be completed by November 2015. Specialist Provisions - review to start in December 2015.

Development of Cliffe House: We have an agreed refreshed vision (September 2015). The new senior leadership team is now in post.

Following a successful national bid between two Teaching School Alliances and the LA the project 'Making the Most of Teaching Assistants' was launched in September 2015 with over 70 schools already signed up to be involved.

*A lot of progress is being made, however there is still a significant amount of change to implement and there are some risks attached to this hence the Amber rating*

### **Doing things differently**

The single assessment process has been in place since the beginning of June and progress is constantly reviewed and necessary amendments to the system are put in place, including the necessary management information and indicators. It is expected to take 12 months of the operation of the MASH before a trend towards the desired reduction in repeat referrals might be seen. The Child Protection and Review unit has worked with Children's Social care and the Police to streamline the process of Police attendance at Initial Conferences. This has resulted in Police attending 90% of relevant ICPC meetings. Work with other agencies particularly with Locala is ongoing to resolve issues about Health staffs attendance at relevant CP review meetings. *A lot of progress is being made, however there is still a significant amount of change to implement and there are some risks attached to this hence the Amber rating*

### **Homelessness prevention**

A group of young people have successfully gained an accredited qualification in peer mentoring (a 15 week course). They have started to use their new found skills with a group of summer care leavers, providing lived experience of being homeless and/or vulnerable - helping young people at risk of becoming homeless to understand and avoid the pitfalls of living independently for the first time.

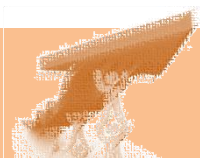
We have achieved 459 homeless preventions (an increase of 37% over the same quarter in the previous year). This compares well to national figures which is showing an overall fall in preventions of 3%.

However, Homelessness acceptances currently show a significant increase when compared with the previous year e.g. 111 (average 35 per month) for last quarter (an average figure of 70 per quarter over the previous two years). We have seen an increase in relationships breakdowns including violence, both within and outside the home. There is also a significant increase in single people with mental health/complex problems presenting to the service. We are meeting with mental health colleagues to investigate this. *This still represents a much improved picture from the period preceding the Council investment in prevention resources i.e. in 2004/05 the average acceptances per quarter were 360.*



## Outcome (5)

## Ensure collaboration & integration across services and partnership organisations



Headline Action		Q1	Q2	Q3	Q4
CHP005	Integrated commissions to deliver care pathways	●	●	○	○
CTC004	Strengthen strategic partnerships, increase collaboration	●	●	○	○
LS006	Strategic leadership to education system and partnership	●	●	○	○
LS007	Infrastructure planning for schools – council wide approach	●	●	○	○
PH010	Embed JHWS in planning for future health & wellbeing	●	●	○	○
SCW006	Vulnerable adults health & wellbeing	●	●	○	○

### Progress against the outcome

#### Collaboration and partnership working

The focus on collaboration and partnership is shown in four main areas in Q2: Our Social Value commissioning approach is new and communities at Neighbourhood level will identify their commissioning priorities which are being developed with Koru Consulting. The 4 outcomes of the Community Safety Partnership Strategic Intelligence Assessment will be launched to senior leadership in the police, KNH, and the council. The outcomes are: Improving Confidence and Satisfaction, Reducing Crime, Tackling Anti-Social Behaviour and Protecting People from Serious Harm, the last of which illustrates a shift in approach integrating cross cutting safeguarding issues like child sexual exploitation, forced marriage, domestic abuse and human trafficking into the strategy.


Our Delivery plans are based on the stated outcomes in the JHWS and KES strategies. A quarterly performance report is produced to evidence progress and risks against the outcomes. Work is ongoing with the CCGs to include their performance information at Quarter 3 which will provide evidence of our joint progress against the outcomes.

#### Areas of risk or concern against the outcome

##### Integrated Commissioning

The CAMHS summits have met and an overview of specific action plans linked to the Transformation Plan are monitored. A Chief Officer group is established (COG) and reports on all ICG activities. The Better Care Fund continues to be jointly managed effectively and it is demonstrating the appetite for more joint funding. The Health & Social Care (H&SC) economy is seeing benefits in reducing or delaying the need for long term residential/nursing care (*Kirklees is one of the best performing Councils nationally in this area*) however acute pressures and system resilience remains challenging. *These are being*

managed via the joint strategic arrangements but they contribute towards an adjusted AG RAG rating at Q2.

**Outcome (6)** **Involve people and communities to create and deliver solutions** 

Headline Action		Q1	Q2	Q3	Q4
CHP004	Strengthen Community Investment – to improve access to Services to gain independence	●	●	○	○
CTC005	Enable and nurture volunteering and social action	●	●	○	○
LS008	Strong partnerships across Education sector	●	●	○	○
PH011	Community engagement in Joint Strategic Assessment	●	●	○	○

**Progress against the outcome**

**Community involvement in solutions**

Community Partnerships have approved funding to 28 community organisations, a further 10 are pending. Better in Kirklees (BiK) is now well-established with trends indicating a large proportion of people at the more complex end of care are supported via non-traditional support.

BiK Social prescribing contract is on Yortender this will create stronger links with primary care, enabling GPs to support patients with local nonclinical community services.

We continue to offer capacity building and infrastructure support to voluntary and community organisations. We supported 115 community organisations in 14-15 (providing advice on business planning and sustainability) we are on target to support a similar number in 15-16. We have carried out 5 rounds of targeted investment to encourage community-based activity.

**Schools as Community Hubs:** The Vision is agreed. The Programme definition document/action plan has been produced. Building the Future Together Conference has been held to share the vision to a wide range of stakeholders. A designated programme team will be in post from 1<sup>st</sup> November. The Schools as Community Hubs Programme is a facilitative outward facing piece of work which is intended to support collaboration between schools, statutory services and the voluntary and community sector to maximise all potential resources within a community. This piece of work supports understanding about how schools can strengthen their role in the heart their communities and become leaders, deliverers and commissioners of local services. This work is being trialled and tested across a small number of sites across Kirklees. Some early activity has seen increasing collaboration and some co-location of family support services at hub sites, the re-location of the children’s centre and pre-school playgroup to Windy Bank Community Centre in order to meet the needs of the local community more effectively.

### **Supporting Post 16 provision**

Termly meetings are taking place with post 16 providers and this has become more important as a Review of provision across West Yorkshire has been announced. The Progression Board has considered the employment and skills needs. Communication has taken place with parents and carers in relation to enabling physical accommodation at Reinwood Schools. Engagement with parents has taken place throughout the statutory processes and further opportunities will continue to be made as part of the implementation processes.

### **Areas of risk or concern against the outcome**

#### **Community Capacity Building**

We are delivering transformational support programmes e.g. Comoodle, Cities of Service, Community Capacity Building.

Outcomes of the Cities of Service cross-sector conference included understanding of using impact methodologies, using internet for engaging citizens, measuring social value and good collaboration between sectors. Kirklees Shares website was launched to “share what you have, get what you need”.

- Comoodle has had 5 successful transactions in the year to date. The online platform is progressing well.
- Activity on the community ownership of assets included: community asset management training; development of a new rental discount scheme based on social value; and direct support to 27 organisations.
- We helped recruit more Community Builders who will influence future engagement and capacity building. 10 Participatory Budgeting events have led to funding of 77 community led projects; 6 You and Your Community events have been held; and support to 26 Friends of Libraries group across Kirklees were provided. Community builders and connectors continue to be recruited in various neighbourhoods.
- A 9 month extension to the Volunteer Infrastructure contract has been agreed with Volunteering Kirklees to allow time to explore alternative models of effective delivery for formal and informal support in the recruitment and management of increased numbers of volunteers.



**July to September 2015**

**Council Delivery Plans contribution at Quarter (2)**

# **Kirklees Economic Strategy**



**2015/16**










# Contents

What follows is the analysis of performance data from Directorate Delivery Plan progress reports for the Quarter. The analysis focuses on the significant contributions being made to the Kirklees Economic Strategy.

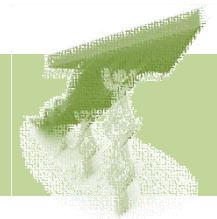
## Strategic Outcomes

<b>Overview</b>	<b>2</b>
<b>1. Business – economic competitiveness and Profitable businesses</b>	<b>3</b>
<b>2. People – skilled, able and healthy people &amp; Communities supporting good employment rates and outcomes</b>	<b>5</b>
<b>3. Place – high quality places / environments and infrastructure that supports business, health and life</b>	<b>7</b>

### RAG Key:

	At Risk
	
	Off Track
	
	On Track
	
	Not Provided

## Quarter (2) Overview



The Kirklees Economic Strategy is underpinned by three key themes of economic resilience

- **Business...** economic competitiveness and profitable business
- **People...** skilled, able and healthy people and communities, with good employment rates and incomes
- **Place...** high quality places, environments and infrastructure that support business health and quality of life.

### Business:

The Council continues to make strides in putting Kirklees at the heart of innovative manufacturing and engineering for the Leeds City Region (LCR), specifically in the development of effective engineering supply chains. Use of the Local Economic Partnership (LEP) Skills Service by Kirklees businesses is growing. Construction of the build for National Process Manufacturing Centre, located at Kirklees College in Huddersfield began on site in July.

### People:

The Apprenticeship Hub goes from strength to strength with 60 apprenticeship starts year to date and with the busiest period of the year to come. A further 51 young people have been employed through the 'Headstart' programme, bringing a total year-to-date of 71 young people employed. The Careers Education Information Advice & Guidance is developing career pathways around the Health & Social Care and Engineering sectors. A Specialist Personal Advisor has been appointed to work with Looked After Children in encouraging greater up-take of appropriate education, employment and training. Contracted service for mental health employment continues to be well used with an increase in usage above the reported average.

### Place:

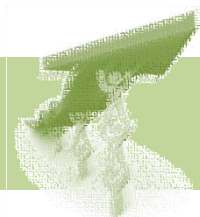
In terms of housing supply there has been progress both on the small and large sites programme and the delivery of affordable homes has picked up significantly in Quarter (2). Also, good progress is being made on delivery of the highways capital plan. A further 110 businesses have now expressed an interest in the Kirklees Core (super-fast broadband) during Quarter (2), bringing the total for the year to date to 360. A significantly revised refuse collection regime has been implemented across Kirklees.

### Areas of risk or concern against the outcome:

Though good progress is being made on a number of fronts, funding appears to be an overarching issue in two ways. First, there are reports of a growing scarcity of funding opportunities (e.g. LCR Growth Fund, the external investment secured PI). Second, there are examples where developments are currently on hold pending decisions on funding applications. This is the back-drop for many of the Amber/Green ratings presented below.

## Outcome (1)

## Business – economic competitiveness and profitable businesses



Headline Action		Q1	Q2	Q3	Q4
CHP007	Market Oversight & Development – Social Care	●	●	○	○
CTC006	Resilient and competitive creative sector	●	●	○	○
LS009	Enterprise Centre for Young People and Schools	●	●	○	○
PH012	A sustainable food culture to promote health	●	●	○	○
PL003	Kirklees as a manufacturing and engineering cluster	●	●	○	○
PL004	Maximise innovation & enterprise assets	●	●	○	○
PL005	Value for money procurement	●	●	○	○

### Progress against the outcome

**Manufacturing and engineering:** A key focus for the Kirklees Economic Strategy is to make Kirklees the heart of a growing Leeds City Region innovative manufacturing and engineering cluster. In relation to securing an LCR manufacturing supply chain lead role, the regional Directors of Development have now agreed for Kirklees to take that lead role. Kirklees officers are working with Cummins to develop a model of supply chain delivery which will be submitted to the LEP Business Innovation and Growth (BIG) Panel for approval - the panel is in place to ensure that its work is driven by the needs of business, and that interventions meet the existing and future needs of the LCR economy. It is noted that development of the regional ecoda (economic data model that will provide an interactive visualisation of our regional assets) is now on hold pending the outcome of the European Strategic Investment Fund (ESIF) bid.

**Support for businesses:** Work continues to generate demand and investment in skills including higher level skills with Kirklees College and University of Huddersfield. The LEP Skills Service was launched in April and work continues to promote the service to businesses in the Kirklees via the LEP Engagement Brokers, local SME Growth Managers and local providers. The service supports small and medium-sized businesses in the Leeds City Region by identifying their skills requirements, based on growth objectives. An SME is then provided with the right training and funding solutions to help achieve them. This is done through a comprehensive skills assessment, sourcing the most appropriate training and providing funds to eligible businesses. To date take up of the service across the LEP has been slow but this position is improving. 11 Kirklees businesses have had their grant applications approved totalling a value of £27.5k. Plans are in place to undertake a marketing campaign which builds on the LEPs regional promotion, directly marketing those businesses who indicated they wanted support in relation to skills in the LEP Employer Survey and makes best use of the recently launched Working Smarter grant.

The Enterprise Governor Network and Enterprise Adviser project is progressing and a further recruitment drive is planned in October 15 –aiming to cultivate the employability



and enterprise skills that young people need to enter the labour market. The Council and wider skills / business support partners are actively promoting the services available to businesses around skills, exporting and innovation. Council officers are working with local partners to promote existing LEP Skills funding with locally available support and are identifying gaps in provision and local priorities to be included in European Strategic Investment Fund (ESIF) Funding bids once these are launched.

**Innovation assets:** Following the successful £3m funding application from the LEP's Skills Capital Fund, construction of the National Process Manufacturing Centre (NPMC) started on site in July 2015 with completion scheduled for January 2016. The state-of-the-art NPMC aims to help equip the region's chemical, pharmaceutical and food manufacturing sectors with the next generation of skilled workers to replace a generally ageing workforce over the coming decade. It is set to create 26 jobs, including construction workers, technicians, teaching and administration staff and is expected to take 800 new learners over a period of four years.

**Creative industries:** CreativeKirklees.com (the free online resource for creative businesses and the arts community to showcase work, share news, events and projects, and network with others, designed to encourage interactivity and networking and to help businesses and customers find one another and work together) continues to develop and increase usage. Around a third of interaction with the site is by users in Kirklees and two thirds from users outside the District from places such as Leeds, Sheffield, Bradford, Manchester, Birmingham and London. This is evidence that we are achieving one of the key outcomes - to promote the sector & Kirklees nationally.

The setting up a Creative Assembly with northern region partners is being explored - to move toward creating a sustainable financial operating model for the local Creative Kirklees website. More partners, means increased critical mass to attract sponsors and advertisers to covers ongoing hosting costs.

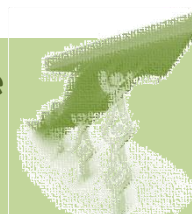
**Council procurement:** 100% of eligible contracts have considered social value in establishing the procurement plan. This is based on the contracts that have been awarded this quarter. The value of these contracts is £6.1m. A total of 46 Quick Quotes have been issued this quarter and the Quick Quotes training required for key Building Services staff has been completed.

### **Areas of risk or concern against the outcome**

**Business Growth Fund:** Access to LCR funds from the Business Growth Programme presents a shortfall on target - at Q2 achieving £1.65m of private sector matched investment against a year-end target of £5m.

## Outcome (2)

## People – skilled, able and healthy people Communities supporting good Employment rates and outcomes



Headline Action	Q1	Q2	Q3	Q4
CHP008 Support vulnerable people to employability	●	●	○	○
CHP009 Workforce Planning Strategies – Adult Social Care	●	●	○	○
CTC007 Up-skilling – creative, community, cultural, physical activity sectors	●	●	○	○
FSP008 Looked after children employability	●	●	○	○
LS010 Refresh and embed the vision for Learning and Skills	○	●	○	○
LS011 Strong relationships between education and business	●	●	○	○
PH013 Tackling health related worklessness	●	●	○	○
PL006 Stimulate activity through local land planning	●	●	○	○
RES003 Support benefits claimants employability	●	●	○	○

### Progress against the outcome

**Local Planning:** The Local Plan is progressing according to the project plan. All the project milestones to date have been met as we reach the mid-point of the financial year. The decision to proceed to consultation will be taken on 6th October. For Quarter (2) major planning applications currently stand at 88% completed within agreed timescales. This represents a significant increase on performance in Quarter (1) which had a completion rate of 69%.

**Young people employability:** The Apprenticeship Hub has delivered 60 apprenticeship starts, set against a target of 150 for the year. Given that the busiest period takes place during Q3, confidence is high that the target will be exceeded. A further 108 starts are in the pipeline - work is being carried out by providers to convert these into apprentice starts. A further 51 young people have been employed through the programme, bringing a total year-to-date of 71 young people employed against a year-end target of 86.

Additionally, the main cohort of 38 apprentices joined the Council during the course of Quarter (2). They are placed as follows: 2 in Resources, 4 in the Children & Young People's Service, 6 in maintained schools, 1 in Communities & Transformational Change, 1 in Public Health and 24 across the Place Directorate. The museum internship scheme is appointing a further 4 interns, with participants benefitting through training and experience.

In relation to Careers Education Information Advice & Guidance (CEIAG), rollover funding has been secured for pathways around the Health & Social Care and Engineering sectors. Further opportunities via European and LEP funding will be scheduled throughout the year.

The Council is working to engage with organisations developing applications for funding in our priority themes including full participation in education, employment and training, apprenticeships, enterprise and innovation.

**Disability employment:** We continue to innovate with LD Opportunities for Work, training or Education (Internship and Employment pilot). We are currently exceeding our targets for MH Employment, we continue to see service user's preference for volunteering, this is often due to the greater flexibility volunteering offers compared to a work placement, and it provides a supportive gradual progression towards work. Numbers of people with mental Health issues supported in to paid work remains above plan, however in this quarter we have seen an increase of almost 200% in those taking up a volunteering opportunity. The service also supports people to retain their current employment through support directly with the individual and also to employers.

**Looked after children employability:** The recruitment of a Specialist PA in working with our over 18's is starting to help in improving our numbers of young people who are positively engaging in the process of actually seeking appropriate education, employment and training. The EPeP system is now live and all PEP's are being recorded using this system as they are due. There has been further work on the protocol and timescales for placement moves.

**Volunteer up-skilling:** 118 people have trained to deliver safe and effective sport and physically activities in local communities. 207 volunteers are working in the service and are delivering 5,228 volunteer hours. In Quarter (2) the Connecting Communities programme has delivered work on engagement, safety and civic participation. For example a conference in N Kirklees to tackle and identify extremism brought together women to discuss issues and develop an action plan to cover civic participation, leadership and mentoring, and young women's sense of identity.

### **Areas of risk or concern against the outcome**


**Jobs and growth:** Year to date, through the LCR Business Growth Programme (BGP), the Council has supported Kirklees businesses secure £275k of BGP funding leveraging £1.65m of private sector business investment, securing 36 jobs. This is significantly down on our target to generate 125 jobs by year-end. The Business Team has reduced in recent months. The PI that supplies this data is flagged as Red for Q2.

*[The BGP offer loans of between £500,000 and £1 million for businesses based or investing in the Leeds City Region, to be used by companies to acquire or upgrade physical assets such as property, industrial buildings or equipment. Projects should help to accelerate economic growth, deliver new jobs, remove barriers to development and use resources more efficiently. For every £1 of LEP funding sought, the applicant business must be able to provide at least £3 of private sector investment and must create permanent jobs in the Leeds City Region. To enable the fund to revolve, the applicant business must be able to repay the loan within five years.]*

**Social Care Sector:** We have previously identified that sustainability of care homes is a risk – especially nursing care for older mentally ill people – we are working closely with NHS partners to address nursing capacity issues. The pay and cost of care is also an area of concern (this is a national issue) and we are continuing to review the prices we pay providers along with ensuring we maximise the impact of early intervention (reducing demand). The impact of the living wage is also being considered as part of the councils approach and further work is being done to assess the impact on contracted day service and direct payments.

Discussions are taking place with Health regarding developing clinical skills at care worker level predominantly to support nursing homes and address the shortage of nurses. It may include a specific competency framework and the development of a new role of Clinical Care Assistant which would also assist in creating a career path within the sector. The intention would be to pilot this in the first instance in both south and north Kirklees. The revised workforce strategy is focusing on 2 key themes - capacity and capability - and is a result of collaborative planning with Health partners. For example, CCGs have begun to take ownership of the recruitment and retention issues for nurses in care homes. Most of the workforce in Kirklees is external but the council remains committed supporting the development of the workforce. This offers its own challenges as there is less direct control. Some risks remain, for instance, in relation to management capacity within residential and nursing settings and the council is working to address these.

**Outcome (3)** **Place – high quality places / environments and infrastructure that supports business, health and life**



Headline Action		Q1	Q2	Q3	Q4
CTC008	Strategic planning – physical activity, community safety	●	●	○	○
LS008	Strong educational partnerships	●	●	○	○
PH014	Embed JHWS KES in infrastructure planning	●	●	○	○
PL007	Improve connectivity for communities across Kirklees	●	●	○	○
PL008	Increase the number and quality of homes	●	●	○	○
PL009	Regeneration initiatives in our town centres	●	●	○	○
PL010	Good quality and sufficient social housing	●	●	○	○
PL011	Enhance Kirklees through environment & greenspaces	●	●	○	○
PL012	Environmental improvements for Kirklees	●	●	○	○
RES004	Infrastructure for digital connectivity across Kirklees	●	●	○	○

**Progress against the outcome**

**Community facilities:** The Built Sports and Leisure Facilities Strategic Framework has been completed and to be approved by Cabinet in October. The final recommendations in the Playing Pitch Strategy will be approved by Cabinet in November. The evidence collated for these strategies will inform the development of the final Local Plan and therefore impact on future decisions on investment in sports facilities.

A launch event at Dewsbury Country Park has marked the completion of tree planting & infrastructure works undertaken by a partnership between the Council, Cummins & the University of Huddersfield. The partnership has decided to continue with a focus on Castle Hill.

**Sufficient school places:** Sufficiency documents for Early Learning and Childcare/Statutory School Places in final stages of processes to be published in October 2105. The final decision was made by Kirklees Council Cabinet in September for Huddersfield South West primary amalgamation. An implementation team has been established and the project is underway. A Decision is awaited from the Regional Schools Commissioner regarding successful proposer for new Primary Free School for Huddersfield South West.

**Housing supply:** Planning permission has been received for seven small sites and three decisions are currently pending with decisions expected in the next few weeks. Six more planning applications were submitted in early September. It is intended that two open days will be held in November to promote the availability of the small sites to builders and developers. Market testing feedback for the first large site has been assessed and the Council's proposals have been modified to reflect the feedback. The first stage of the procurement process, to appoint a delivery partner for this first scheme in Ashbrow has commenced. The outline planning application for the second large site was submitted on 9th September.

An additional 68 affordable homes have been delivered during the quarter taking the total for the year so far to 103. Given the slow start to delivery in the first quarter, this represents a significant improvement. We have a three year target (April 2015 to March 2018) of building an additional 700 affordable homes.

Work is ongoing to improve and speed up the Houses in Multiple Occupancy (HMO) licence application and HMO licence renewal processes, making it easier to apply on-line by an electronic form. Initial discussions have taken place with IT systems suppliers to explore opportunities to further improve on-line services for owners of HMO to apply and pay for services on-line. A review of the process for inspecting and issuing HMO licenses has been completed and plans to streamline and speed up the process are being made.

**Highways infrastructure:** Development works are continuing on the four major highways schemes as listed in the commentary for Q1. Design and construction works have commenced on the 15/16 Highways Capital Plan. Progress on delivery is generally good with 25% of plan delivered by week 20 and an additional grant of £340,000 being received from the Environment Agency for flooding studies/works.

**Digital connectivity:** 360 businesses have now expressed an interest in 'Kirklees Core' – equating to a further 110 businesses during Q2. BDUK Phase2 will provide superfast broadband across Kirklees. It is set to commence Quarter (1) 2016. Kirklees have secured 42% of the capital allocation - meaning approximately £4.2m for infrastructure in Kirklees alone. Over 45km of new fibre is now in the ground across Kirklees with the majority of the planned work complete in North Kirklees.

**Town Centre vibrancy:** Alternative Markets have been held throughout the summer and autumn in Huddersfield and are planned to be part of the Welcome to Huddersfield Event arranged for October 10th and 11th as part of the test Town Initiative.

As part of the Huddersfield Town Centre traffic flow/Connectivity scheme, work to construct the new bus gates and other traffic management features that will form the Huddersfield Town Centre Connectivity Project is now well advanced. Construction of additional bus gates for Westgate, Kirkgate, Market Street and High Street along with other associated works are progressing as planned. Implementation has been revised to early in 2016.

Discussions are taking place with Kirklees College regarding the potential for them to develop a scheme for Pioneer House in Dewsbury, which is the subject of a current funding bid. The first scheme within the Dewsbury Townscape Heritage Initiative has been completed. Three more schemes are at various stages of development and are making progress towards a Cabinet approval.

**Community Cohesion:** A conference in North Kirklees to tackle and identify extremism brought together women to discuss issues & develop an action plan to cover civic participation, leadership and mentoring, young women's sense of identity. The Mosque and Madrassah engagement plan includes training (to start in Q3) to include: child sexual exploitation awareness and safeguarding and Prevent. Interfaith work has been strengthened by engagement with a range of faith organisations and activists. An initial event explored new ways of working and will help develop an action plan. Planning with partners for Interfaith week is underway. A North Kirklees team hub has been established in Dewsbury with the Police co-locating with council officers & enhanced integration of Stronger Families workers.

**Environmental improvements:** Several West Yorkshire Combined Authority bids are being submitted for funding – to encourage the uptake of Low emission Vehicles, Low emission Taxis, the introduction of Eco Starts for local businesses and Clean Bus Funding. The West Yorkshire Low Emissions Strategy is out for consultation in October 2015 and the West Yorkshire Air Quality Planning Guide is being applied to developments in the Kirklees area.

**Environment and greenspace:** Implementation of significant changes to refuse collection took place towards the end of the second Quarter. The workforce moved from a 4.5 day shift to a 4 day shift, working Monday to Thursday, with extended hours. At the same time a zonal working pattern was introduced that sees all crews working together in the same area on the same day. Advantages include increased capacity to cover breakdowns, the ability to keep the machinery for longer, improved maintenance regimes for other services (e.g. bulky waste) and a reduction in the number of spare vehicles. Given the scale of the changes,

implementation has been a success. However, there have been some teething issues that have resulted in a short term increase in missed bin collections and some negative press. Crews have been working hard to rectify any issues.

### **Areas of risk or concern against the outcome**

**Highways infrastructure:** Resource problems in the Structures area and delivery issues in some of the other areas of the Highways Capital Plan has resulted in a revision report being prepared for submission to Cabinet in October 15. Additionally, a lack of financial information and resource concerns continue gives cause for concern (as was reported in Q1).

**Environmental Improvement:** The contract has been signed for the LCR/Green Deal ECO Scheme, now called "Better Homes Yorkshire". Delivery has commenced. However the contract is operating in a context of national uncertainty regarding ECO funding and this may ultimately impact on delivery.

There have been 340 solar panel installations in council homes since April 2015. Progress is slower than anticipated due to issues finding suitable roofs. Indications are that the income generated from the feed in tariff will drastically reduce from January 2016, which may make the project unsustainable.

**Strategic Investment:** Additional to funding issues being reported elsewhere, the external investment secure PI (KI325) is flagged Red. The year-end target is to have secured £5m but at the half way point we have only secured £743k, a significant shortfall. Bidding opportunities continue to be significantly reduced since the National Election in May.

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**Report To:** Cabinet

**Date :** 15<sup>th</sup> December 2015

**Title of report:** *Commissioning careers, education, information, advice and guidance services*

<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 Forward Plan?</b>	Yes
<b>Is it eligible for call in by Scrutiny?</b>	Yes
<b>Date signed off by Director and name</b> <b>Is it signed off by the Director of Resources?</b> <b>Is it signed off by the Acting Assistant Director, Legal and Governance?</b>	Richard Parry & Jacqui Gedman  David Smith – 2 December 2015  Karl Larrad – 7 December 2015
<b>Cabinet member portfolio</b>	Cllr Erin Hill Cllr Shabir Pandor Cllr Viv Kendrick Cllr Peter McBride

**Electoral wards affected:** All

**Ward Councillors consulted:** Consultation with Ward Councillors is not applicable to this report.

**Public or Private:** Public (with Private Appendix)

The Private Appendix is recommended for consideration in private because the information contained in it is exempt information within Part 1 of Schedule 12A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006. It is considered that disclosure of the information could adversely compromise the confidentiality of the parties financial or business affairs. The public interest in maintaining the exemption, which would protect the confidentiality of the parties' financial or business affairs outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making.

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## 1. PUPOSE OF THE REPORT

- 1.1. To enable Cabinet to consider future commissioning options for careers, education, information, advice and guidance services (“CEIAG services”) and to approve the Officer recommendations and authorise the actions set out in paragraph 5.

## 2. KEY POINTS

- 2.1 Supporting young people to make informed decisions about a wide range of progression, learning and work decisions is fundamentally important to individual development and wellbeing and to the prosperity of both the Kirklees and wider economy. Young people in Kirklees have a wealth of opportunities surrounding them, and the provision of careers education, information, advice and guidance support in Kirklees has been designed to enable young people understand the opportunities that exist and help them access these successfully. This approach is a collaborative approach across the 14-19 partnership and with employers. Whatever the challenging barriers that young people face, our services are designed to understand the perceptions young people have of their world, and the perceptions that others have of them. Young people have the right to be supported to navigate successfully towards a rewarding and fulfilling future. The learning, skills and employment environment is complex.
- 2.2 Cabinet are asked to consider options for delivering this agenda, with a recommendation of the restructuring of C&K Careers Ltd (C&K) to become the parent company and establishment of a subsidiary company of C&K (“Subsidiary”). This provides a significant and flexible vehicle for partnership between two controlling local authorities, Kirklees Council and Calderdale Council together with Huddersfield University in delivering this complex agenda. The primary objectives for this are:
  - a. To enable the authorities to continue to meet the financial challenges, to deliver value for money services and improve outcomes for young people and the economy;
  - b. To enable local authorities to work with its school and college partners to influence and shape this important agenda and ensure alignment with our employment and skills agenda;
  - c. To enable flexible models of delivery which can respond and adapt quickly to changing needs and demands of all collaborative partners;
  - d. To retain the existing arrangement of joint service provision to Kirklees and Calderdale Councils by C&K (through its Subsidiary) as a very effective delivery partner;
  - e. To be enable authorities to comply with new EU procurement regulations.

- 2.3 C&K provides essential support in relation to the Council’s employment and skill agenda. The development of the Kirklees Skills Strategy will shape the over-arching specification for the delivery of CEIAG services in the district, providing a clear direction of travel for C&K in the context of a changing economic environment and informed by the vision for new Council. The service specification will emphasise the delivery of the Local Authority’s statutory duties to all young people and particularly its specific responsibilities for the most vulnerable. It will also outline the importance of the role of CEIAG services in helping young people to be “Rounded, Resilient and Ready” and in enabling our businesses and the district to be more economically resilient. The service specification will also set out how partners across the district will be influential in delivering this broader economic agenda – particularly businesses and the LEP who will make significant resource and time contributions to enable young people to make better informed choices about their futures linked to local economic priorities.
- 2.4 Working with schools and colleges to commission a collaborative single provider model offers a number of advantages from the Local Authority’s perspective. In addition to the other benefits described below and in Appendix A, such a model means that we are able to work with school and college partners and agree who are the vulnerable young people who need targeted support whilst giving schools access to a differentiated careers service which meets their individualised needs. This ensures that there is no “overlooked middle” in terms of those between the vulnerable young people identified for targeted support and those young people who have made appropriate careers choices. Calderdale Council use a similar model whereby the authority procures services to meet its own statutory obligation and those of its local schools and colleges.
- 2.5 The Council has a contract with C&K that provides CEIAG services that are the Council’s direct responsibility, and as a client on behalf of secondary schools and colleges, which runs potentially up to March 2017. C&K currently delivers this contract to both Kirklees and Calderdale Councils. We now need to start planning service delivery options from April 2017, working coterminously with Calderdale Council. Cabinet need to consider options at this stage to start the planning process. C&K as the delivery provider delivers excellent value for money services, previously market tested in 2009. The current cost of the services has since been reduced through efficiencies, now providing 53 posts for a combined collaborative contract value of £2.2m. An alternative provider in 2009 provided a tendered price for 56 staff posts at £2.5m. This represents a notional saving in the ensuing 7 years of £300k (12.5%).

- 2.6 The collaborative approach places Kirklees Council in a strong position in relation to national and statistical neighbour comparators when looking at participation data and outcomes for young people where Kirklees Council is placed in the middle to top quintiles relating to participation, non-participation 16-18 (not in education employment and training – NEET) and tracking of young people reflected by low numbers of young people who are deemed “not known”.
- 2.7 C&K is a commercially trading company limited by guarantee established by Kirklees and Calderdale Councils 20 years ago to operate careers related services when Councils were forbidden from providing them directly. About 70% of C&K’s activity comes from direct and schools contracts from Kirklees and Calderdale (as a legacy of the way in which it was established).
- 2.8 C&K is not currently a controlled company under Part 5 of the Local Government and Housing Act 1989, and therefore, any work that it carries out on behalf of Local Authorities and schools usually has to be procured by competition compliant with EU rules.
- 2.9 Local Authorities hold a number of statutory duties (***see Appendix B***) which are secured through the current contract including a duty supporting participation in learning for all young people aged 13-19 and those aged 20 to 24 with special educational needs and disabilities (SEND). In order to discharge this duty, local authorities collect information to identify young people who are not participating, or who are at risk of not doing so, to target their resources on those who need them most. This work is also commissioned in partnership with schools and colleges who also have a duty to provide careers, information, advice and guidance to young people from year 8 (12/13 year old) through to year 13 (17/18 year old).
- 2.10 ***See Appendix C (Service Specification )which describes the full CEIAG services***

***Potential Options for future delivery of the services (summarised below and described in Appendix A)***

- 2.11 It would be possible for the services that are required for the Council to meet its statutory obligations to be secured separately, and schools could make their own arrangements. This model is followed by some authorities, including some neighbours. However, for the reasons described above there are considerable advantages to procuring services jointly with schools (at the current time the majority of Kirklees secondary schools, including most academies, and the sixth form colleges, and Kirklees College participate in the joint contract).
- 2.12 Under EU regulations local authorities are usually required to advertise contracts involving the provision by another organisation of goods and services above certain threshold values. In the case of CEIAG services, the

threshold will be £589,148 when any new contract will need to be put in place. The work could be offered for competition, and C&K would be able to bid, although it is likely that there would be some competition from national and regional providers, the competition may be limited and in addition there are substantial costs issues in operating a competitive process. Should Calderdale and Kirklees Councils follow different procurement paths and ultimately choose a different provider or C&K ceased to be the provider of CEIAG services, Members are asked to note the potential implications described in the Private Appendix.

**See also Appendix A – OPTION A: Tender for services in 16/17 (for delivery from April 2017) to comply with EU procurement requirements**

- 2.13 The CEIAG services can be delivered as an in-house service within the Council without competition/advertisement. This option could potentially offer flexibility for each Council to operate as it chooses its delivery services however, it would be unlikely to provide the value for money services which are provided through the current contract with C&K. In addition, the TUPE transfer of staff, especially central staff may not be fair and equitable. This option would also be contrary to the general strategic drive for local authorities acting as commissioners of services rather than direct providers.

**See also Appendix A -OPTION B: In-house services**

- 2.14 There is also the opportunity for the existing service arrangements for CEIAG services to be continued without the need for competition/advertisement under EU law, with some restructuring of C&K and creation of a Subsidiary/“Teckal” company. This is compatible with EU law and also has the advantages set out in paragraph 2.15 and Appendix A.

**See also Appendix A ) - OPTION – C: Restructuring C&K and establishing a Subsidiary**

- 2.15 Officers consider that there are a number of advantages in the joint provision of CEIAG services to Kirklees and Calderdale Councils through the arrangements set out in Option C. These include:

- a) The synergy that a form of joint service provision partnership with Calderdale Council can bring in terms of improved provider efficiency and value for money.
- b) The general view that the services provided by C&K are of good quality, and are provided flexibly to meet the needs of the client (including changing budget availability).
- c) The ability of the C&K to secure additional work from third parties helping to mitigate cost.
- d) Reducing the risks referred to in the Private Appendix.
- e) Offering the most flexible solution in the short to medium term which provides the Councils maximum flexibility to shape, change and terminate contracts to meet needs. The intention is to continue to operate on the basis of a clear specification and flexible contract basis (reviewed annually).
- f) Meeting all of the primary objectives outlined in paragraph 2.2.

- 2.16 Under Option C, Kirklees Council would hold an enforceable contract with the Subsidiary, as would Calderdale Council. At any point (subject to notice) either authority could change its arrangements for delivery, or if it wished leave the partnership. As described in Appendix A, the proposals will involve the existing company becoming the parent company with a changed membership, incorporation of a new Subsidiary and the numbers and weighted voting rights of the members and directors will enable control by the local authorities (acting together) who could not be outvoted.
- 2.17 The restructuring of C&K and establishment of a Subsidiary will provide a significant and flexible vehicle for partnership between the two controlling local authorities. There would be scope for other Councils and/or other public bodies to join Calderdale and Kirklees Councils in the provision of shared services through these companies.
- 2.18 It should be noted that for this to be a viable option, it requires both the agreement of Kirklees and Calderdale Councils. Both Councils have been in discussion about the options available to them over a lengthy period and Calderdale Council intends to take a similar report to a meeting of its Cabinet on 1 February 2016.

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

- 3.1 If Members choose Option C, both Kirklees and Calderdale Councils would be taking full control of the C&K and Subsidiary companies. This would obviate the need for future tendering with the potential benefits and issues highlighted in the main report and below. Operational management would be unaffected.
- 3.2 Potentially both local authorities may avoid regular costly and time consuming tender procedures as well as the potential implications indicated in the Private Appendix, whilst retaining control and influence and still having the option to undertake a tender procedure if they so determined.
- 3.3 The interests of the Council will continue to be protected. The contracts already in place will continue to govern the provision of the services following any restructure and incorporation of a Subsidiary, as these contracts would be novated to the Subsidiary.
- 3.4 The implications of Options A and B are referred to above and set out in Appendix A and in the Private Appendix.

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

- Cabinet Briefing Meeting in private January 2014 asked officers to look at teckal options. We have done this with officers in Calderdale and are working on further proposals regarding liability, risks and company representation.
- Legal services state that the Council has powers to participate in the C&K Careers holding company and teckal subsidiary company under Section 68 Education and Skills Act 2008 and Section 111 Local Government Act 1972 and/or Section 1 Localism Act 2011.
- Risk and Audit support the Officer recommendations.
- C&K Careers and Board members support the Officer recommendations.

#### **5. OFFICER RECOMMENDATIONS AND REASONS**

5.1 Cabinet is asked to:

- a) approve Option C, the proposed arrangements between Calderdale Council and C&K Careers Ltd for restructuring C&K and the incorporation of the Subsidiary as a teckal company;
- b) approve Kirklees Council's membership of the Subsidiary;
- c) authorise the Assistant Director Legal, Governance & Monitoring in conjunction with the Assistant Director Commissioning and Health Partnerships and Head of Audit and Risk to negotiate and conclude all appropriate documentation in respect of the restructuring of C&K, the establishment of the Subsidiary, Kirklees Council's membership of the Subsidiary and the continued provision of CEIAG services through these companies.

5.2 This is for the reasons set out above and in the Appendices as Option C represents on balance the most efficient, effective and practical solution which will deliver the benefits stated in paragraph 2.15.

5.3 Members should note that at this stage, this decision is subject to Calderdale Council also agreeing that Option C is also its preferred approach before the decision can be implemented. In the event that Calderdale Council choose to pursue a different option, officers will bring a further report to Cabinet.

#### **6. CABINET PORTFOLIO HOLDER RECOMMENDATIONS**

The Portfolio holders agree the content of the Report and for it to proceed to Cabinet

## **7. NEXT STEPS**

Three (3) Councillor Members to be appointed to the Board of the parent company,(C&K Careers Ltd) and the Subsidiary (Calderdale and Kirklees Careers). (*Appendix A – Option C* provides further membership and directorship detail).

Officers will work with C&K and Calderdale Council to agree company constitution documentation and new governance arrangements are intended to be put in place from 1 April 2016.

## **8. CONTACT OFFICER AND RELEVANT PAPERS**

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## **9. ASSISTANT DIRECTOR RESPONSIBLE**

Keith Smith, Assistant Director for Commissioning and Health Partnerships



## **Appendix A**

### **CEIAG Services Delivery Options**

#### ***Best value and market forces.***

C&K were successful in tendering for services in Kirklees in 2009. C&K continues to deliver value for money services which are closely monitored. C&K as a member of a consortium company called Careers Yorkshire and the Humber have also been successful in bidding for and delivering the National Career Service contract (for adults) in Kirklees and Calderdale (and Wakefield). This allows the delivery of both young people and adult services to be closely aligned.

For the period April 2015 – March 2016 there are 3 elements to the contract between Kirklees Council and C & K : (i) Delivery of the Council's statutory duties in relation to targeted services for vulnerable young people (including statutory data management functions), (ii) Collaborative arrangements for the delivery of CEIAG on behalf of a number of partner schools and colleges which is being funded by the schools and college involved and (iii) additional services for specific areas of work which have been funded through a number of different budgets related to the areas included – for example, apprenticeships, stronger families, care leavers, young people with a history of offending.

The majority of schools and colleges are choosing to work in collaboration with the Council in commissioning CEIAG services to meet their own statutory duties. This is the case in Calderdale also.

The CEIAG market across the Leeds City Region and Wider Yorkshire and Humber tends to be dominated by three main providers i.e. C&K Careers, Aspire-Igen and Prospects all formed from former local authority services in the past. C&K works closely with Aspire-Igen as a provider of post-16 education and training in Kirklees and with Prospects as the Youth contract provider (sub-contracted by them to C&K). All are part of the consortium company Careers Yorkshire and the Humber. C&K Careers work with Aspire-Igen on joint ventures.

#### ***C&K as a delivery partner***

- a) Performance – C&K has a strong reputation for delivering a quality service that meets its ever-stretching KPIs and outcome measures, a view supported by CMBC and the vast majority of schools and colleges in Kirklees and Calderdale amongst many other stakeholders.
- b) Value-for-money – C&K has delivered several million pounds of efficiency savings through maintaining the delivery and performance of CEIAG services in Kirklees. As a not-for-profit organisation any surpluses are re-invested into service delivery.
- c) Procurement and Contract Management –the services that C&K deliver support the strategic aims of the Council. C&K has shown itself it be an attentive and flexible contractor, readily willing to assist in any possible way. Where necessary,

contract variations have been readily agreed and this mechanism presents a low-risk option by which to achieve further changes to local services.

- d) Control – the Councils currently exert control on C&K through the commissioning route, with 3 Council directors from Kirklees on the company's Board. It has allowed for local accountability and flexibility and kept all liabilities at arm's length.
- e) Costs – the costs for the services delivered by C&K are fixed and are managed to avoid overrun. Reductions in funding are managed.
- f) Integration of range of services – C&K provide multi-skilled roles across service boundaries which can be achieved by simple contract variation. C&K competes for and wins around 40 to 50 other contracts annually in the support of services to local residents. These include Careers Information, Advice and Guidance in schools, work experience, the delivery of NVQ's in Advice and Guidance, the Youth Contract, careers information and website services, labour market information, graduate opportunities, Head Start, adult learning and skills, quality awards, internships, and Stronger Families. These support and under-pin Kirklees' commissioned services and also serve to ensure economies of scale are achieved.
- g) Local jobs – C&K already delivers services run by local people. It is also an essential mechanism for filling training provision and jobs in the local areas.

### ***Benchmarking data***

According to national sources a careers adviser costs about £30k per annum average, and the market price for independently provided advisers to schools is about £200/day. C&K costs broadly align with these costs.

As a point of note, the staff forecast for 2016/2017 (subject to school/college continued contributions) is 42 fte advisers posts and 11 other support post, 53 in total provided at a cost of £2.2m. An alternative provider in 2009 provided a tendered price for 56 staff posts at £2.5m. This represents a notional saving in the ensuing 7 years of £300k (12.5%).

In the event that existing staff were TUPE transferred to any other competitor provider, they would cost broadly as now, and there is very little opportunity for a new provider to make savings without reducing the level of service, at least initially.

C&K additional costs are as a result of engaging "a business" e.g. an entity with its own premises and management. Additional administration and management costs are incurred as a consequence of the added value items that the Council's contract requires.

C&K is a very open provider and share company information readily and openly and are very flexible to changing demands and requirements and willing to discuss and agree variations to contract, which may not always be the case in other provider contracts. C&K as a separate entity has the opportunity to use "more flexible approaches to staffing" and are reducing pension costs as a result of a recent policy relating to new staff.

**OPTION A: Tender for services in 16/17 (for delivery from April 2017) to comply with EU procurement requirements (report paragraph 2.12)**

Option (i) (separate Kirklees and Calderdale tenders) (or jointly as separate lots) for collaborative school and college services and LA statutory services

- Kirklees Council procures services through competitive tender for service from April 2016.
- Calderdale Council would need to contemporaneously procure services through competitive tender for services.

Option (ii) as above for LA only statutory services

Option (iii) – a mix of (i) and (ii) where only one authority supports collaborative school/college services

Possible likely outcomes of (i), (ii), (iii)

- a) Incumbent provider wins both contracts
- b) Incumbent provider wins just Kirklees contract
- c) Incumbent provider wins just Calderdale contract
- d) Incumbent provider wins none

The implications associated with the likely outcomes a) to d) above are highlighted in the Private Report.

**OPTION B: In-house services (report paragraph 2.13).**

The delivery of CEIAG services could be performed as an in-house service without competition. This option could potentially offer flexibility for each Council to operate as it chooses its delivery services however, this would be unlikely to provide the value for money services which are provided through the current contract with C&K.

Also, the current benefits achieved through the collaborative delivery model may be lost. The Council is unlikely to be able to trade services as well as an intermediate provider who can trade openly, form discrete delivery partnerships and trade with local authority controlled school and independent academies. The Council would likely face increased costs. Staff TUPE, especially central staff, may not be fair and equitable

The general strategic drive is for local authorities as commissioners of services rather than direct providers.

**OPTION C: C: Restructuring C&K and establishing a Subsidiary (report paragraph 2.14)**

Where a local authority arranges to deliver services through a company which it controls (or controls jointly with another local authority/public body), it is not required to hold a competition (“teckal exemption”) provided that (i) the local authority(ies) exercise(s) decisive influence over both strategic objectives and significant decisions of the company, (ii) more than 80% of that company’s activities of that company are carried out for the controlling authority(ies) and (iii) there is no direct private capital participation (except in limited circumstances) .

In view of the amount of work currently undertaken by C&K on behalf of non-public bodies, it will be necessary in order to qualify for the teckal exemption, to restructure C&K and establish a Subsidiary. The local authorities would contract directly with the Subsidiary for the provision of services to Kirklees and Calderdale Councils and the Subsidiary then sublet the provision of services to its parent company, C&K which will continue to employ all the staff necessary to perform the contracts and which will continue to undertake work for both public and private sectors (The Subsidiary will not employ staff and will buy-in any services as required).

The subscribers to the parent company (“C&K Careers Ltd”) would be Kirklees and Calderdale Councils, and, (subject to continuing to be regarded as a public body/contracting authority for the purposes of EU public procurement law) Huddersfield University. The same subscriber model would be reflected in the teckal Subsidiary company (“Calderdale & Kirklees Careers Ltd”). Both the parent company and its subsidiary would share the same directors from Kirklees Council, Calderdale Council and subject to it continuing to be a public body, Huddersfield University. The companies’ Articles of Association and/or or a members’ agreement would set out the ability to restructure directorships.

The structure will therefore be represented as follows:

- i. C&K Careers ( parent company) directors – 3 Kirklees Council, 3 Calderdale Council, 3 University of Huddersfield and 1 company (MD/Chief Executive). Voting structure will be such that Local Authority decisions cannot be outvoted.
- ii. Calderdale & Kirklees Careers Ltd (subsidiary) directors –3 Kirklees Council, 3 Calderdale Council, 3 University of Huddersfield and 1 company (MD/Chief Executive). Voting structure will be such that Local Authority decisions cannot be outvoted.

Delivery of the services by an entity which provides services for Calderdale Council and others achieves economies of scale, whilst meeting the objective of working in partnership to deliver services. The teckal proposal gives the Council flexibility, supports partnership collaboration, achieves best value service outcomes and supports the aspirations and employment outcomes for our young people.

The benefits of a teckal approach are:

- Flexibility in future commissioning and shaping services
- We comply with new EU procurement law
- Kirklees Council and Calderdale work collaboratively to ensure procurement options and decisions do not conflict.
- The significant and repeated time and costs associated with procurement are avoided. This saves the Councils having to perform regular procurement activities for services that they already monitor closely.
- Security and stability of services are ensured for the benefit of service users( young people, schools etc).
- Contracts between the Councils and teckal company are legally enforceable giving the Councils effective control as is the case now.
- Any concerns over the performance of teckal companies can be readily dealt with under contract and/or Service Level Agreement as now.
- The Council can work with other authorities to deliver services together by a formal structure (limited company).
- The combined activity may be more efficient or economical in practice for example, by reducing management costs and/or being more able to justify employing skilled specialists.
- The teckal Company imparts no new substantial liabilities on the Councils. This gives the Council the benefit of control and the benefit of keeping liabilities away at arm's length.
- New and complementary Council initiatives or other Council services could be delivered through teckal companies, therefore avoiding multiple tendering activities.
- The non-teckal company is free to offer and develop non-Council services for the benefit of the Councils.
- There would be scope for other Councils to join Kirklees Council in the provision of shared services through the teckal company.

The proposal offers specific benefits for learning and skills agenda. It enables efficiencies and economies of scale to be achieved with school and college collaborative partners delivering the most joined up, practical and best value options. It will ensure there is consistency in service provision and quality of services and further enable closer working with schools in being able to identify those young people at risk of disengagement. The company also delivers shared value service provision which may not fit neatly under defined statutory duties e.g. information services, management information and tracking, quality assured provision, employer engagement etc. The company delivers a comprehensive Department for Education compliant youth database and its analysis and tracking and follow-up service (the LA gets meaningful data and schools get benchmarked data and support in tracking against the new pupil progression measures). It supports improved participation, young people with SEN and Learning Difficulty Assessments (including continuing to Education Health and Care Plans) and links a single provider offering adult guidance support.

## Appendix B

### Council Statutory Duties

#### The Legislative/regulatory directives

A summary of Local Authority Regulatory activities is provided below:

- Education and Skills Act 2008 - duty to enable or assist young people's participation in education or training 14-19 and up to 25 for young people with SEND
- Education and Skills Act 2008 - sharing and use of information held for purposes of support services and under section 68 (4) additional LA guidance from Secretary of State for support services to include tracking and support – (i.e. CCIS)
- Education Act 1996 as amended by Apprenticeships, Skills, Children and Learning Act 2009 and the Learning and Skills Act 2000 - section 139A learning difficulty assessment
- Education and Skills Act 2008 - raise the participation age to 18 by 2015. This is further clarified in the RPA Guidance duty under section 68 of ESA 2008. Applies to all young people aged 13-19 and those aged 20 to 24 with a Learning Difficulty Assessment. In order to discharge this duty, local authorities must:
  - collect information to identify young people who are not participating, or who are at risk of not doing so, to target their resources on those who need them most.
  - The information collected must be in the format specified in the Client Caseload Information System (CCIS) Management Information Requirement.
  - Local authorities will be expected to continue to work with schools to identify those who are in need of targeted support or who are at risk of not participating post-16. They will need to agree how these young people can be referred for intensive support, drawn from the range of education and training support services available locally.
  - Local authorities are expected to lead the September Guarantee process, which underpins the delivery of this duty. This is the process by which local authorities aim to ensure that all 16-17 year olds receive an offer of a suitable place in education or training by the end of September each year.
  - Information on the number and proportion of young people in each area who: receive an offer under the September Guarantee, are participating in education or training, who are NEET, or whose current activity is not known
  - Working with the Youth Contract providers to develop provision that will meet the needs of 16-17 year olds NEET in the area and referring those who are eligible for support to local providers in line with the guidance issued by the EFA9.

- Local authorities should continue to maintain close links with Jobcentre Plus to ensure that young people who are NEET and receiving benefits get support that is appropriate to their needs.
- 16-17 year olds are, in certain circumstances, eligible to claim Job Seeker's Allowance (JSA), Income Support (IS) or Employment Support Allowance (ESA)
- Children and Families Act 2014 – duty to support transitional provision relating to EHC plans

Indicative Data (from March 2014 CCIS)

CCIS and other data

- 3,500 young people vulnerable - in need of targeted support to participate
  - Vulnerable and RONI - 1600 young people
  - Additional support to LLDD up to 25 200
  - Additional support to KS4 alternative provision – 200 young people
  - Not meeting RPA duty/NEET 16-18 – 1000
  - RODI – 500 young people
- 15,474 Tracking and support to cohort Y12 to Y14
- 753 Current NEET 16-18
- 1066 NEET joiners each year from EET
- 1070 16-25 with LLDD
- 4,892 September Guarantee offers made Y11
- 5,206 September Guarantee offers made Y12
- 963 claims for Job Seekers Allowance
- 4,545 UCAS Progress learners accounts supporting 7,730 applications
- 4,877 Kirklees Year 11s destinations tracked – key LA data
- 4,535 Dewsbury Centre: young people and their parents per annum
- 7,335 Huddersfield Centre: young people and their parents per annum

## Appendix C

### Service Specification

#### Participation support and provision of careers, education, information advice and guidance to young people in Kirklees

##### Introduction

To be informed and excited about their aspirations, and to manage their progress towards their identified goals young people need energetic, motivating and inspiring support to enable them to understand and value themselves. Young people in Kirklees have a wealth of opportunities surrounding them, and the provision of careers education, information, advice and guidance support in Kirklees has been designed to enable young people understand the opportunities that exist and help them access these successfully. This approach is a collaborative approach across the 14-19 partnership and with employers. Whatever the challenging barriers that young people face, our services are designed to understand the perceptions young people have of their world, and the perceptions that others have of them. Young people have the right to be supported to navigate successfully towards a rewarding and fulfilling future. The learning, skills and employment environment is complex. Our services help young people assess and understand their abilities, make sustainable and informed choices and use an informed, dynamic, inclusive and skilled approach.

To enable all young people in Kirklees achieve their ambitions, the Council is seeking services which:

- i. Provide Council statutory duties to support young people to participate in learning and to identify those at risk of not doing so who are 13-19 years of age (or up to 25 with special educational needs or disabilities)
- ii. Provide targeted support to those vulnerable groups identified as being “at risk”
- iii. Collect information to identify young people who are not participating, or who are at risk of not doing so, to target their resources on those who need them most.
- iv. Deliver a Department for Education compliant Client Caseload Information System (CCIS) Management Information Requirement.
- v. Work with schools to identify those who are in need of targeted support or who are at risk of not participating post-16.
- vi. Deliver the September Guarantee process to ensure that all 16-17 year olds receive an offer of a suitable place in education or training by the end of September each year.
- vii. Maintain close links with Jobcentre Plus to ensure that young people who are NEET and receiving benefits get support that is appropriate to their needs.
- viii. Provide support to young people from Y8 relating to Education Health and Care Plans.



- ix. Provide client services to Kirklees secondary schools/academies and post-16 providers as part of a collaborative package of careers education, information advice and guidance services.
- x. Support the broader development of the Kirklees Learning Progression Board.
- xi. Provide services which support the broader Economic Strategy and the employment and skills agenda.

### Meeting Council Statutory duties

A summary of Local Authority Regulatory activities is provided below:

- Education and Skills Act 2008 - duty to enable or assist young people's participation in education or training 14-19 and up to 25 for young people with SEND (see also Children's and Families Act 2014).
- Education and Skills Act 2008 - sharing and use of information held for purposes of support services and under section 68 (4) additional LA guidance from Secretary of State for support services to include tracking and support – (i.e. CCIS).
- Education Act 1996 as amended by Apprenticeships, Skills, Children and Learning Act 2009 and the Learning and Skills Act 2000 - section 139A learning difficulty assessment.
- Education and Skills Act 2008 - raise the participation age to 18 by 2015. This is further clarified in the RPA Guidance duty under section 68 of ESA 2008. In order to discharge this duty, local authorities must:
  - collect information to identify young people who are not participating, or who are at risk of not doing so, to target their resources on those who need them most.
  - Collect information in the format specified in the Department for Education Client Caseload Information System (CCIS) Management Information Requirement.
  - Work with schools to identify those who are in need of targeted support or who are at risk of not participating post-16. Agree how these young people can be referred for intensive support, drawn from the range of education and training support services available locally.
  - Lead the September Guarantee process, which underpins the delivery of this duty. This is the process by which local authorities aim to ensure that all 16-17 year olds receive an offer of a suitable place in education or training by the end of September each year.
  - Collect information on the number and proportion of young people in each area who: receive an offer under the September Guarantee, are participating in education or training, who are NEET, or whose current activity is not known.
  - Maintain close links with Jobcentre Plus to ensure that young people who are NEET and receiving benefits get support that is appropriate to their needs.
  - Children and Families Act 2014 – duty to support transitional provision relating to EHC plans.

*Delivering collaborative Careers, education, information advice and guidance services for schools/colleges*

A flexible menu of services will be provided to schools and colleges to help them meet their statutory duties.

- Education and Skills Act 2011 - new duty, section 42A, into Part VII of the Education Act 1997, requiring schools and colleges to secure access to independent careers guidance (Y8 to Y13)

The services will also support the Kirklees Ambitions strategy for careers education, education, information advice and guidance (see Annex 1).

*Supporting the broader 14-19 Learning and Employment and Skills Agendas*

The development of the Kirklees Skills Strategy will shape the delivery of CEIAG in the district, providing a clear direction of travel in the context of a changing economic environment and informed by the vision for new Council.

Services will help young people to be “Rounded, Resilient and Ready” and enable our businesses and the district to be more economically resilient. Services will be influential in delivering this broader economic agenda – particularly businesses and the Local Enterprise Partnership (LEP) who will make significant resource and time contributions to enable young people to make better informed choices about their futures linked to local economic priorities.

## CORE SERVICE REQUIREMENTS

### Enablement and Prevention

The Provider shall ensure that young people are enabled to take their own decisions when approaching and managing transition points in their lives. In order to achieve this young people should be encouraged to recognise and celebrate their abilities and potential, supported in the acquisition of personal and career-management skills, and guided through decision-making processes. The prevention of young people becoming NEET (Not in Education, Employment or Training) is also a key feature.

The Provider will work across a network of partners to seek to ensure that young people aged 13-19:

- have clear aspirations and make sustainable decisions for the future, and work to achieve social and economic well-being through the understanding and choice of appropriate progression pathways
- attend, achieve and progress through the stages of learning with access to and benefit from IAG, in a range of settings appropriate to their needs. For those young people who need it, an individual support programme designed to meet complex and multi-layered needs
- manage the barriers to their learning and achievement using access to and the outcomes of, support provided by comprehensive, accessible and professionally presented information and resources
- receive ongoing support to prevent them becoming NEET or are helped to re-engage them into EET

### Intervention

Interventions take place at the appropriate level for the young person, to enable them to understand and prepare for the multiple roles they will occupy, the skills and strategies to form good relationships, and the need to work well with other people. In addition, within the context of IAG they need to develop an understanding of, and transferable learning for, the qualities and skills they will need for working life, the routes into and through education and training, and how to manage change and development in their lives to overcome the barriers to learning.

The collaborative services deliver a planned programme of guidance interventions, which will ensure that all young people:

- have high employability skills and be prepared for the multiple roles they will occupy, the skills and strategies needed to form good relationships, and the need to work well with other people, through strong, coherent personal development and support programmes;
- have clear aspirations and have challenged stereotypical or fixed thinking about the opportunities open to them, and support as appropriate to enable them to manage transitions effectively;

- have a positive sense of their own identity, be able to enjoy life and be positive about its challenges, learn to assess their skills, attainment and potential to set and reach personal goals, and to understand that achievement is life-long, with different routes to, and definitions of, success, through programmes of personal and career development
- know the career opportunities that are available to them through contact with the world of work; understand their responsibilities in relation to these opportunities and make appropriate judgements about their future;
- make well-informed option choices at the end of Key Stage 3, with clearly identified progression pathways within Key Stage 4 and beyond;
- receive support that takes account of, and addresses, their full range of needs, by staff who will have a well-grounded understanding of those issues, and of the ethnic, cultural, economic and personal contexts of young people;
- will receive support to enable them to overcome complex and multi-layered difficulties should they be at risk of becoming NEET, or who already are NEET,
- have transition plans to assist their transition to post 16 education and training opportunities for all young people between ages 13-25 with SEND as defined by law
- work within the early help assessment framework and ensure safeguarding responsibilities are met

### Sustainability

Sustainability is central to successful decision making about their futures enabling young people to stay 'on-track' and to sustain their progress through a lifetime of transitions through learning and work. To achieve this young people need to develop a 'package' of inter-related skills and attitudes - for learning, employability and career management. The Provider shall work together with learning providers and support services to ensure that they offer focused personal, skills and career development to enable all young people to know about, understand and experience their learning. Young people need confidence in the individuals and structures that support them at key points of transition, and for many, through periods of uncertainty.

The Provider, working with partners shall seek to ensure that young people:

- make sustainable decisions about what earning or learning routes are most suitable for their aptitudes, abilities and values, and which are most likely to result in success for them
- understand and access the most appropriate options open to them;
- are enabled to make appropriate use of the flexibility offered within the structure and implementation of learning lines;
- identify a next step that is appropriate to their abilities and aspirations through impartial high quality advice and guidance at key points of transition;
- identify what training and/or further learning they need, and the opportunity to develop relevant career management skills, to enable them to effect these transitions in a manner that is accessible and relevant to their situation, and which supports their active involvement in the process;

- are helped to sustain appropriate decisions, with early indicators of difficulty being recognised, challenged, resolved and barriers overcome;
- have a portfolio of employability skills developed through work-based experiences, personal development programmes and career development programmes, including access to volunteering;
- have appropriate access to, and the skills to work with, relevant ICT packages to support their career planning and management:

The Provider shall also ensure:

- parents/carers are given opportunities to be effective partners in the career decision-making process;
- young people and their parents/carers are involved in determining the services provided through systems which clearly demonstrate that they are satisfied and can influence the content, relevance and accessibility of the IAG services;
- Advisers with skills, knowledge, a high level of understanding of young people and professional qualifications, are supported by generic and focused training, as part of their on-going professional development.
- Labour Market Information (LMI) and job brokerage services enable young people to access increased employment opportunities with training, through the maintenance and development of appropriate employer networks;
- robust data on all young people and their learning and support programmes, is recorded through a Client Caseload Information System (CCIS) which will act as the basis of a client management and tracking system and will provide a lead on CCIS data capture from other partners
- regular Management Information Reports are provided using CCIS data for analysis by partners.
- systematic sharing of information and data on the needs and circumstance of the young person, takes place.
- young people receive personal and progress reviews, evaluation and feedback to offer positive support / encouragement, enhance motivation and inspire individuals with what they can achieve and aspire to;
- young people make timely, well-presented and researched applications to further and higher education, and other post-16 learning
- young people are enabled to effect informed, appropriate and sustainable transitions:

### Advisers

The Provider shall maintain the role of the Adviser which is to provide services which are inclusive, and ensure the assessment of the needs of the young person, including all barriers to their participation and learning, the planning to overcome and remove barriers, the interventions needed including the brokering of specialist support or learning opportunities, and the process of review to ensure continued progress.

The key roles of Advisers are to:

- engage with young people to identify and address their needs, offering information, advice and guidance on learning and career options and personal development opportunities, with a view to raising the aspirations of each young person
- work with and support education and training institutions and employers in meeting the needs of young people
- working within a network of voluntary, statutory and community agencies, and commercial bodies to ensure a coherent approach to support for the young person
- work with parents, carers and families to support young people in accessing learning and other personal development opportunities
- manage information effectively to facilitate the process of meeting the needs of young people
- review and reflect upon their own professional practice to achieve continuous improvement

Advisers shall enable young people to:

- gather and use information
- actively value learning (so that personal development learning and careers work is useful and relevant)
- recognise realistic options
- manage solutions to overcome barriers to learning or work
- manage transitions through learning and work
- address the implications of change;
- manage their feelings about themselves/earning and learning
- enable access to specific education training, employment and personal development opportunities.

#### *Working with Partner learning and youth support services*

The Provider shall work in support other Kirklees youth support services

#### *Workforce and Workforce Development*

The Provider shall ensure that sufficient skilled, appropriately trained and qualified staff are made available to deliver the specified outcomes and services. All Advisers shall be level 6 IAG qualified (or working towards) and are subject to annual evaluation of their professional practice. All staff access training in line with an annual appraisal and six monthly review.

#### *Quality Assurance and Evaluation of Services*

The Provider will ensure that all services, activities and contractual agreements are quality assured. Matrix and IIP accreditation shall be maintained for all IAG delivered services.

## **THE VULNERABLE SERVICE FRAMEWORK**

<b>Services</b>	<b>16/17 Delivery Guidance</b>	<b>New Council transformation</b>
Adviser targeted service to vulnerable school and college students 13 – 16 years of age	Priority vulnerable groups include offered in school and college settings: <ul style="list-style-type: none"> <li>➤ Looked After Children</li> <li>➤ Young Offenders</li> <li>➤ Pregnant Teenagers</li> <li>➤ Teenage Parents</li> <li>➤ Young people with a Statement / EHCP (Y8 to 25 yrs)</li> <li>➤ Carers</li> <li>➤ Attendance Issues</li> <li>➤ Alternative Provision</li> <li>➤ Young people expecting achieve below L1.</li> <li>➤ My Support Plan indicates significant ESD needs but below the level needed to trigger EHCP</li> </ul>	<ul style="list-style-type: none"> <li>○ Integrated with Developing Early Intervention Services</li> <li>○ Integration with multi agency teams</li> <li>○ Building resilience in young people</li> </ul>
Risk of NEET Risk of Drop Out	<ul style="list-style-type: none"> <li>➤ Identify RONI students for intensive support in Y8 and again in Y10/11</li> <li>➤ Identify RODI students at the end of Y11.</li> </ul>	<ul style="list-style-type: none"> <li>○ Increased school and college ownership</li> </ul>
Support to KS4 Units/Pupil Referral Service	<ul style="list-style-type: none"> <li>➤ Dedicated support to vulnerable in alternative provision</li> </ul>	<ul style="list-style-type: none"> <li>○ Integration with multi agency teams</li> <li>○ Building resilience in young people</li> </ul>
Adviser Participation Support Y12+ to support 16-19 year olds who are NEET or at risk of becoming NEET	<ul style="list-style-type: none"> <li>➤ Advisers deployed at the centres and out in the community to support the full Y12-14 cohort, focusing on vulnerable young people who are not meeting the RPA duty and who are NEET or 'not known'.</li> </ul>	<ul style="list-style-type: none"> <li>○ Opportunities for multi-agency team working</li> <li>○ Co-location options</li> </ul>
Huddersfield and Dewsbury Careers Centres	<ul style="list-style-type: none"> <li>➤ Provide prominent high street locations offering individual guidance to over-16s (NEET or at risk of drop out) through a balance of appointments, drop-in</li> </ul>	<ul style="list-style-type: none"> <li>○ Integrated with Developing Early Intervention Services</li> <li>○ Opportunities for multi-agency team working</li> <li>○ Co-location options</li> </ul>
Outreach support to young people who are NEET or 'not known'	<ul style="list-style-type: none"> <li>➤ Support delivered in communities, where other attempts to engage young people have been unsuccessful, to drive down NEET and 'not knowns' and increase participation in learning</li> </ul>	<ul style="list-style-type: none"> <li>○ Integrated with Developing Early Intervention Services</li> <li>○ Opportunities for multi-agency team working</li> <li>○ Co-location options</li> </ul>
Vacancy matching	<ul style="list-style-type: none"> <li>➤ Maintain a database of employment vacancies</li> </ul>	<ul style="list-style-type: none"> <li>○ Integration with other</li> </ul>

service	<p>sourced and serviced annually</p> <ul style="list-style-type: none"> <li>➤ Entry to apprenticeships, training and further education brokered by an Adviser.</li> <li>➤ Reduction in the number of 16-19 year olds in jobs without training.</li> <li>➤ Maintenance of up-to-date database of at employers to inform this service and school/college employer links.</li> </ul>	<p>employment services</p> <ul style="list-style-type: none"> <li>○ Digital by default approach</li> </ul>
Tracking of 16-19 year olds	<ul style="list-style-type: none"> <li>➤ Tracking of full Y12-14 cohort to direct support to where it is most needed, inform strategy and reduce 'not knowns'. A RODI system in Post 16 including support to the vulnerable groups to maintain their place in Post 16 education</li> <li>➤ Annual headline Activity Survey (destinations analysis) reports available to all schools via the C&amp;K Careers website.</li> <li>➤ Destination at 17 and 18 data</li> <li>➤ NEET joiners analysis</li> <li>➤ 42 day leavers analysis</li> </ul>	<ul style="list-style-type: none"> <li>○ Opportunities for multi-agency team working</li> <li>○ Improved data sharing</li> <li>○ Merged data services</li> </ul>
September Guarantee	<ul style="list-style-type: none"> <li>➤ Tracking, brokering and recording of offers of learning to the full Y11 and 12 cohort.</li> </ul>	<ul style="list-style-type: none"> <li>○ Improved data sharing</li> <li>○ Merged data services</li> </ul>
Support to special schools, SEND and vulnerable students 13 to 25 year old	<ul style="list-style-type: none"> <li>➤ Specialist SEND Advisers support special schools and units, as well as vulnerable students in high schools, to complement the service provided by mainstream Advisers.</li> </ul>	<ul style="list-style-type: none"> <li>○ Promote CEIAG duty to special schools</li> </ul>
EHC plans	<ul style="list-style-type: none"> <li>➤ Attend review meetings for children with SEND in years 9 &amp; 11 and young people in year 13 and 14.</li> <li>➤ Complete EHCP careers summary</li> <li>➤ Attend transfer reviews and produce a careers summary for young people in educational placements outside Kirklees</li> </ul>	<ul style="list-style-type: none"> <li>○ Quid pro quo arrangements with other LAs</li> </ul>
Comprehensive CCIS-compliant youth database	<ul style="list-style-type: none"> <li>➤ Database maintained and monthly, annual and some bespoke MI reports provided to the LA and DfE</li> </ul>	<ul style="list-style-type: none"> <li>○ Improved data sharing</li> <li>○ Merged data services</li> </ul>
Engagement with partner agencies such as Jobcentre Plus, IYS and Corporate Parenting.	<ul style="list-style-type: none"> <li>➤ Annual service delivery agreements (SDAs) to ensure delivery of complementary services and, where funding allows, secondments.</li> </ul>	<ul style="list-style-type: none"> <li>○ Integrated with Developing Early Intervention Services</li> <li>○ Opportunities for multi-agency team working</li> <li>○ Co-location options</li> </ul>
Careers events	<ul style="list-style-type: none"> <li>➤ Two annual centrally coordinated events: <ul style="list-style-type: none"> <li>○ Post-16 Opportunities (Sept/Oct)</li> </ul> </li> <li>➤ Apprenticeships event (March)</li> </ul>	<ul style="list-style-type: none"> <li>○ Alignment with Apprenticeship Hub</li> </ul>
Local telephone helpline	<ul style="list-style-type: none"> <li>➤ Provide information and advice on careers and learning to young people, parents and carers,</li> </ul>	



	adults, school and college staff, careers advisers, training and community learning providers and other stakeholders (accessible via telephone, email, text and the web).	
Other LA services supporting vulnerable and school/college collaboration	<ul style="list-style-type: none"> <li>➤ UCAS Progress (Area wide prospectus and common application process).</li> <li>➤ Offer a QICs CEIAG Quality Standard</li> <li>➤ Provide a CEIAG website and online services which include: <ul style="list-style-type: none"> <li>○ Key transition stage information for young people and parents/carers</li> <li>○ Labour market information</li> <li>○ vacancies</li> <li>○ UCAS Progress 'Search'</li> <li>○ Help lines directory</li> <li>○ Chat facility</li> <li>○ 'Choices at Year 11' learning provider directory</li> </ul> </li> <li>➤ Careers publications and leaflets</li> </ul>	

## ***THE SCHOOL/COLLEGE COLLABORATIVE SERVICE FRAMEWORK***

The provider shall promote CEIAG services to secondary schools/academies and post-16 institutions. Services will be traded by the local authority.

Services shall be offered in flexible packages and agreed individually with institutions in a Service Level Agreement.

All services shall be traded at a rate which provide full cost recovery.

<b><u>16/17 Delivery Guidance</u></b>
Careers Advisers (CAs) matrix accredited, at or working towards a level 6 IAG qualification, supported with CPD and annually appraised
High School and College CA resource
Support to school and college callers at the centres (including approximately 1800 college callers annually)
Analysis of student destinations: <ul style="list-style-type: none"><li>• full Y11 (Activity Survey)</li><li>• report headline summary</li><li>• KS4 and 5 Destination Measures (2 terms on)</li></ul>
CEIAG Quality Standard assessments and 3 yearly re-assessments
End of Term reports detailing work undertaken and advice regarding any issues
Use of Y8 risk of NEET and Y11 risk of drop-out indicators to support progression
Kirklees-wide careers events: <ul style="list-style-type: none"><li>• Post-16 Opportunities</li><li>• Apprenticeships</li></ul>
Support for school/college own events
Careers website: enhanced website providing access to full range of CEIAG materials, LMI, interactive vacancy matching portal and careers idea generator
Support for careers libraries and VLEs
Evaluation (Student Voice) Delivery informed by: <ul style="list-style-type: none"><li>• Annual Y11 satisfaction survey</li><li>• Biennial Impact of Guidance survey</li></ul>
Careers publications
Leaflet series
Area Wide Prospectus and Common Application Process
Vacancy matching
Vacancy bulletin for labour market applicants

**Areas for development**

Promote with schools a broader all age offer around CEIAG in particular in KS3.

Expanded and enhanced education/business partnership and enterprise education activity and local employer and professional community real-world engagement, including for example:

- Mentoring and coaching
- Speakers from the world of work in schools
- An insight from Jobcentre Plus, or the National Careers Service into the labour market and the needs of employers
- Workplace visits and work experience placements
- Work ‘taster’ events such as games and competitions
- Careers fairs and career networking events
- Access to open days at further and higher education institutions
- Access to creative online resources and labour market intelligence
- Help with basic career management skills like CV writing, CV building, job searches and job interviews.

*List of current participating institutions*

	Gold	Silver	Bronze
Kirklees College			
Huddersfield New College			
Greenhead College			
All Saints			
Almondbury			
Batley Girls			
Batley BEC			
Batley Grammar			
BBG Academy			
Castle Hall			
Colne Valley			
Manor Croft			
Mirfield FG			
North Huddersfield Trust			
Heckmondwike Grammar			
Holmfirth			
Honley			
King James			
Moor End			
Netherhall			
Newsome			
Royds Hall			
St John Fisher			
Salendine Nook			

Shelley					
Spen Valley					
Thornhill					
Westborough					
Whitcliffe Mount					

N.B. Schools and colleges have the option to review and leave or revise their participation options each year.

## **SERVICE OUTCOMES**

<b><i>Outcome</i></b>
1. All young people receive high quality and impartial information, advice and guidance services, support and interventions to enable them to make appropriate choices and transition into appropriate learning and employment destinations
2. Collaborative Partners are supported to work together to develop collaborative activity options, including area based careers and options events
3. Young people, families and professionals are informed about services and how to access the services they need
4. Young people who are 13-16 year olds and are at risk of becoming NEET post-16 are appropriately identified and supported so that they make successful transitions
5. Young people 16 to 18 (academic age) who have become NEET are appropriately supported back into education, employment or training
6. There is effective follow-up of young people ensuring numbers of young people 16 -18 not known (academic age) are kept to a minimum
7. Young people up to 17 years of age are supported to remain in learning in line with RPA requirements (including reducing numbers of young people entering employment without training)
8. Young people who are participating post-16 are appropriately supported to ensure a reduction in the number of young people who churn/drop out
9. Young people are accessing and engaged in learning including work based learning provision and apprenticeships where appropriate
10. Young people receive appropriate offers of learning in line with the Department for Education's September Guarantee requirements
11. Collaborative partners receive the information they need to support young people to engage in education and training via a DfE CCIS compliant database
12. Collaborative partners are provided with sufficient information and data to manage their information, advice and guidance requirements
13. Young people with learning difficulties and/or disabilities are fully supported to achieve learning and employment goals up to 25 years of age
14. There is a narrowing of the gap in the participation in learning of vulnerable groups in relation to geographical wards

<b>Outcome</b>
15. Council early intervention and targeted services (including IYSS) provision are fully supported
16. Young people engaged in the Stronger Families programme are supported appropriately into learning and employment destinations
17. Personal Adviser resources are deployed in community based settings including youth hubs
18. Connexions Centre provision is integral to targeted youth support and IYSS services
19. The local CEIAG Quality Standard is promoted across all Kirklees schools, colleges and learning providers and the standard used to drive up the quality of CEIAG services
20. Participation and employment outcomes for young people 19 years to 25 years of age are improved through effective collaborative partnership working
21. Progression outcomes for young people are improved through increased destination intelligence and research
22. Young people demonstrate that IAG services are meeting their needs and show increasing levels of satisfaction with service provision
23. Collaborative partners demonstrate that IAG services are meeting needs and show increasing levels of satisfaction with service provision
24. Support is provided to Kirklees Council's Jobs/Growth priority



**Kirklees Ambitions: - Careers, education, information, advice and guidance**

**1. Introduction**

Supporting young people to make informed decisions about a wide range of progression, learning and work decisions is fundamentally important to individual development and wellbeing and to the prosperity of both the Kirklees and wider economy.

The work of schools, colleges and education providers is essential in meeting this ambition. In a self-improving system, education providers must work together in a firm commitment to the values and behaviours that will lead to young people making better informed choices.

Kirklees Ambitions, adopts the values and behaviours of The Foundation Code (developed and supported by ASCL, AoC, 157 Group, ATL, AELP, PPC and SFCA and underpinned by evidence from NFER).

- ASCL Association of School and College Leaders
- AELP Association of Employment and Learning Providers
- AoC Association of Colleges
- ATL Association of Teachers and Lecturers
- PPC Principals' Professional Council
- SFCA Sixth Form Colleges Association
- 157 Group Furthering Education and Skills
- NFER National Foundation for Educational Research

**2. Values**

We believe that meeting the needs of the young person should be at the centre of all CEIAG provision, policy and practice within schools, colleges and independent learning providers. This is based on the principle that high quality CEIAG promotes individual aspiration as well as having the ability to contribute significantly to enhanced motivation and improved educational outcomes for young people.

Where the needs of the individual young person are best served by transferring to another institution at 14, 16 or 18 we agree that we will ensure that the young person has access to the best possible CEIAG. We commit to ensuring that our actions and behaviours in relation to CEIAG will be guided by the best interests of the young person rather than that of the institution.

We commit to supporting young people, including from disadvantaged backgrounds, to gain access to opportunities and information that otherwise might have been denied to them, encouraging them to think critically beyond their own ideas and aspirations.

### **3. Framework**

The following behaviours support the framework for our Kirklees Ambitions.

#### *Adopt a strategic approach to CEIAG*

- an approach that is supported and challenged by governors.
- a curriculum embedded careers education programme for all year groups and provides access to impartial advice and guidance.
- include activities and opportunities in which young people can learn and explore all the different options available to them, both within and external to the individual institution they are currently part of.
- an approach which encourages and inspires young people to take ownership of their career plans and to consider all options, so that they are able to select the best way forward for their interests, motivations, learning styles, abilities and aspirations

#### *Contribute to addressing the skills mismatch*

- develop sustained and appropriate employer engagement in order to bridge the gap between the world of education and work, raising students' aspirations and better preparing them with the skills, knowledge and attributes required by employers and society.
- take into account changing trends in the nature of employment and labour market information.

#### *Form and lead collaborations*

- work with educational partners including colleges, independent learning providers, HEI and LEPs, drawing on their expertise in order to support the delivery of CEIAG to provide accurate and up to date information about post 14, 16 and 18 opportunities.

#### *Engage parents and carers*

- provide a systematic, sustained set of activities and interventions that will involve parents and carers in the young person's pathway decisions.
- improving understanding of both academic and vocational qualifications and the related progression routes.
- Actively consult with young people, parents and staff on CEIAG provision to inform continuing improvement.

#### *Support social mobility*

- inform the aspirations of disadvantaged groups and support them in gaining access to opportunities that otherwise might have been denied to them, ensuring these students have access to clear progression routes, relevant contact with employers and are prioritised for work placements.



### *Provide effective CEIAG for all*

- access to transparent, impartial and accessible information on:
  - the resources allocated to, and the content and timing of, CEIAG delivered to young people;
  - local (and where appropriate national ) education pathways, and labour market opportunities, for young people aged 14, 16 and post-18;
  - expectations of collaborative partners; including employers, parents, other educational or training providers and careers professionals;
  - the development of employability skills;
- support teachers to actively consider links between their subjects and future careers, and to embed careers information into lessons and subjects.

### *Professional development*

- recognise that high quality continuing professional development for all who have responsibility for delivering CEIAG to young people is essential in order to equip them to provide up to date, accurate and timely advice and guidance.
- ensure those delivering CEIAG are provided with access to quality professional development opportunities.
- ensure that provision meets the quality that a dedicated CEIAG quality award – nationally validated by the Quality in Careers Standards (QICS) – can bring.

## **4. Outcomes from our ambition**

- Young people proactive in taking charge of their futures.
- Young people's increased engagement, attendance and attainment.
- Young people making more informed decisions.
- Young people more ready for the world of work.
- More young people appropriately engaged in education, employment or training.
- Increase in number of young people achieving 'well being'.
- Greater widespread understanding of 'lifelong learning'.
- An increase in the number of young people confident and resilient to cope with change.
- More staff across education aware of their influence on young people.
- Careers guidance embedded across the curriculum.
- Employers proactively engaged in the world of education.

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**Name and date of meeting: Cabinet - 15<sup>th</sup> December 2015**

**Title of report:** 2015/16 and 2016/17 Council Capital Plan - Amendments to the detail of the approved 2015/16 Corporate Landlord managed sections of the capital plan and proposed allocation of 2016/17 capital funding.

<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>	Yes
<b>Date signed off by <u>Director</u> &amp; name</b>	Paul Kemp – 7 December 2015
<b>Is it signed off by the Director of Resources?</b>	David Smith – 2 December 2015
<b>Is it signed off by the Assistant Director – Legal, Governance &amp; Monitoring?</b>	Julie Muscroft – 3 December 2015
<b>Cabinet member <a href="#">portfolio</a></b>	Cllrs G Turner (Resources), P McBride (Place), S Hall (Place), C Scott (Place), P O'Neill (Communities and Leisure), V Kendrick (Health, Wellbeing & Communities),

**Electoral [wards](#) affected: ALL**

**Ward councillors consulted: No**

**Public or private: Public with Private Appendices**

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

## 1. Purpose of report.

- 1.1 In accordance with financial procedure rules this report will update Members on the latest position for 2015/16 on Corporate Landlord managed sections of the Capital Plan:
- Investment in Buildings Baseline:
    - Public Access Buildings (Programme 1) - Condition Works Programme
    - Kirklees Active Leisure (Programme 2) – KC Funded
    - Strategic Asset Utilisation/Rationalisation
- 1.2 Members will be asked to consider and approve the revised programmes for 2015/16 as scheduled in **Appendix A** so that projects can be delivered during the financial year and to provide officers with continued delegated authority to manage the programme.
- 1.3 This report will also identify potential projects to be funded from the Corporate Landlord managed sections of the Capital Plan in 2016/17 which is subject to approval by Council on 17th February 2016. Members will be asked to consider and approve the named projects which are listed in **Appendix B** so that they can be delivered during the financial year 2016/17 and to provide officers with delegated authority to manage the programme.
- 1.4 Finally, Members will be asked to consider and approve the detailed business cases at **Appendix C & D**.

## 2. Key Points.

### (a) Background

- 2.1 On 16<sup>th</sup> December 2014 Cabinet allocated funding from the approved Capital Plan to Corporate Landlord managed programmes of work for 2015/16 as follows:

	2015/16 Capital Plan
Public Access Buildings	£2.000m
Kirklees Active Leisure	£0.400m
Asset Strategy/Utilisation	£1.000m
Total	<b>£3.400m</b>

- 2.2 The July 2015 Rollover Capital Plan approved by Council on 29<sup>th</sup> July 2015 includes Capital provision for the programmes as follows:

	2016/17 Capital Plan	Proposed allocations detailed in this report
Public Access Buildings	£2.000m	£2.000m
Kirklees Active Leisure	£0.400m	£0.400m
Asset Strategy/Utilisation	£2.220m	£2.220m
Total	<b>£4.620m</b>	<b>£4.620m</b>

- 2.3 The Corporate Landlord portfolio of buildings includes for example Service and Office Accommodation, Library & Information Centres, Children's Centres, Town Halls, Public Halls, and Museums.
- 2.4 The programme of works undertaken in support of the Council's Asset Strategy primarily consists of the following categories of work:
- Refurbishment, remodelling and redecoration of service and office accommodation to facilitate office moves and a reduction in total occupied office space using 21st century working principles.
  - Investment in Town Halls, Public Halls and Libraries to make better use of space and develop services.

(b) *Programme 1: Public Access Buildings Condition Programme*

- 2.5 The 2015/16 work programme is part way through delivery, however there have been a number of changes dealt with under delegated powers to reflect emerging priorities, market conditions and emergency additions to the plan, in order to keep the 2015/16 programme within the overall programme totals. **Appendix A** names projects which have either changed or been added to the programme.
- 2.6 The 2016/17 Condition Programme is detailed at **Appendix B** along with a supporting business case at **Appendix C**

The programme is summarised below:

	£000's
Replacement of roofs & windows, structural repairs and general refurbishments	£795.5K
Replacement Lifts	£399K
Planned electrical works rewiring, fire alarm systems and emergency lighting	£260K
Boiler replacements & heating distributions	£145.5K
Risk Pot, advanced surveys and feasibility works	£400K
<b>Total</b>	<b>£2000K</b>

(c) *Programme 2: Condition Programme in KAL operated sites*

- 2.7 The 2015/16 work programme is part way through delivery. However there have been a number of changes dealt with under delegated powers to reflect emerging priorities, market conditions and emergency additions to the plan, in order to keep the 2015/16 programme within the overall programme totals. **Appendix A** names projects which have either changed or been added to the programme.
- 2.8 The 2016/17 Condition Programme is detailed at **Appendix B** along with a supporting business case at **Appendix C**. The programme is summarised below:

	£000's
Replacement of roofs & windows, structural repairs and general refurbishments	£320K
Mechanical Services works	£ 20K
Risk Pot, advanced surveys and feasibility works	£ 60K
	£400K

(d) *Asset Strategy*

- 2.9 The 2015/16 work programme is part way through delivery. However there have been a number of changes dealt with under delegated powers to reflect virement to and from other budgets, emerging priorities, market conditions and emergency additions to the plan, in order to keep the 2015/16 programme within the overall programme totals. **Appendix A** names projects which have either changed or been added to the programme.
- 2.10 The total value of proposed works for the financial year 2015/16 is £1.000m and the proposed programme is detailed at **Appendix B** along with a supporting business case at **Appendix D**.
- 2.11 The Risk Pot allows for adverse market conditions, discovery of higher than expected levels of asbestos and addition of in year urgent projects.
- 2.12 The allocation of the capital expenditure for this programme is summarised below:

	£000's
Demolitions	£1,160K
Alterations and Refurbishments	£1,010K
Risk Pot, advanced surveys and feasibility works	£50K
<b>Total</b>	<b>£2,220K</b>

(e) *Financial Delegations*

- 2.13 In order to aid the implementation of Corporate Landlord Capital programmes Members are requested to delegate authority in accordance with the Council's Financial Procedure Rules dated April 2015, to the Assistant Director – Physical Resources and Procurement to manage their implementation within the respective agreed total programme budgets.
- 2.14 Delegated powers would include the authority to:
- transfer resources between projects within the Asset Strategy and Investment in Buildings funding streams / programmes without restrictions
  - add new urgent projects under 250K to the programmes without prior Cabinet approval providing that the total cost of the programmes remain with the approved capital allocations set by Council

- slip or delete projects during the course of the financial year to enable the effective management of the programmes concerned

- 2.15 Members are also requested to delegate approval of individual changes to the programme above 250K to the Lead Cabinet Member for Resources Portfolio, and chair of AD Investment Group.
- 2.16 All virements, additions and deletions will be reported retrospectively to Cabinet in accordance with Financial Procedure Rules.

### 3. Implications for the Council

- 3.1 The capital investment outlined in this report of £4.62m for the 2016/17 programmes is funded from prudential borrowing. The revenue cost of financing this level of borrowing £291K per annum for 20 years. The table below shows the breakdown of this cost for each programme.

	2016/17	Revenue Cost of borrowing per annum £000's
Public Access Buildings	£2.000m	£126K
Kirklees Active Leisure	£0.400m	£ 25.2K
Asset Strategy/Utilisation	£2.220m	£139.8K
<b>Total</b>	<b>£4.620m</b>	<b>£291K p.a.</b>

- 3.2 If the asset and disposals strategies are to be implemented in a timely manner and in line with expectations built into the Medium Term Financial Plan, it is important that the programme of works for 2016/17 is undertaken in an efficient and effective manner given the extended lead in times arising from construction programmes and the logistics of moving large groups of staff.
- 3.3 Failure to undertake the works during 2016/17 would lead to significant delays in realising significant revenue savings within the office accommodation portfolio and improved delivery of services to the public. The detailed list of works listed in **Appendix B** are all required to achieve these savings.
- 3.4 There is an extensive backlog of repairs in corporate landlord buildings, for which the council has responsibility. Projects included in the programme of condition works are all required to address urgent condition needs in corporate landlord buildings. Failure to undertake the works will lead to significant damage to buildings, equipment and belongings e.g. significant water ingress through a failed roof or the partial or full closure of a building e.g. a boiler or heating system failure during the winter months could close a building due to temperatures falling below minimum requirements.

#### **4. Consultees and Their Opinions**

- 4.1 The asset strategy programme has been subject to consultation with officers from affected services, Capital Delivery Board and AD Strategic Investment Group.
- 4.2 The PRP Service works with relevant services to ensure works carried out are appropriate to meet the end user customer needs.
- 4.3 The Director of Resources has been consulted about the proposals to delegate authority to manage the programmes concerned to officer level and has agreed that the proposals would comply with the council's Financial Procedure Rules.

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

- 5.1 Subject to approval of the amended programmes, officers from Physical Resources and Procurement will ensure the 2015/16 Capital Plan is updated and all projects concerned are developed, designed, procured and implemented.
- 5.2 Subject to approval of the proposed projects and final business case, officers from PRP will ensure the 2015/16 Capital Plan is updated and the projects concerned are developed, designed, procured and implemented. Should capital allocations be amended at Council on 17<sup>th</sup> February 2015, officers will amend the programmes to ensure they are contained within overall programme totals.

#### **6. Officer Recommendation and reasons**

- 6.1 Members are requested to:
  - (a) consider and note the amendments to the detail of the approved 2015/16 Corporate Landlord managed sections of the Capital Plan.
  - (b) consider and approve the programmes of work for 2016/17 subject to the overall capital allocation being approved at Council on 17<sup>th</sup> February 2016.
  - (c) consider and approve the proposed delegated powers as outlined in paragraphs 2.13 to 2.16 of this report.

#### **7. Cabinet Portfolio Holders Recommendation**

- 7.1 The Portfolio Holder supports the Officer recommendations.

#### **8. Contact Officer and Relevant Papers**

Jonathan Quarmby - Corporate Facilities Manager - Physical Resources and Procurement Service Tel: 01484 221000  
Email: [jonathan.quarmby@kirklees.gov.uk](mailto:jonathan.quarmby@kirklees.gov.uk)



Stephen Stead - Asset Strategy Manager - Physical Resources and Procurement Service Tel: 01484 225148  
Email: [stephen.stead@kirklees.gov.uk](mailto:stephen.stead@kirklees.gov.uk)

Bob Doyle - Capital Development Manager - Physical Resources and Procurement Service Tel: 01484 221000  
Email: [bob.doyle@kirklees.gov.uk](mailto:bob.doyle@kirklees.gov.uk)

Cabinet Report 16/12/2014:

“2014/15 and 2015/16 Council Capital Plan - Amendments to the detail of the approved 2014/15 Corporate Landlord managed sections of the capital plan and proposed allocation of 2015/16 capital funding.”

Council 29th July 2015: 5 Year Rollover Capital Plan

## **9. Assistant Director Responsible**

Paul Kemp - Assistant Director  
[paul.kemp@kirklees.gov.uk](mailto:paul.kemp@kirklees.gov.uk)

## **10. Private Attachments**

Appendix A Details of amendments to 2015/16 programme of works  
Appendix B Detailed list of proposed works in corporate sites for 2016/17

Appendix C Business Case for Investment in Buildings: Condition Programmes 2016/17

Appendix D Business Case for the Asset Strategy 2016/17 Works Programme

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