

Public Document Pack



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Monday 7 November 2016

Notice of Meeting

Dear Member

Cabinet

The **Cabinet** will meet in the **Council Chamber - Town Hall, Huddersfield** at **4.00 pm** on **Tuesday 15 November 2016**.

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 Shabir Pandor

Councillor Peter McBride

Councillor Naheed Mather

Councillor Musarrat Khan

Councillor Erin Hill

Councillor Viv Kendrick

Councillor Masood Ahmed

Councillor Graham Turner

Responsible For:

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

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

Economy, Skills, Transportation & Planning

Housing & Enforcement Management

Highways & Neighbourhoods

Family Support & Child Protection

Adults, Health & Activity to Improve Health

Community Cohension & Schools

Asset Strategy, Resources & Creative Kirklees

Agenda

Reports or Explanatory Notes Attached

Pages

1: Membership of the Committee

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

2: Minutes of previous meeting

1 - 18

To approve the Minutes of the meeting of the Committee held on 3 October, 12 October and 18 October 2016.

3: Interests

19 - 20

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.

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.

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.

6: Public Question Time

The Committee will hear any questions from the general public.

7: Member Question Time

To consider questions from Councillors.

8: Interim Affordable Housing Policy

21 - 36

A report setting out guidelines and the interim policy for dealing with affordable housing contributions in new housing developments.

Officer: Simon Taylor

Wards

Affected: All Wards

9: Revision of the Local Flood Risk Management Strategy

37 - 100

A report seeking approval of the updated local flood risk management strategy, to reflect new evidence and information following the flooding in December 2015.

Officer: Tom Ghee – 01484 221000

Wards

Affected: All Wards

10: Christmas Parking Concessions 2016 101 - 106

A report seeking approval for Christmas parking concessions in respect of Huddersfield, Holmfirth and Dewsbury for 2016.

Officer: Paul Hawkins: 01484 221000

Wards

Affected: Dewsbury East; Dewsbury South; Dewsbury West; Holme Holme Valley South; Newsome

11: Quarter 2, 2016-17 - Corporate Monitoring Report incorporating General Fund Revenue, Housing Revenue Account, Capital and Treasury Management 107 - 144

A report providing information on the Council's 2016-17 forecast financial outturn position for General Fund revenue, Housing Revenue Account (HRA) and Capital Plan, as at Quarter 2 (month 6). The report also incorporates the mid-year summary of treasury management operational activity; covering the period 1 April to 30 September.

Officer: Eamonn Croston: 01484 221000

Wards

Affected: All Wards

12: Outcomes from the non-statutory consultation for Members consideration on proposals for changes to specialist provision for children with Speech, Language and Communication Needs (SLCN) and autism 145 - 224

A report setting out the outcomes from the non-statutory consultation that took place between 16th May 2016 and 17th June 2016 for Members' consideration on proposals for changes to specialist provisions at Ashbrow School, Moldgreen Community Primary School & Thornhill Junior and Infant School and seeking a decision about the way forward.

Officer: Jo-Anne Sanders: 01484 221000

Wards

Affected: All Wards

13: Dewsbury Education Village - Pioneer House and land at Bradford Road, Dewsbury 225 - 232

A report seeking approval of the disposal of the land at Bradford Road, Dewsbury, as illustrated in the site plan at appendix one.

Officer: Andy Jackson: 01484 221000

Wards

Affected: Dewsbury East; Dewsbury West

14: 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.

15. Dewsbury Education Village - Pioneer House and land at Bradford Road, Dewsbury 233 - 236

A private report relating to the previous cabinet agenda item.

This 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 the report contains information relating to the financial or business affairs of any particular person (including the authority holding that information). The public interest in maintaining the exemption, which would protect the interests of the Council and third party organisations concerned, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making.

Officer: Andy Jackson 01484 221000

Wards

Affected: Batley West; Dewsbury East

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Monday 3rd October 2016

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

Apologies: Councillor Erin Hill
Councillor Viv Kendrick

Observers: Councillor Judith Hughes
Councillor Darren O'Donovan
Councillor Mussarat Pervaiz
Councillor Cathy Scott
Councillor Linda Wilkinson

61 Membership of the Committee

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

62 Minutes of previous meeting

RESOLVED - That the Minutes of the meetings held on 23 August 2016 be approved as a correct record.

63 Interests

No interests were declared.

64 Admission of the Public

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

65 Deputations/Petitions

Cabinet received representations from Jenifer Devlin, Imelda Marsden, Gill Young, Christine Hyde, Ann Denham and Margaret Watson in respect of Agenda Item 8 (Minute No. 68 refers).

66 Public Question Time

No questions were asked.

67 Member Question Time

No questions were asked.

68 The Future of Museums and Galleries

(Under the provision of Council Procedure Rule 37, Cabinet received representations from Jenifer Devlin, Imelda Marsden, Hayley Wainwright and John Appleyard. Councillors Hussain, O'Donovan and Pervaiz made representations under the provision of Council Procedure Rule 36 (1).)

Cabinet gave consideration to a report which set out the responses from the engagement process regarding the final vision for the future of museum and gallery services in Kirklees and sought approval of 'Culture Kirklees'. The document, which was attached as an appendix to the considered report, identified the Council's approach to the display of collections in museums and galleries, the sites which would continue to be museums, and the sites from which museums and galleries would be withdrawn and alternative uses sought.

The report provided an overview of the Cultural Offer Transformation Programme and set out proposals for the future of the Museums and Galleries Service. It explained that during July 2016, a three week engagement programme had provided information on the financial challenges facing the council, and the proposals for the cultural vision.

RESOLVED -

(1) That the responses from the engagement process, and how these influence the final version for the future of museums and gallery services in Kirklees, be noted.

(2) That approval be given to 'Culture Kirklees', the vision for arts and cultural services provided by the Council, which identifies the approach to the display of collections in Museums and Galleries and the sites from which Museums and Galleries will withdraw and alternatives uses sought.

(3) That authority be delegated to the Chief Executive, in consultation with the relevant Cabinet Member, for the timescale for the withdrawal of Museums and

Galleries services from the sites from Dewsbury Museum and Red House Museum by 31 March 2017 at the latest.

(4) That approval be given to invite expressions of interest for the sites from which the Museums and Galleries service will withdraw and to delegate consideration of the criteria for expressions of interest to the Chief Executive in consultation with relevant Cabinet Members.

(5) That authority be delegated to the Chief Executive, in consultation with the relevant portfolio holder, for the timescale to dispose of any of the decommissioned buildings, which may take place at the same time as expressions of interest being invited, and that consultation with the Friends of both Crow Nest Park and Ravensknowle Park commence immediately regarding the future sustainable use of the buildings.

69 Request for approval to consult on the proposed revised Adult Social Care Charging Policy

Cabinet received a report which sought approval to undertake consultation in respect of the proposed revised Adults Social Care Charging Policy. It advised that the key aim of the revised policy was to ensure that, where an adult was charged for care and support, they are not charged more than is reasonably practicable for them to afford and pay. The proposals were designed to change the administration of the charging policy to be cost effective and sustainable for the Council so that services could continue to be provided for those needing care and support in the future.

Cabinet noted that the proposed revised Adult Social Care Charging Policy comprised of three separate policy documents; (i) the Adult Charging Policy (ii) the Deferred Payment Policy and (iii) the Client Financial Affairs Recovery Policy document.

Paragraph three of the considered report set out a summary the main areas to be covered by the consultation. Full details were set out at Appendix 1 of the report.

RESOLVED -

(1) That approval be given for the commencement of the consultation process as detailed in the considered report.

(2) That a report be submitted to a future meeting of Cabinet setting out the consultation results, which will be considered alongside any changes to the proposed revised Adults Social Care Charging Policy.

70 Unaccompanied Asylum Seeker Children: National Transfer Scheme and the Vulnerable Children's Resettlement Programme

Cabinet received a report which sought approval for the Council to become involved in the Unaccompanied Asylum Seeker Children (USAC) National Transfer Scheme and the Vulnerable Children's Relocation Programme (VCRP).

The report advised that the Home Office had requested Local Authorities to resettle 0.07% of their young people's population, which equated to a maximum 69 USACs within the Kirklees area. It indicated that Kirklees currently acted as Corporate Parent to 9 USACs. Cabinet noted that approval of the report would result in local and regional work taking place to actively encourage public interest in participating to support USACs by providing suitable placements and that it was recommended that 5 USACs be resettled in the short term (within the next six months). It was noted that these placements were likely to be with independent fostering agencies and supported accommodation providers, and that local capacity and potential placements would then be reviewed early in 2017.

The report also provided an outline of the Vulnerable Children's Resettlement Programme, which had been announced earlier in the year and was intended to resettle 3000 children from the Middle East North Africa region deemed to be 'at risk' by the United Nations High Commissioner for Refugees. This was likely to equate to 20 individuals (4 or 5 households) in the Kirklees area and 248 in the region. It was acknowledged that as the numbers that the Council has in place for the Syrian Resettlement Programme are small, it was recommended that Kirklees takes the maximum 20 VCRP allocation up until autumn 2019.

Paragraph 2.11 of the report outlined the levels of funding that would be received for the USAC programme, and whilst there had not yet been confirmation of funding for the VCRP it was advised that the Council only agree to participate if the funding offered is equivalent to that available for the Syrian Resettlement Programme.

RESOLVED -

(1) That approval be given to (i) the Council's involvement in the Unaccompanied Asylum Seeker Children (USAC) National Transfer Scheme (ii) 5 unaccompanied asylum seeker children being resettled within Kirklees within the next 6 months (iii) the Council's capacity to increase USAC numbers being reviewed in early 2017 following a targeted local and regional recruitment campaign and (iv) the principle of resettling 20 individuals as part of the Vulnerable Children's Resettlement Programme (VCRP) if the level of funding is the same as that that is available for the Syrian Resettlement Programme, and pursuant to this, to start accepting VCRP families from January 2017 onwards.

(2) That any amendments to Kirklees' involvement in the USAC National Transfer Scheme and VCR Programme be delegated to the Chief Executive.

(3) That the Council's involvement in both the USAC and VCRP be monitored and reviewed as detailed in the considered report.

71 The Council's approach to the delivery of Economic Resilience in Kirklees

Cabinet received a report which set out proposals for the future role of the Council, and partners, in enabling the delivery of the Kirklees Economic Strategy. The report advised that the Strategy formed part of the Council's vision to build and redesign a new approach within the Council organisation and maximise the available resources

through collaboration and working in partnership. It explained that economic resilience specifically targeted business growth, education, and employment and skills, in developing Kirklees as a high quality place providing infrastructure to contribute to the success of the District.

The proposals within the report supported the key themes of business, people and places, and aimed to ensure greater prioritisation of resources and identifying new and different ways of working focussed around the strategic framework as set out in the Kirklees Economic Strategy. Cabinet noted that key initiatives included sector growth, strategic employment and housing sites, skills and community economic development, as a way to deliver change.

RESOLVED -

(1) That the proposals and actions as set out with regard to commissioning the Economic Resilience approach, specifically in relation to how this sets out the future role the Council will play in relation to the delivery of the Kirklees Economic Strategy, be noted.

(2) That approval be given to the indicative budget envelopes as set out in Section 4.4 (table 1) of the considered report, in relation to the delivery of business growth, education, skills and employment, infrastructure, planning and regeneration and that authority be delegated to the Assistant Director (Place) to proceed to commission the proposals as set out.

(3) That it be noted that a further report will be submitted to Cabinet setting out options in relation to Integrated Community Safety, museums and galleries, and the cultural offer, and the Council's approach to community capacity building and the third sector.

72 Council Budget Update Report 2017-21 incorporating an Efficiency Plan

Cabinet received a report which set out a four year budget strategy, and took account of the Government's multi-year general fund settlement offer, which was conditional on the Council publishing an Efficiency Plan by 14 October 2016. The Efficiency Plan was set out at Appendix D of the considered report, combined with the Council's updated budget plans and strategies.

The report provided a breakdown of information in relation to General Fund current budget plans, the 2017-2021 Medium Term Financial Plan and the Housing Revenue Account. Cabinet noted that a robust Medium Term Financial Plan and budget strategy were a key element of financial and service planning, and that it would be updated in February 2017.

It was noted that the report would be submitted to the meeting of Council on 12 October 2016.

RESOLVED -

(1) That approval be given to the early high level re-refresh of baseline funding and cost projections as detailed at paragraph 2.2.1, table 2.

- (2) That approval be given to the early savings proposals within the Medium Term Financial Plan update 2017-2021, as set out in paragraphs 2.3.4 to 2.3.14.
- (3) That approval be given to the budget planning framework as set out in the considered report.
- (4) That approval be given to the Council's Efficiency Plan, as attached at Appendix D, and submission to the DCLG, on or prior to 14 October 2016.
- (5) That approval be given to the proposed budget consultation approach and timetable, as set out in paragraphs 4.9 to 4.12.
- (6) That it be noted that an update will be provided later in the year on any material changes to high level cost and income assumptions as set out in this Medium Term Financial Plan update, in particular informed by the Autumn Statement announcement expected late November 2016, and further by the 2016 Local Government Financial; Settlement, as detailed in paragraphs 4.1 to 4.3.
- (7) That approval be given to the Budget Planning Framework as set out in paragraph 2.6.2.
- (8) That the report be submitted to the meeting of Council on 12 October 2016.

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Wednesday 12th October 2016

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

73 Membership of the Committee

All Members were present.

74 Minutes of previous meeting

RESOLVED - That the Minutes of the meeting of the Committee held on 20 September 2016 be approved as a correct record.

75 Interests

No interest were declared.

76 Admission of the Public

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

77 Deputations/Petitions

Cabinet received a deputation from Paul Burr, Director of VI Promotions, who provided information on the Junk Tooth and Foodle projects within the local communities, and particularly the provision of dental care for children in the Dewsbury area, and sought support for the projects.

RESOLVED - The Leader requested that details of the projects be provided in writing in order that the information could be circulated to Cabinet Members.

78 Public Question Time

No questions were asked.

79 Member Question Time

No questions were asked.

80 Publication and Submission of the Local Plan

Cabinet received a report which set out a request for Member approval of the Local Plan for the purposes of Submission to the Secretary of State. The report advised that, since the withdrawal of the Kirklees Core Strategy from examination in 2013, work had been undertaken on a Local Plan comprising (i) a spatial vision (ii) land use objectives (iii) strategic policies (iv) development management policies and (v) a full suite of site allocations and land designations, which would run until 2031. Appendix 1 to the report set out the main stages of making a plan, as defined by National Planning Policy Guidance, and it was noted that the 'Publication and Submission' stage had now been reached.

Cabinet noted that the Local Plan had been subject to revision to take account of comments submitted during the consultation stage of the 'Draft Local Plan', that had been undertaken between November 2015 and February 2016. The report provided a breakdown of the comments and petitions that had been received in response to the consultation.

Cabinet noted that Officers considered that robust evidence to support the Local Plan was in place and included (i) key evidence on housing requirements, housing mix and affordability (ii) the need and market demand for land for jobs to meet the Economic Strategy (iii) accommodation needs for travellers (iv) the need for land for mineral extraction and waste management (v) green belt (vi) land for open space, sports and leisure and (vii) capacity for new retail and leisure.

The considered report set out (i) a summary of the Local Plan Strategy, Vision and Objectives (ii) details of meeting the needs and requirements of Kirklees (iii) a summary of Local Plan policies (iv) the Local Plan evidence base (v) the Duty to Co-

Operate process (vi) consultation on the Publication Draft Local Plan and (v) the process for submitting the Local Plan to the Secretary of State.

RESOLVED –

(1) That Council be advised that Cabinet support the Local Plan for publication and submission.

(2) That approval be given to the schedule appended to the considered report, setting out the proposed arrangements for the publication of the Draft Local Plan for public consultation.

(3) That authority be delegated to the Director of Place, in consultation with the Leader and Deputy Leader, to put in place any minor amendments to the consultation arrangements set out in the schedule appended to the considered report, if necessary.

81 Consultation on the Community Infrastructure Levy - Draft Charging Schedule

Cabinet received a report which sought approval to undertake consultation on the Community Infrastructure (CIL) Levy Draft Charging Schedule and proceed to examination alongside the Draft Local Plan. The Draft Charging Schedule rates and charging zones were set out within Appendix A of the considered report. It was noted that future governance arrangements for distributing Community Infrastructure Levy revenue would be determined at a later date once the charge rates had been subject to independent examination.

The report explained that the CIL was effectively a development tax that could be implemented to assist in paying for new infrastructure that is needed to support new development. Cabinet noted that the Council had commissioned consultants to gather evidence across Kirklees regarding the current viability of different types of development, and that the results had provided evidence for determining the draft charges. The report advised that the infrastructure evidence supporting the Publication Draft Local Plan, in the form of the Infrastructure Delivery Plan and Infrastructure Delivery Plan Addendum, provided the justification for establishing the CIL charge to help pay for the infrastructure types and schemes identified.

Cabinet noted that, if the Charging Schedule was found to meet the appropriate tests following its Examination in Public, it would then be necessary to make a final decision regarding the CIL charge rates, and that the decision to adopt charge rates after the Examination in Public would be taken at a meeting of Council.

RESOLVED -

(1) That Council be advised that Cabinet supports the Draft Charging Schedule for consultation and submission to examination.

(2) That approval be given to the schedule set out within the considered report, setting out the proposed consultation arrangements for the Draft Charging Schedule.

Cabinet - 12 October 2016

(3) That authority be delegated to the Director of Place, in consultation with the Leader and Deputy Leader, to put in place any minor amendments to the consultation arrangements as set out in the considered report.

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CABINET

Tuesday 18th October 2016

Present: Councillor David Sheard (Chair)
Councillor Peter McBride
Councillor Musarrat Khan
Councillor Erin Hill
Councillor Masood Ahmed
Councillor Graham Turner

Apologies: Councillor Shabir Pandor
Councillor Naheed Mather
Councillor Viv Kendrick

82 Membership of the Committee

Apologies for absence were received from Councillors Shabir Pandor, Naheed Mather and Viv Kendrick.

83 Minutes of previous meeting

RESOLVED – That the Minutes for the meeting held on 20 September 2016 were agreed as a correct record.

84 Interests

No interests were declared at the meeting.

85 Admission of the Public

All items were considered in public session.

86 Deputations/Petitions

No deputations or petitions were received.

87 Public Question Time

No public questions were asked at the meeting.

88 Member Question Time

No member questions were asked at the meeting.

89 Strategic Investment Plan: Proposals to allocate Funding from the Strategic Priorities Section of the Capital Plan for New Pupil Places in the Huddersfield South West Area

Cabinet considered a report as part of a sequence of three reports outlining the availability of Capital Investment to address requirements for new pupil places in Huddersfield North, Huddersfield North West and Huddersfield South West. The considered report specifically focused on a proposal to design and construct a new 630 place primary school building for pupils aged 4 to 11 years old within the existing site of Moor End Academy, in order to meet basic need requirements in South West Huddersfield.

The report set out information on pupil place numbers required in the South East of Huddersfield, set in context in relation to pupil places in the area and went on to provide information on the proposals in relation to the building and grounds at the site of the Moor End Academy.

RESOLVED -

(1) That approval be given to the development and delivery of the new build school building as set out in the considered report and within the final business case attached to the report at Appendix A.

(2) That approval be given to the capital allocation up to £13.75M for this proposal, to be funded from basic need grant and prudential borrowing (if required), as set out at section 2.22 and 2.23 of the considered report.

(3) That approval be given to the proposal to the relief land required for the delivery of this project from the Public/Private Partnership (PPP) one contract agreement via a deed of variation, thereby enabling the Council to design, develop and implement the required new school and its associated infrastructure and sports provision outside the PPP one contract.

(4) That authority be delegated to the Assistant Director for Legal, Governance and Monitoring and Assistant Director for Physical Resources and Procurement to negotiate and implement any required deed of variation(s) to the PPP one agreement and any associated lease issues arising from this report.

90 Proposals to allocate funding from the Strategic Priorities section of the Capital Plan for new pupil places in North Huddersfield

Cabinet considered a further report on the availability of the Capital Investment requirements for new pupil places in the Huddersfield area, focusing on the Huddersfield North area and making recommendations in relation to a new 422 place primary school. The considered report set out proposals for a 422 place primary school for children aged 4 to 11 years on the section of land known as Clare Hill playing fields. The report indicated that the land concerned was not in Council ownership and set out information on the implications of proposals to purchase the land. The report sought authority to proceed in relation to the requirement for certainty on the delivery of availability of the scheme, prior to negotiations taking place to purchase land and to put forward a planning application.

The considered report provided information on the background on the need for additional pupil places and on the site selection process that had led to the identification of the Clare Hill playing fields site being the preferred option.

RESOLVED -

- (1) That the selection of Clare Hill playing fields for the preferred site for the development and construction of a 420 place 2 form entry primary school building for Huddersfield North.
- (2) That officers be authorised to submit an outline planning application for the new school in order to establish whether the development of a new school on this land is deliverable.
- (3) That officers be authorised to continue discussions with Greenhead College and to utilise appropriate resources to negotiate an agree a valuation and heads of term for the potential purchase
- (4) That in principle agreement be given to the potential use of some of the Cemetery Road Allotments site as part of the overall solution for the new school proposal, and that officers be authorised to further investigate the potential impact of the proposal on the existing non-statutory Cemetery Road allotments and to work with the Allotments Team and plot holders to minimise, if possible the potential impact.
- (5) That the decision of the Assistant Director of Strategic Investment Group to allocate £874,000 of funds from signed 106 Section Agreements to offset the final cost of this new school building be approved.
- (6) That the intention of officers to return to Cabinet in spring 2017 with an updated report in relation to the project be noted.

91 Statutory consultation on proposals to bring together Honley CE (VC) Infant and Nursery School and Honley CE (VC) Junior School.

Cabinet considered a report presenting proposals to bring together Honley CE (VC) Infants and Nursery School and Honley CE (VC) Junior School to create an although primary school for pupils aged 3 to 11 years, with a proposed introduction from 1 May 2017. The report sought approval to carry out statutory consultation in partnership with the Church of England, Leeds Dioses Board of Education within the Dioses of Leeds and with families of pupils, staff, governors and other key stakeholders.

The considered report set out information on the strong collaborative partnerships that had been forged between the 2 schools concerned and went onto outline the advantages of bring the 2 schools together to support the best education outcomes for children.

RESOLVED -

(1) That the strong collaborative approach demonstrated between the governing bodies and the school leaders, providers and the local authority that have enabled the development of proposals that seek to secure the provision of learning places to meet the needs of families in the community be acknowledged.

(2) That officers be authorised to develop plans for consultation about proposals that support a community wide approach to making sure that there are enough high quality learning places to serve the families in the by:-

- Amalgamating Honley CE(VC)Infants and Nursery School and Honley CE(VC) Junior School by working in collaboration with the Diocese Board of Education within the Diocese of Leeds to propose voluntary Controlled all through primary school with early education and childcare, within the amalgamated school continuing to be on the existing site and in buildings that are currently used for Honley CE(VC) Infant and Nursery School and Honley CE (VC) Junior School;
 - To cater for Pupils age 3-11.
 - With a published admissions number of 66 for Key Stage 1 and public admission number of 68 for Key Stage 2.
 - Retaining the 48 part time early places for nursery children aged 3-4 years with opportunities to further develop early learning and child care services that meet future demand, including that presented by the introduction of 30 hours free child care and, 2 year olds, being eligible to free early education.

(3) That approval be given to the delegation of authority to the Director of Children and Young People in consultation with the Cabinet Portfolio leader to:-

- Engage and liaise with all stakeholders and where applicable in conjunction with the Diocese Board of Education with the Diocese of Leeds.
- Develop consultation materials on the basis of the proposals below.
- Organise and carry out a statutory consultation and engagement.

(4) That officers be requested to report the outcomes of the consultation to Cabinet for further consideration of next steps.

92 Enterprise Zones -- Memorandum of Understanding

Cabinet considered a report seeking consideration of a proposal for the Council to become a signatory to a Memorandum of Understanding between the Department for Communities and Local Government and the Leeds City Region Local Enterprise Partnership in relation to three employment sites in Kirklees with existing planning permissions which had assigned Enterprise Zone status.

The three sites concerned and on which information was set out in the considered report related to Lindley Moor West, Lindley Moor East and Moor Park Mirfield.

The draft terms of the Memorandum of Understanding were set out at Appendix 1 to the considered report and it was noted that it covered high level matters relating to objectives and priorities for the Enterprise Zones, Governance arrangements, requirements for an implementation plan and a consistent approach to marketing and output monitoring requirements being provided by the Council. The considered report also set out information on the business rate implications of the proposals within the considered report.

RESOLVED - That authority be delegated to the Assistant Director of Place (Investment and Regeneration) and Assistant Director Legal Governance and Monitoring to finalise and sign the strategic level Memorandum of Understanding between West Yorkshire Combined Authority and Department for Communities and Local Government in order to include Lindley Moor West, Lindley Moor East and Moor Park Mirfield within the regional M62 focussed Enterprise Zone, based on terms outlined at Appendix 1 to the considered report.

93 North Kirklees Growth Zone Next Steps report

Cabinet considered a report providing information on progress and development in the North Kirklees Growth Zone Statutory and Development Plan. The considered report provided information on progress made to date on negotiations with the Leeds City Region and the Strategic Economic Plan Refresh together with specific information on program that had been mobile locally in relation to the Dewsbury Riverside Project, Dewsbury Masters Plan Projection and the outline timetable for the development of the Strategic Development Framework for Batley Town Centre. The considered report also provided information on long and short term interventions to support the living town concept and information on the commitment to imbed employment and skills development to ensure that local communities thrive long term.

Recommendations were contained within the considered report that specifically focused on the Dewsbury Riverside Project, the Chidswell land development proposal and the overall North Kirklees Growth Zone.

RESOLVED -

(1) That the Assistant Director of Place be requested to bring forward clear goals on how to maximise benefits from the Housing Growth Programme to the local economy through measures including training, localising employment opportunities and business growth.

(2) That the draft core transport objectives for the North Kirklees Growth Zone (NKGZ) as detailed in section 5.5.4 of the considered report be adopted as the basis for the areas transport strategy and that the Director of Economy Skills and Environment, in consultation with the Cabinet Portfolio Holder be authorised to submit funding bids to assess scheme viability/scheme appraisals in line with those objectives.

(3) That the transport strategy delivery outcomes be phased over a 15 year planning period as outlined in section 5.5 of the considered report and that the final draft strategy be submitted for consideration in Cabinet at a later date.

(4) That the Council endorse the approach taken to secure quick wins to support the Living Town concept as summarised in section 5.6.8 of the considered report and that where applicable further reports be submitted to Cabinet for approval.

(5) That the Assistant Director of Place be authorised to apply for opportunities to secure funding to progress short term intervention support the Living Town concept.

(6) That the timetable for the production of the Strategic Development Framework (SDF) for Batley as outlined in section 5.7 of the considered report be approved.

(7) That the Director Economy Skills and Environment be requested to bring forward a more detailed report on governance following a steer from the Cabinet on the approach outlined in section 5.8.10 of the considered report.

(8) That authority be granted to the Assistant Director Place to enter into negotiations with Miller Homes and the Homes and Communities Agency (HCA) to bring forward the sequenced masterplan for Dewsbury Riverside, with final approvals being subject to outcomes of the Local Plan process.

(9) That the Assistant Director Place be authorised to enter into negotiations with Miller Homes on the prospect of carrying out a phased joint development of the Dewsbury Riverside Project, combining some or all the land assets owned by the Council and those optioned to Miller Homes, with the objective of maximising the return to the Council.

(10) That the Assistant Director Place be authorised to appoint a specialist consultant to advise on and as necessary represent the Council's interest in the ensuring the maximum financial outcomes for the Dewsbury Riverside Project.

(11) That the Assistant Director Place be authorised to utilise Council land assets to bring forward an early phase of development at Dewsbury Riverside in conjunction with Miller Homes in respect of the Unitary Development Plan allocated sites and submit any necessary planning applications.

(12) That the Assistant Director Place be authorised to seek to exercise break clauses in respect of any existing leases and be authorised to oppose any applications brought by tenants to renew their tenancies under the 1954 Act.

(13) That in respect of decisions 9 and 11 above a further report be submitted to Cabinet prior to the finalisation of any agreement to work in partnership or to execute any commitment to any land transfer.

(14) That the draft objectives for Dewsbury Riverside, as detailed in section 5.4.11 of the considered report be adopted as the basis for negotiations with delivery partners.

(15) That the Director for Economy, Skills and the Environment be authorised to enter into negotiations with the Community and Local Government Department's Garden Village Team should be Council's expression of interest be successful, as set out in the report.

(16) That the Assistant Director Place be authorised to continue the process of site enabling work at Chidswell, seeking to agree the objectives as detailed in section 5.4.15 of the considered report.

94 Public Art Policy 2016

Cabinet considered a report seeking the adoption of a Public Art Policy for Kirklees. The report highlighted work undertaken with colleagues in Planning and the Local Plan Team that had identified that a Public Art Policy for the District would support the Local Plan as well as support master plan development within the Landscape Architect Team. It was noted that the Public Art Policy would support those involved with the process of place making and shaping and would allow the Council to positively influence the investment in public art and the quality of that public art.

The proposed Public Art Policy for adoption was set out as an Appendix to the considered report.

RESOLVED - That the Public Art Policy as set out in the considered report be adopted to enable advocacy and implementation to help increase the quality of place making public art activity within the district.

95 Kirklees Neighbourhood Housing - Annual Report to Kirklees Council

Cabinet considered a report on the performance of Kirklees Neighbourhood Housing (KNH) in delivering services for tenants and residents over the previous financial year. The report reminded Cabinet that KNH was management organisation which was wholly owned by the Council, with the all housing stock and land remaining with the Council. The considered report in setting out the Governance arrangements that were currently in place to allow the Council to hold KNH to account, provided

information on the key actions from the work on the merger of KNH and building services and on work to review Governance arrangements in light of this.

Information was contained in the report on KNH's contribution to the Council and its partners Strategic priorities together with information on tenant satisfaction, rent collection, rates, which for 2015/16 were at 97.3% in an increasingly challenging climate, volumes of repairs and appointments made and kept together with occupancy rates, including retiring living schemes across the District.

Cabinet in considering the report agreed that the report should be referred to Council for consideration at its next meeting in November 2016.

RESOLVED -

(1) That the achievements of Kirklees Neighbourhood Housing within the last financial year delivered on the commission granted to them on services/outcomes be noted.

(2) That the report be referred to Council for information at its meeting in November 2016.

96 Approval to incur Capital Expenditure on essential developments in systems in Adult Social Care and Commissioning

Cabinet considered a report seeking approval for capital expenditure fund essential developments in IT systems in Adult Social Care and Commissioning in order to maintain and develop the effectiveness of continuity of services. Paragraph 2.2 of the considered report set out the proposed Capital Expenditure for 2016/17 and 2017/18, which amounted to expenditure of £350k and £111k respectively.

RESOLVED - That approval be given to the Capital Expenditure Fund on essential developments in IT systems in Adult Social Care and Commissioning as set out in the considered report, including capitalisation of £150,000 from the Better Care Fund allocation for implementation of the Care Act.

KIRKLEES COUNCIL			
COUNCIL/CABINET/COMMITTEE MEETINGS ETC			
DECLARATION OF INTERESTS			
Name of Councillor			
Item in which you have an interest	Type of interest (eg a disclosable pecuniary interest or an "Other Interest")	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]	Brief description of your interest

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: 15th November 2016

Title of report: Interim Affordable Housing Policy

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 Council's Forward Plan ?	Not applicable
Is it eligible for "call in" by Scrutiny ?	Yes
Date signed off by Director & name	Jacqui Gedman - 03/11/16
Is it also signed off by the Assistant Director - Financial Management, Risk, IT & Performance?	Debbie Hogg – 28/10/16
Is it also signed off by the Assistant Director - Legal Governance & Monitoring?	Julie Muscroft – 31/10/16
Cabinet member portfolio	Cllr P McBride - Economy, Skills, Transportation and Planning Cllr N Mather – Housing and Enforcement Management

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

Public or private: PUBLIC

1. Purpose of report

- 1.1. To set out to Members of Cabinet guidelines and interim policy for dealing with affordable housing contributions in new housing developments.
- 1.2. If Members of the Cabinet agree to this approach, then officers are requesting that their Cabinet recommendation is referred to Council to be adopted as interim policy to allow it to be considered as a material consideration in the decision making process for planning applications.

2. Key Points

- 2.1. The Council is required to ensure a supply of new housing. At present the annual target is 1730. Alongside this there is still a requirement for affordable homes in the district.
- 2.2. As part of day to day development management activity officers are making recommendations on new housing developments based upon the policy set out in Supplementary Planning Document 2: Affordable Housing (SPD2). This was adopted in 2008 and has evidence and policies based on that time.
- 2.3. Since then the housing market and economy generally has gone through a recession. Added to that has been a shift in planning policy which has meant there is a greater need for the Local Planning Authority (LPA) to consider the economic viability of developments. This is underpinned by national guidance set out in NPPF. This has resulted in a greater number of viability appraisals received from developers demonstrating that affordable housing at the levels set out in SPD2 cannot be supported.
- 2.4. Alongside this the council has prepared a Local Plan which Council have agreed to consult upon at their meeting on the 12th October 2016. As part of that process the evidence to support an affordable housing contribution has been brought up to date. This has led to a remodelled affordable housing policy in the Local Plan. The changes are set out in Table 1 below.

Policy Element	SPD2	Emerging Local Plan Policy
Threshold to which policy applies	5 units and above	10 and above
% required for Greenfield	30%	20%
% required for Brownfield	15%	20%
Floor space or units	Floor space	Units
Tenure Split	Affordable rent 90% Intermediate 10%. (Paragraph 7.2 SPD2)	Affordable rent 54% Intermediate 46% (based on SHMA evidence)
Consideration of Starter homes	no	yes

Table 1 – Kirklees Affordable Housing Requirements

- 2.5. The evidence related to the levels of affordable housing set out in SPD2 is now dated. In addition, the existing affordable housing requirements are becoming less achievable in financial terms and to justify a lower level entails a protracted viability assessment. In such circumstances officers are of the opinion that the Council needs to consider whether it should move more quickly to a more up to date and better evidenced policy. If so then the primary aims are: to assist further the delivery of new homes and provide a better evidenced

policy position, and therefore a more credible policy position on which to secure affordable homes.

2.6. On this basis, officers have investigated further the benefits of introducing informal policy, for development management purposes, that fast tracks to the Local Plan position.

2.7. In officers view this approach has several benefits:

- a. It provides an up to and evidenced basis on which to calculate affordable housing contributions.
- b. It removes a more onerous floor space calculation in favour of a units based approach – this in itself is a more certain approach for developers.
- c. It increases the threshold to 11 units which assists smaller developers to continue to deliver on often difficult sites (not an inconsequential step given that in the last recorded housing delivery statistic (2014-15) developments of 10 units or less accounted for 44% of the overall delivery)
- d. It introduces a more flexible approach to the type (tenure) of affordable housing provision.
- e. The interim policy is also intended to encourage developers to consider a wide range of housing including extra care housing and a full range of housing solutions for older people.

3. Implications for the Council

3.1. Analysis of housing sites considered at the Strategic Planning Committee since September 2015 is helpful. This shows that in terms of the existing SPD2 policy there are no cases where the full 30% has been achieved. It does show that 20% of affordable housing is an achievable level although there are some, more difficult to deliver sites, which achieve less than this. In all cases the levels have been tested by viability appraisals. Therefore, on this analysis, where the SPD2 thresholds are not being met, then an adjusted policy at this stage will not cause under delivery.

3.2. The interim policy targets a lower level of affordable provision within housing sites. Whilst this has benefits to increasing permissions likely to be delivered in a better timeframe this would mean that the need for new affordable homes, as set out in the Strategic Market Housing Assessment, will not be achieved as quickly.

3.3. In addition New Homes Bonus receipts - which favours affordable units - maybe lower.

4. Consultees and their opinions

4.1. The development of this interim policy has involved input from Strategic Housing colleagues.

5. Additional Information

- 5.1. Officers could have chosen to develop another SPD. For Members information the process for preparing Supplementary Planning Documents is similar to a Local Plan document. However, they are not subject to independent examination by the Planning Inspectorate.
- 5.2. Given the pressing need to bring about a swifter policy response and the position of the Local Plan then an informal approach is felt to be the most appropriate.
- 5.3. Should Council agree to adopt the guidelines and interim policy then the informal policy will be a material consideration carrying weight in the decision making process for planning applications. It will not replace the existing SPD2. However, it is a more reliable and up to date policy position by which officers can make their recommendations.
- 5.4. This interim policy should last until the Local Plan is formally adopted.

6. Officer recommendation and reasons

- 6.1. To set out to Members of Cabinet interim guidelines and interim policy for dealing with affordable housing contributions in new housing development. This is attached as Appendix 1.
- 6.2. If Members of the Cabinet agree to taking this approach, to refer their recommendation to Council to adopt the policy to allow it to be a material consideration in the decision making process on planning applications which will last until the Local Plan is formally adopted.
- 6.3. The reasons for these recommendations are to bring into play an up to date and better policy base on which to seek affordable housing contributions in the short term. This should assist in the delivery of new homes across the district.

7. Cabinet portfolio holder recommendation

- 7.1. Councillor McBride has been briefed on the proposed changes to how the Local Planning Authority secures affordable housing in Kirklees. The changes represent a more realistic and achievable approach to delivering housing that a community needs and will help to provide the necessary bench mark and evidence base for challenging developments which fall short of the policy requirement without clear and compelling reasons.
- 7.2. Councillor Mather welcomes the changes which will assist in delivering housing on all levels. The policy itself represents a solid and up to date position for officers to negotiate with developers the housing that the district needs.

7.3. Since the portfolio holder briefing a small addition to the policy on housing mix has been added.

8. Contact officer and relevant papers

Simon Taylor – Head of Development Management

Tel: 01484 221000

Email: simon.taylor@kirklees.gov.uk

Relevant Papers

- Appendix 1 – Interim Affordable Housing Policy – attached
- Kirklees Supplementary Planning Document 2: Affordable Housing (SPD2)

9. Assistant Director responsible

Paul Kemp - Assistant Director – Place

Tel: 01484 221000

Email: paul.kemp@kirklees.gov.uk

Draft Kirklees Interim Affordable Housing Policy 2016

Draft Kirklees Interim Affordable Housing Policy

Introduction

This document provides an interim approach to providing affordable housing in new housing developments in the district.

The Interim Affordable Housing Policy covers the period up to the adoption of the Local Plan, however this statement may be amended over time to reflect any relevant changes to national and local planning policy and evidence. The Policy represents an additional material planning consideration for securing affordable housing as part of the determination of planning applications. It takes account of the changes to the definition of affordable housing, the introduction of Starter Homes and other emerging Government policy and guidance.

The approach outlined here contributes to improving the number of commencements and completions on sites to improve housing delivery. It helps to support us meeting the district's 5 year land supply. The policy also sets out our preferences for early delivery and a process to consider viability issues on planning applications.

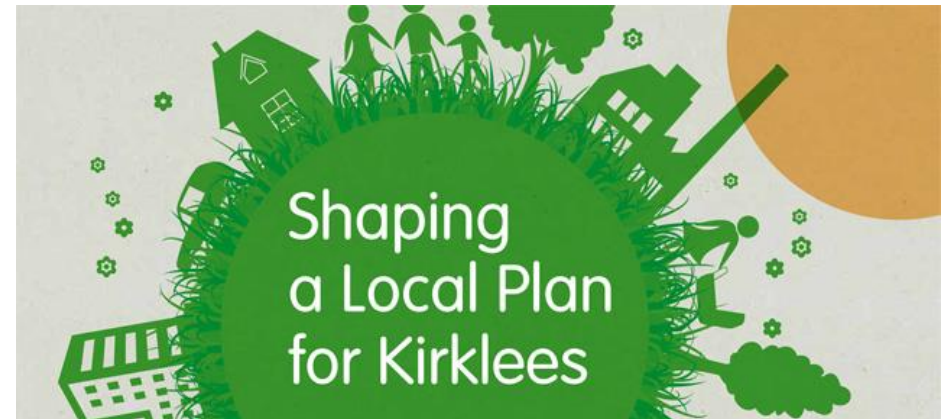
Draft Kirklees Interim Affordable Housing Policy

The delivery of affordable housing is a key priority both nationally and locally. This policy seeks to improve the delivery of affordable housing across the district as part of the Council's broader approach to improve housing delivery in Kirklees.

The existing Affordable Housing Policy is set out in Supplementary Planning Document 2 – Affordable Housing ['SPD2'] which was adopted in November 2008. Since then there has been a

transformation within the housing market, both nationally and locally. This change has, in part, been influenced by the recession of 2008-2013. There has also been significant change to planning policy and guidance with the issuing of the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).

More recent Government policy has also emphasised a shift in focus to include home ownership options and the provision of Starter Homes as detailed in the Housing and Planning Act (2016).



The economic viability of development has also become a particularly prominent issue in recent years. There has been a rise in the submission of viability studies with applications. The independent assessment of these suggests that the current policy requirements as set out in SPD2 of 15% of floorspace on brownfield sites, and 30% of floorspace on greenfield sites on developments of 5 or more dwelling has become more challenging.

Evidence

The key evidence bases for devising an affordable housing policy are the need and delivery for affordable housing as well as the economic viability of any affordable housing requirement. Central Government has also recently amended the definition of affordable housing in the Housing and Planning Act (2016) to include other delivery models such as Starter Homes.

Furthermore additional planning policy guidance has been issued in the NPPG in relation to vacant building credits for the development of brownfield sites. The NPPF has also reinstated guidance when infrastructure contributions through planning obligation should not be sought, setting a threshold of 11 or more units or over 1000 square metres.

Need

The NPPF highlights the importance of meeting the need for new homes. It also places importance on widening the choice of high quality homes, the delivery of both market and affordable homes, and widening the opportunities for home ownership. The NPPF goes on to state that provision should be met on site unless off site provision is justified, and policies should provide sufficient flexibility to account for changing market conditions over time.

The current draft Strategic Housing Market Assessment (SHMA) (October 2015) evidences a net imbalance of affordable housing in the district of 1,049 per annum. This figure is an expression of the overall annual shortfall in affordable housing needs and should not be taken as a district target. It does, however, justify the need for new

developments to provide affordable housing of a type which addresses the identified need.

The SHMA has detailed the current required tenure split as 54% affordable rent, and 46% intermediate tenure. It should however be noted that the introduction of Starter Homes by Central Government, and the anticipated Starter Homes Regulations will add a further tenure to this tenure split/mix of affordable housing which has not been currently evidenced by the SHMA.



Affordable Housing at Asquith Fields, off White Lee Road, Batley

The SHMA also provides evidence on household incomes and house prices across the district which is considered appropriate to note when considering levels of affordability for households. The SHMA shows that median house prices in Kirklees are around £125,000 with median income at around £25,000 per annum, with lower quartile prices at

£93,000 and lower quartile incomes at £18,500 per annum. Both of these represent a ratio of income to house price of 5 times.

Viability

The ability of development within the district to be economically viable is a key consideration when setting an affordable threshold. Paragraph 173 of the NPPF highlights the importance of viability in setting policy standards.

As part of work on the draft Local Plan, a viability study for the whole of the district entitled the Kirklees Local Plan Infrastructure and Viability Study 2015 ('KVS') was commissioned. The KVS has been used to inform policies in the draft Local Plan including the draft affordable housing policy and the preliminary rates for the Community Infrastructure Levy (CIL). The viability study carried out a district wide assessment considering issues such as land prices, build costs, sales values, abnormal and professional fees, finance, S106 contributions and developer profit levels.

The KVS has concluded that an interim affordable housing rate of 20% is appropriate as a district-wide target, unless demonstrated to be economically unviable for specific applications.

Definition of Affordable Housing

The Housing and Planning Act became law on 12 May 2016. The Act has amended the definition of affordable housing to include Starter Homes. The new definition of affordable homes is a new dwelling that:

"...is to be made available for people whose needs are not adequately served by the commercial housing market, or are Starter Homes."

Starter Homes are defined as:

'A new dwelling for first time buyers which are at least 23 years old but under the age of 40 that are sold at a discount of at least 20% of market value, with a price cap of £250,000 outside of Greater London, and a time restriction on the property before it can be sold.'

Detailed guidance is expected in the Starter Homes Regulations following the Government's recent technical consultation on proposed Regulations. The technical consultation proposed a number of approaches which included introducing Starter Homes as part of the tenure mix for housing sites and setting a minimum percentage requirement. The consultation document proposed a minimum requirement of 20%. The final approach is yet to be determined and it is expected to be clarified later in 2016.

Vacant Building Credit

Vacant building credit is national policy set out in the NPPG and provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of the vacant buildings when the local planning authority calculates any affordable housing contribution. This will apply in calculating either the number of affordable housing units to be provided within the development or where an equivalent financial contribution is being provided

Affordable housing contributions will be required for any increase in floorspace.

The LPA will determine on a case by case basis whether a building is vacant or abandoned. As a general principal to qualify for the vacant building credit a building should be vacant at the time a planning application is registered. The LPA will consider case law where a dispute arises about whether a building is abandoned rather than vacant. The credit is only applicable to relevant vacant buildings. The LPA will not accept, for example, sheds and non permanent buildings as being relevant for the purposes of calculating a vacant building credit.

Further information on vacant building credit is set out in the NPPG.

Assessment of Evidence

When setting a new affordable housing policy a balance has to be struck. The Council wishes to secure housing delivery across all tenures, although the shortfall in affordable housing also needs to be addressed. The Council wishes to ensure that the policy requirement is economically viable and changes in affordable housing delivery such as Starter Homes are considered.

The KVS evidence indicates that housing development across the district is clearly viable provided an appropriate affordable housing rate is set against an appropriate threshold. The NPPG sets out specific circumstances when contributions for affordable housings should not be sought from small scale developments. This follows the order of the Court of Appeal dated 13 May 2016, which give legal effect to the policy set out in the [Written Ministerial Statement of 28 November 2014](#). The policy has set a threshold of 11 units or more or schemes

over 1000 square metres when affordable housing contributions can be sought. It is noted that this threshold does not align with that set out consultation on the Starter Homes Regulations, which proposes to align the threshold to the definition of major development (10 units).

For the interim affordable housing policy it is however considered appropriate that the most current and consistent position is taken forward for the policy. The threshold will therefore be set at 11 units or more reflecting that set out in the affordable housing policy in the draft Local Plan and that which has been tested by the KVS.

On outline applications where the number of units are not known, the Council will require the applicant to submit an indicative layout to demonstrate the number of dwellings which will be proposed. These amendments represent a significant change to the current 5 unit threshold in SPD2, taking small schemes out of the requirement and helping to make larger schemes more viable.

This is a significant step in assisting smaller sites to come forward. It also assists small developers in the district to have greater confidence in being able to deliver new housing for the district. Recent evidence shows that of the gross completions for 2014/15 44% were on sites of 10 or less.

Given the evidence available it is concluded that an interim affordable housing rate of 20% of the number of market units is appropriate given the current evidence set out in the KVS.

The current SPD2 has different rates for brownfield sites (15%) and greenfield sites (30%), relating to the delivery of floorspace which the KVS has not considered. However it is not considered to be necessary to set a different rate between brownfield and greenfield sites in this

instance. Whilst it is acknowledged that a 20% rate may slightly increase the requirement on brownfield sites, the alterations from floorspace to number of units combined with the vacant buildings credit is considered to mitigate against this change. Units will be sought from this percentage rate which best fit local housing needs.

Notwithstanding the above, the Housing and Planning Act and Starter Homes Regulations have the potential to influence how negotiations on affordable housing take place. The recent technical consultation on Starter Homes Regulations (2016) has provided some indication on possible approaches although the outcome of the consultation will not be known until later in 2016. It is therefore proposed to make reference to Starter Homes in the interim Policy with the approach being consistent with the potential future national regulations or legislation on them. This approach will allow the interim Policy to be implemented at the earliest opportunity but allow for Starter Homes to be taken into account on affordable housing negotiations when the regulation comes into force for Starter Homes.

The policy as set out below is considered to support the delivery of affordable housing within the district ensuring that schemes are economically viable and allows for the consideration of Starter Homes.

Option for Off Site Provision

The policy seeks as a preference on site provision. However, where the LPA considers it appropriate, a financial contribution to be paid in lieu of on-site provision will be acceptable. The calculations for financial contributions will be of at least equal value to that of onsite provision to enable provision elsewhere.



'Excellent Homes for Life' affordable homes, Lowerhouses

Policy

Draft Interim Affordable Housing Policy

On developments of 11 or more dwellings* the council will negotiate with developers for the provision 20% affordable units based on the number of dwellings on market housing sites or meet the requirements of Starter Homes Regulations set out nationally or an appropriate combination of the two.

The affordable homes should be incorporated within the development, but where justified and agreed with the LPA, a financial contribution of at least equal value of median build costs for Kirklees recognised by the RICS Build Cost Information Service (BCIS) may be accepted to provide affordable homes elsewhere or to improve the existing housing stock.

The affordable housing provision should:

- cater for the type of affordable need identified in the latest housing evidence in terms type, tenure and size;
- incorporate appropriate arrangements to retain the benefits of affordability for initial and subsequent occupiers for affordable rent and shared ownership schemes, or for the subsidy to be recycled for alternative affordable housing provision; or for Starter Homes Schemes to accord with the requirements of the Starter Homes Regulations set out nationally, and
- be indistinguishable from market housing in terms of achieving the same high quality of design.

Transfer values for affordable units are set out in Appendix A and are subject to review where considered appropriate.

*On outline planning applications for housing where the number of dwelling are unknown, the council will require the applicant to provide an indicative layout which will form the basis for affordable housing negotiations.

Housing Mix Issues

The SHMA sets out household needs and examines the current range of housing stock. In addition consideration is given to the needs of residents within Kirklees in the Joint Health and Well-being Strategy (JHWS), Kirklees Joint Strategic Assessment (KJSA) and other relevant evidence document such as those relating to the need for extra care housing or mental health (Mental Health Accommodation Strategy). Such strategies related to specific groups in need include an Accommodation Strategy for Older People in Kirklees which seeks a full range of housing solutions which provide varied support, care and other services so that older people can remain in their homes even as they become frailer or disabled.

To meet such needs extra care housing which provides for a range of needs including those of frailer older people is particularly favoured. There is also the need to provide for the care facilities of both adults and children with disabilities, those with long-term illnesses and residents with mental health issues.

Where there is evidence of local need the Council would welcome the inclusion of units which meet these needs. Applicants are encouraged to discuss this aspect at an early stage.

Early Delivery

The delivery of housing is a key priority both nationally and locally and this approach seeks to increase delivery across the district. The annual housing requirement for housing across the district was set at 1,700 per annum in the now revoked Regional Spatial Strategy RSS and until more recently a draft objectively assessed need figure of 1,630 per

annum has been consulted on by the Council. This is based on the evidence in the Council's latest draft Strategic Housing Market Assessment (SHMA) (October 2015).

The Annual Monitoring Report (AMR) sets out the number of dwellings with permission and the number of completions each year. The AMR details that net annual completions each year over the past 5 years has fallen short of the delivery requirement.

Getting the house building market moving is a key aim which will provide homes at a time when the supply has fallen and will help towards the targets for new housing set in existing and emerging local policy to meet the needs of the district in the years ahead. Of considerable importance is that increased supply at a time of economic downturn provides construction jobs and helps to stimulate the local economy.

As detailed in table 1.1 there has been a clear difference between the housing target and actual delivery in recent years. This is a contributory factor in the current lack of a 5 year housing land supply for the district, especially in light of the NPPF requirement for a 20% buffer in the five year land supply calculation as a result of "persistent under delivery" as well as making up a previous shortfall (since the SHMA base date of 2013). Continued under performance will not assist this position as we move forward.

As delivery of new homes becomes a greater priority and recent completions are lower than the housing requirement, the Council do need to consider further incentives to facilitate more starts on site and encourage more completions. The Council is already stimulating delivery through its 'Homescape' approach to bringing forward large

sites, small sites and stalled sites. However, the planning system can help to deliver more.

As set out previously affordable housing will only be required on developments of 11 or more dwellings and the requirement will be adjusted to 20% of units to make schemes more economically viable. However further incentive is required to promote delivery.

Implementation of Interim Policy

To further promote the delivery of housing sites, schemes which meet the affordable housing threshold will have a clause in the S106 or any appropriate condition, which requires sites to commence within 2 years of the date of decision to gain the benefit of the interim policy. If schemes have not been commenced within the 2 year period the affordable housing requirement will have to be renegotiated based on the affordable housing policy at the time.

This clause is aimed at encouraging developers to start on housing projects in the district at the earliest available opportunity and to aid in increasing completions in the district.

To further support the delivery of housing within the District the approach also sets out how economic viability assessments will be considered when applications do not meet the policy requirements set out in the interim affordable housing policy.

Demonstrating Viability

When applications cannot meet the requirements of the Interim Affordable Housing Policy a viability appraisal for the proposal will be required that accords with the guidance set out in Appendix B. When

applications are policy compliant at 20% - no viability assessment is required but negotiations will need to take place on mix, tenure and Starter Homes.

Appendix A - Transfer Values

The table below sets out the price to be paid to the developer by the Registered Provider or other housing provided accredited by the Council for the affordable element of a scheme. The figures represent the price which will be paid per square metre of gross internal floorspace.

Per m2	Social Rented	Intermediate
House	£588	£999
Flat	£698	£1171

Appendix B - Viability Appraisal Requirements

Background

The Council fully recognises that financial viability is inherently linked to the ability to satisfy planning policy and to deliver regeneration objectives and economic development.

In the current economic climate this is particularly important in the context of negotiating section 106 contributions/obligations including affordable housing, public open space and education and where such contributions are to be relaxed.

The NPPF states that ‘...where obligations are being sought or revised local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled’.

The Ministerial Statement of 6th September 2012, the revisions to the Planning Act 1990 through the Growth and Infrastructure Act and the DCLG Guidance on the review of S106 Affordable Housing contributions set out the need for the Council to consider such aspects more proactively. This advice and the existing SPD2 (Section 13) on Affordable Housing demonstrate the requirement for the Council to strengthen and make its approach on this issue, and the requirements for planning applications, clearer.

Pre- Application discussions

The Council encourages applicants to engage in pre-application discussions around key policy requirements and issues around viability. The council will work with developers to consider alternative approaches that may help developments to deliver against policy objectives and remain viable.

There are small charges for this advice and this is updated periodically. It is a valuable part of the overall process and one which is recommended.

Requirements – both full and outline applications.

The submission of a planning application for a development where a relaxation of 'policy driven' contributions is sought on viability grounds will need to be accompanied by a viability assessment/financial appraisal ('the appraisal').

The Council will expect that this is independently assessed. The independent assessor will be one which is approved by the Council. The cost of the independent financial assessment shall be borne by the applicant as a separate cost to the planning application fee.

Agreement to pay this cost will be required at the time the application is submitted. The application will not be validated without that agreement in writing. In addition the Council will not progress the application until the necessary fee has been paid.

Submission of any planning application for development which is intended to comply with policy requirements will need to be accompanied by a statement which sets out that financial viability has been fully considered and that the full contributions can be met.

The format of the viability approach and evidence is set out in Annex A of DCLG guidance [“Section 106 affordable housing requirements Review and appeal”](#). Although this guidance relates to affordable housing the format in Annex A also provides key variables that are relevant in other circumstances.

Requirements for applications seeking review of planning obligations on planning permissions which relate to the provision of affordable housing. As set out in the DCLG Guidance [“Section 106 affordable housing requirements Review and appeal”](#).

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Name of meeting: Cabinet
Date: 15 November 2016

Title of report: Revision of the Local Flood Risk Management Strategy

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 Council's Forward Plan ?	Yes
Is it eligible for "call in" by Scrutiny ?	Yes
Date signed off by Director & name	Jacqui Gedman – 03.11.16
Is it also signed off by the Assistant Director - Financial Management, Risk, IT & Performance?	Debbie Hogg - 02.11.16
Is it also signed off by the Assistant Director - Legal Governance & Monitoring?	Julie Muscroft – 04.11.16
Cabinet member portfolio	Cllr P McBride - Economy, Skills, Transportation and Planning

Electoral [wards](#) affected: All
Ward councillors consulted: None

Public or private: Public

1. Purpose of report

Update of the local flood risk management strategy, published in 2013, to reflect new evidence/information, particularly in relation to the flooding in December 2015

2. Key points

The Councils Local Flood Risk Management Strategy (LFRMS) has been reviewed following a resolution at Council on 23 March 2016 to:

(i) Ask Cabinet to review the 2013 Kirklees Flood Risk Management Strategy.

(ii) Consult public, private and statutory bodies regionally and nationally to produce a mitigation and resilience strategy.

(iii) Submit the final document to Council for comment and to subsequently forward to Government and all agencies for their endorsement and inclusion on funding bids

The LFRMS was published in February 2013 and has undergone annual reviews by the Council's Scrutiny process. The Strategy outlines the Council's duties under the Flood and Water Management Act 2010 and details a series of actions to deliver its duty to understand local flood risk and identify measures to manage the risk. Whilst the Strategy is still appropriate in its broad approach, its evidence base requires updating to reflect legislative changes around Sustainable Drainage Systems (SuDS), new knowledge from recent studies and the impact of recent flood events.

Responding to the Council resolution:

- (i) The revision includes:
 - A general update of dates/text/information throughout the report to make it relevant to the current time
 - Reference to the flood event in Mirfield in December 2015 (**pages 7, 19, and 53**)
 - The new role of the Council (as Lead Local Flood Authority) as a Statutory Consultee to Planning on Surface Water Drainage (**pages 9, 24, 28, 37, 44**)
 - A statement on progress in the first 3 years of the strategy on information collection, knowledge, understanding and recent/current flood management studies and initiatives (**page 53**)
 - Acknowledgement of comments made in the annual scrutiny review of progress against the action plan (**page 55**)
 - Strengthening of the action in the strategy to explore natural flood management opportunities (**page 47**)
 - Recommendations from the recent Leeds City Region Flood Review and Calderdale Flood Commission (following the December 2015 floods) (**page 31**)
- (ii) The Strategy outlines the general approach on the initiatives and tools the Council will use to manage local flood risk. A number of specific actions in the Strategy (Measures 1.6, 3.1, 5.1, 5.3, 7.2, 7.3 and 11.1) contribute to an ongoing mitigation and resilience programme, prioritising where best to direct the Council's resources. The programme is developed in partnership with the Environment Agency to maximise opportunities for funding through their Grant in Aid programme.
- (iii) The updated Strategy will be submitted to Council on 14 December. The evidence base in the Strategy is referenced in all funding bids, providing context and justification for the funding.

The updated Strategy will inform the programme of work for the Flood Management team to manage local flood risk in a prioritised and proportionate way.

3. Implications for the Council

The Council has a legal duty to publish, implement and review a Local Flood Risk Management Strategy.

The Council will continue to implement the Strategy, within existing revenue and capital budgets, in line with the level of flood risk and external funding opportunity.

4. Consultees and their opinions

None consulted (minor updating of the Strategy to reflect legislative changes and improved evidence base for actions).

5. Next steps

Following Cabinet approval of the Strategy the report will be submitted to full Council on 14 December for information.

6. Officer recommendations and reasons

Councillors are asked to approve the Strategy to address the resolution made at Council on 23 March 2016.

7. Cabinet portfolio holder recommendation

Cllr McBride supports the approval of the Strategy to address the resolution made at Council on 23 March 2016 and would ask Cabinet to do the same.

8. Contact officer and relevant papers

Tom Ghee, Flood Management and Drainage Tel.
01484 221000,
email: tom.ghee@kirklees.gov.uk

Relevant papers:

Appendix 1 - Updated Local Flood Risk Management Strategy

9. Assistant Director responsible

Kim Brear, Assistant Director - Place
Tel. 01484 221000,
email: kim.brear@kirklees.gov.uk

2016



Kirklees Local Flood Risk Management Strategy

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Use of the Information in the Report

As Lead Local Flood Authority (LLFA), Kirklees Council has a duty to develop, maintain, apply and monitor a strategy for local flood risk management. The local strategy will complement and support the national strategy, published by the Environment Agency, which outlines a national framework for flood and coastal risk management, balancing the needs of communities, the economy and the environment. The LLFA must specify objectives to manage flood risk and suggest measures to achieve those objectives. The LLFA has a responsibility to consider the flood risk management functions that it may exercise to reduce risk.

In support of the aim of a general reduction of flood risk across the district, the Council will prioritise investigations and works identified in this Strategy to the best of its abilities, based on perceived and evidenced risk and within limited resources.

The indications of flood risk in the report are high level and based on incomplete information. A level of subjectivity has been used in assessing relative flood risk and the results will be used to prioritise future, more robust, investigations and assessments which will, hopefully, lead to reliable measures of risk. Consequently, it is not appropriate to apply the information and recommendations in this report at a local, property level.

1st edition of Kirklees LFRMS published February 2013

This edition published November 2016

Chapter summaries are highlighted in blue text boxes

Key information is highlighted in yellow text boxes

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1 Executive Summary

The risk of flooding in England is predicted to increase as a result of climate change and new development in areas at risk. It is not possible to prevent all flooding but there are actions that can be taken to manage these risks and reduce the impacts on communities. The Flood and Water Management Act (FWMA) 2010 required the Environment Agency to publish a **National Strategy for Flood and Coastal Erosion Risk Management** and Lead Local Flood Authorities a **Local Strategy for Flood and Coastal Erosion Risk Management**. Kirklees Council, as Lead Local Flood Authority for the district, has developed this Local Strategy in partnership with its two main Flood Risk Management partners, Yorkshire Water and the Environment Agency, reflecting the needs and priorities of the local community.

Nationally, flood management has been organised and managed disparately with indistinct responsibilities across a variety of organisations. There has been an historic failure to provide clear and co-ordinated management of flood risk and local communities have been let down by poor communication, unclear responsibilities and uncoordinated actions in the local management of flood risk.

The risk of flooding is increasing. Development pressures in urban centres and the prediction of more severe rainfall events as a result of climate change combine to increase the risk in existing communities and offer challenges in managing the risk in new developments. The district has avoided the devastating floods across the country in the last decade at Boscastle, Cornwall (2004), Carlisle (2005), Yorkshire (2007), Cumbria (2009), Calderdale and York (2012), Somerset levels (2014) and Cumbria, Lancashire and West Yorkshire (2015), although a number of mainly commercial properties flooded from the river Calder in Mirfield in December 2015. The predicted risk from future rainfall events is high. Out of 150 LLFAs in the country, excluding London Boroughs and County Councils, Kirklees ranks 7th in terms of overall flood risk behind cities such as Hull, Birmingham and Leeds. It is predicted that up to 27,000 properties in the district (15% of households) could be at risk from an extreme rainfall event creating flooding from all sources.

The recent legislation has made responsibilities clearer with the roles of the various organisations set out as follows:

The Environment Agency –

- Managing flood risk from designated “main” rivers
- Regulating the safety of large reservoirs
- Developing the National Strategy for Flood and Coastal Erosion Risk

The Lead Local Flood Authority (Kirklees Council) –

- Developing the Local Flood Risk Management Strategy (LFRMS)
- Managing the risk of flooding from surface water, groundwater and smaller watercourses

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- Investigating significant flood incidents
- Maintaining a register of significant drainage assets
- Approving, adopting and maintaining Sustainable Drainage Systems (SuDS) on new development sites

The Water Company (Yorkshire Water) -

- Effectually draining their area
- Maintaining a register of properties at risk from hydraulic sewer overload, carrying out improvements where resources allow

The Highway Authority (Kirklees Council) –

- A duty to drain surface water from the public highway

The LLFA has the responsibility to co-ordinate the management of local flood risk and the Kirklees LFRMS provides the framework to ensure that the type and scale of local flooding is understood and explained, appropriate objectives have been set, measures to achieve the objectives have been determined and funding arrangements, including value for money for the measures, has been considered.

Historically, the Council has provided only a limited, reactive response to local flood risk management resulting in incomplete records of drainage infrastructure and previous flood incidents, a poor understanding of flood mechanisms and little strategic planning to manage future flood risk. The Kirklees LFRMS will define the Councils approach to managing flood risk in both the short and longer term.

The **Objectives** of the Kirklees LFRMS include statutory requirements from legislation, complementary objectives from other relevant plans and preferences expressed by local communities. The objectives include:

- Improving the level of understanding of local flood risk
- Ensuring that local communities understand their responsibilities
- Actively managing flood risk from new developments
- Balancing economic, environmental and social benefits in managing local flood risk
- Improving the capacity of existing drainage systems through targeted maintenance
- Encouraging responsible maintenance of privately-owned drainage assets
- Identifying affordable improvement programmes, maximising external funding contributions
- Aligning local flood risk management knowledge with the Councils emergency planning procedures

The **Measures** identified in the Kirklees LFRMS provide a long term programme of works and initiatives, such as planning controls, community engagement and improvement and maintenance work, which will be prioritised and programmed to deliver affordable reductions in local flood risk.

32 measures have been developed to address the objectives identified in the strategy. The measures are varied in nature, ranging from simple data recording to complex flood modelling, community information to changing community behaviour/perceptions. The measures include:

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- Recording/mapping flood incidents
- Developing an information strategy to improve stakeholder knowledge
- Publishing and distributing information explaining flood risk responsibilities to local communities
- Developing the LLFA role as Statutory Consultee to Planning on Surface Water Drainage
- Developing an affordable cyclical maintenance regime based on risk
- Developing a pragmatic programme of schemes and initiatives which are likely to be funded through the national funding programme
- Developing and implementing a policy on de-culverting

The **Funding** of the measures is outlined in the Strategy. Central government has provided additional funding to ensure that the new legal duties under the FWMA Act are carried out. Therefore, many of the measures detailed in the Strategy are funded and can be carried out within existing Council resources. However, some of the measures, particularly those around capacity improvements and improved maintenance, require additional funding, which will be the subject of future funding bids as projects are identified.

Flood risk across the district is complex with interactions between river, surface water and sewer flooding. It is difficult to determine absolute measures of flood risk but numerous studies and assessments carried out in the last 5 years have helped to highlight where the highest risk areas in the district are. It is clear that a minimum of 20-25,000 properties are at risk of flooding from a “once in a lifetime” rainfall event ie with 0.5% chance of happening in one year. **A more realistic scenario could be such an event affecting 10% of the district, flooding 2,000 properties, causing damage estimated at £70 million.**

The main areas in the district at higher risk of flooding are:

Huddersfield (Leeds Rd/Aspley)	6800 properties
Huddersfield (Dalton)	500
Holme Valley	2500
Dearne Valley	600
Batley	1600
Marsden	700
Dewsbury	2500
Thornhill	700
Spenn Valley	3000
Mirfield	500

The focus in the Kirklees LFRMS is to reduce flood risk from local sources where it threatens property and public infrastructure. The Council is also committed to maximising opportunities to carry out flood risk reduction in ways which are sustainable in terms of affordability, environmentally and socially.

The Kirklees LFRMS is a “living document” which will develop as new evidence, expertise and resources influence the measures outlined in the strategy. The Councils Overview and Scrutiny Committee will assess progress against the Strategy and its continuing validity in managing local flood risk.

2 Glossary

Annual Exceedance Probability (AEP)	The chance of a flood of a given size happening in any one year eg 1 flood with a 1% AEP will happen, on average, once every 100 years
Catchment	A surface water catchment is the total area that drains into a river or other drainage system
Catchment Flood Management Plan (CFMP)	A strategic planning tool through which the Environment Agency works with other key decision-makers within a river catchment to identify and agree policies for sustainable flood risk management.
Chance of flooding	The chance of flooding is used to describe the frequency of a flood event occurring in any given year, e.g. there is a 1 in 100 chance of flooding in this location in any given year. This can also be described as an annual probability, e.g. a 1% annual probability of flooding in any given year. (See AEP)
Climate Change	A long term change in weather patterns. In the context of flood risk, climate change will produce more frequent and more severe rainfall events.
Critical infrastructure	Infrastructure which is considered vital or indispensable to society, the economy, public health or the environment, and where the failure or destruction would have large impact. This would include emergency services such as hospitals, schools, communications, electricity sub-stations, Water and Waste Water Treatment Works, transport infrastructure and reservoirs.
Department for Environment, Food and Rural Affairs (Defra)	The UK government department responsible for policy and regulations on the environment, food and rural affairs
DG5 Register	A Water and Sewerage Company (WaSC) held register of properties which have experienced sewer flooding (either internal or external flooding) due to hydraulic overload, or properties which are 'at risk' of sewer flooding more frequently than once in 20 years.
Environment Agency	The Environment Agency was established under the Environment Act 1995, and is a Non-Departmental Public Body of Defra. The Environment Agency is the leading public body for protecting and improving the environment in England and Wales today and for future generations. The organisation is responsible for wide ranging matters, including the management of all forms of flood risk, water resources, water quality, waste regulation, pollution control, inland fisheries, recreation, conservation and Navigation of inland waterways. It also has a new strategic overview role for all forms of inland flooding.
Environment Agency Flood Zones	Flood zones on the maps produced by Environment Agency providing an indication of the probability of flooding (from rivers and the coast) within all areas of England and Wales.
Exceedance flows	Excess flow that appears on the surface once the capacity of the underground drainage system is exceeded

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Flood Risk Management Plan	<p>A plan for the management of a significant flood risk. The plan must include details of –</p> <ul style="list-style-type: none">a) objectives set by the person preparing the plan for the purpose of managing the flood risk, andb) the proposed measures for achieving those objectives
Flood Risk Regulations	<p>Legislation that transposed the European Floods Directive in 2009</p>
Flood and Water Management Act	<p>The Flood and Water Management Act clarifies the legislative framework for managing surface water flood risk in England.</p>
Floods Directive	<p>The EU Floods Directive came into force in November 2007 and is designed to help Member States prevent and limit the impact of floods on people, property and the environment. It was transposed into English law in December 2009 by the Flood Risk Regulations.</p>
Fluvial Flooding	<p>Resulting from excess water leaving the channel of a river and flooding adjacent land</p>
Lead Local Flood Authority (LLFA)	<p>The authority, either the unitary council, or county council, with responsibility for local flood risk management issues in its area, as defined in the Flood and Water Management Act</p>
Local Plan	<p>The Local Plan is a plan for the future development of the local area, drawn up by the Local Planning Authority. It guides decisions on whether or not planning applications can be granted. A local plan sets out local planning policies and identifies how land is used, determining what will be built where. Adopted local plans provide the framework for development across England.</p>
Local Resilience Forums (LRF)	<p>LRFs are multi-agency forums, bringing together all organisations which have a duty to co-operate under the Civil Contingencies Act, and those involved in responding to emergencies. They prepare emergency plans in a co-ordinated manner.</p>
Main River	<p>Main Rivers are watercourses marked as such on a main river map. Generally main rivers are larger streams or rivers, but can be smaller watercourses in critical locations.</p>
Ordinary watercourse	<p>An ordinary watercourse is any other river, stream, ditch, cut, sluice, dyke or non-public sewer which is not a Main River. The local authority has powers to manage such watercourses.</p>
Pitt Review	<p>An independent review of the 2007 summer floods by Sir Michael Pitt, which provided recommendations to improve flood risk management in England</p>
Pluvial flooding	<p>'Pluvial' flooding (or surface runoff flooding) is caused by rainfall and is that flooding which occurs due to water ponding on, or flowing over, the surface</p>

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	before it reaches a drain or watercourse.
Resilience measures	Resilience measures are designed to reduce the impact of water that enters property and businesses, and could include measures such as raising electrical appliances, concrete floors etc
Resistance measures	Resistance measures are designed to keep flood water out of properties and businesses, and could include flood guards, air brick covers etc.
Riparian owners	A riparian owner is someone who owns land or property adjacent to a watercourse. A riparian owner has a duty to maintain the watercourse and allow flow to pass through his land freely.
Risk	In flood risk management, risk is defined as the probability of a flood occurring x consequence of the flood
Strategic Flood Risk Assessment (SFRA)	An SFRA provides information on areas at risk from all sources of flooding.
Surface water flooding	In this context, surface water flooding describes flooding from sewers, drains, groundwater, and runoff from land, small water courses and ditches that occurs as a result of heavy rainfall.
Surface Water Management Plan (SWMP)	A tool to understand, manage and coordinate surface water flood risk between relevant stakeholders
Sustainable Drainage Systems (SuDS)	A sequence of management practices and control measures designed to mimic natural drainage processes by allowing rainfall to infiltrate and by attenuating and conveying surface water runoff slowly compared to conventional drainage.
Urban Creep	The change of permeable areas within the urban environment to impermeable areas. Typical types of urban creep are the creation of patios, paving the front gardens to create hard standing parking areas or house extensions.
Water Framework Directive (WFD)	A European Community Directive (2000/60/EC) of the European Parliament and Council designed to integrate the way water bodies are managed across Europe. It requires all inland and coastal waters to reach "good status" by 2015 through a catchment-based system of River Basin Management Plans.

3 Introduction

The risk of flooding in England is predicted to increase due to climate change and new development in areas at risk. It is not possible to prevent all flooding but there are actions that can be taken to manage these risks and reduce the impacts on communities. This flood management strategy for Kirklees aims to use a variety of techniques, measures and initiatives to provide a co-ordinated mitigation plan that balances the needs of communities, the economy and the environment.

3.1 Background

Nationally, flood management has been organised and managed in a disparate way. Management of fluvial flooding from major rivers has passed between a variety of successive government agencies. Responsibility for general land drainage and flooding from the public sewer system has been managed in a variety of combinations of local authorities and public and private waterworks companies. The result has been an historic failure to provide consistent and coordinated management of flood risk and an absence of leadership in the investigation and resolution of local flood events. Local communities have been let down by poor communication, unclear responsibilities and uncoordinated actions in the local management of flood events.

The risk of flooding is increasing. Development pressures in our urban centres and fringes and the prediction of more severe rainfall events as a result of climate change combine to increase the risk in existing communities and offer challenges in managing the risk in new developments.

The last two decades have witnessed a number of devastating floods across the country. York (2000), Boscastle, Cornwall (2004), Carlisle (2005), Yorkshire (2007), Morpeth, Northumberland (2008), Cumbria (2009), Calderdale and York (2012), Somerset levels (2014) and Cumbria, Lancashire and West Yorkshire (2015) have destroyed local communities, highlighting the vulnerability of the country's infrastructure to flooding. Severe flood events in continental Europe during the same period, has resulted in European Legislation being published. The Flood Risk Regulations (FRR) 2011 requires member states to manage "significant" flood risk. The regulations operate on a 6 year cycle, with the "significance" threshold in this first cycle being set at such a high level that only 10 areas across England have emerged as areas requiring further investigation. Kirklees is not a significant flood risk area in terms of the FRR.

The flooding in summer 2007 was particularly severe, affecting a large number of communities spread across the country. The government-commissioned Pitt review of the flooding summarised the historic failings of flood management, resulting in an extensive set of recommendations which were eventually transposed into a new piece of legislation, the Flood and Water Management Act 2010. The FWMAAct created, for the first time, a general responsibility for Lead Local Flood Authorities, or LLFAs, (County and Unitary Councils) to take leadership for the coordination and management of local flood risk. A number of duties, powers and tools have been created or developed to allow local flood management to be more effective. The manner in which LLFA's choose to manage local flood risk is defined by Section 9 of the FWMAAct, where they are required to **"develop, maintain, apply and monitor a strategy for local flood risk management in its area"**

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The FWMAct is not prescriptive in what the Strategy should deliver. The intention is to allow local discretion as to the type and timing of programmes and initiatives chosen and the level of resources available to meet the expectations in the strategy. Statutory guidance on how to produce the strategy has not been published although informal guidance has been produced by the Local Government Group through its “**Preliminary Framework for Local Flood Risk Management Strategy**”¹ to assist LLFA’s in the process.

Historically, Kirklees has provided a limited, reactive response to local flood risk management resulting in relatively poor records of previous flood incidents and drainage records. Understanding of flood mechanisms is limited and little strategic planning for the mitigation of future flood risk has been carried out. A Flood Management Team is now established to fulfil the various duties and responsibilities required by the legislation and a structured and resourced programme has been developed to provide a methodical and prioritised assessment of local flood risk. The team has made significant progress since the introduction of the FWMAct to improve its knowledge of existing drainage systems, its technical expertise in advising residents, businesses and developers on how to manage surface water drainage/ flood risk and it’s understanding of flood risk mechanisms and appropriate mitigation measures.

This strategy will define the Councils approach to managing flood risk in both the short and longer term.

3.2 The Scale and Type of Flood Risk in Kirklees

3.2.1 Characteristics of the Area

Kirklees is a unitary council in West Yorkshire bounded by Calderdale, Bradford, Leeds, Wakefield, Barnsley, Derbyshire and Oldham. In terms of size, it is the 11th largest district council out of 348 (Population of around 400,000) and 3rd largest metropolitan council in area (400km²). The main population centres are Huddersfield (125,000), Dewsbury (57,000) and Batley (45,000), with a further 10, or so, small towns (5-20,000). Around 40% of the area is heavily urbanised with 60% rural in character, of which half is in the Pennine hills.²

With respect to water resources, Kirklees has 27 large reservoirs in the Pennines, operated by the local Water and Sewerage Company, Yorkshire Water, with the associated emergency planning aspects managed by the Environment Agency. There are approximately 100km of enmained river, managed by the Environment Agency, and unrecorded, but substantial, lengths of culverted and open minor watercourses. The main rivers in the district are the rivers Colne and Calder flowing to the river Aire, which drains around 85% of the area, and the river Dearne flowing to the river Don, draining the remaining 15%. Average annual rainfall figures for the district range from 1800mm at the Pennine headwaters to 800mm in Huddersfield, compared with an average across England of 950mm.³

¹ http://www.local.gov.uk/web/guest/flood/-/journal_content/56/10171/3487627/ARTICLE-TEMPLATE

² Kirklees Council, *Factsheets 2010*,

<http://www.kirklees.gov.uk/community/statistics/factsheets/factsheets.shtml>

³ Environment Agency, *Calder Catchment Flood Management Plan July 2010*, page 54

3.2.2 Flooding Characteristics

Fluvial Flooding from Designated Main Rivers

Kirklees is dominated by 2 main river systems, the River Calder to the North of the district and the River Dearne to the South, both rivers having their headwaters in the Pennines and both ultimately flowing to the Humber estuary.

In the upper reaches of the **Calder's** tributaries, valleys are generally narrow and steep-sided and consequently, flood zones are narrow. Existing development is mostly housing, commercial or small areas of light industry. Flood defences are typically discontinuous with flood walls in a mixed condition, offering low standards of flood protection.

In the downstream catchment between Huddersfield and Dewsbury, the floodplain broadens and land-use includes large areas of heavy industry and housing within the high flood risk zone. Flood defences generally offer a higher level of protection. Substantial lengths of main river tributaries to the River Calder, such as Grimescar Dyke, Batley Beck and Chickenley Beck are culverted through urban areas

The upper reaches of the **Dearne** above Clayton West are fairly steep and respond quickly to rainfall. The industrial textile heritage of the area, resulting in recent residential conversions of riverside mills, and the general high density of residential development in the valley bottom leave a sizeable part of the local community at risk of flooding. There is little historical evidence of river flooding from breached defences or overtopping but the main issue appears to be flooding resulting from submerged outfalls to the river.

The Environment Agency has powers for managing the flood risk from main rivers. The hydraulic characteristics of the main rivers are generally well understood and substantial computer modelling of the flood risk has been carried out.

Minor Watercourse Flooding

Many thousand km's of minor watercourses drain surface water across the district. The condition and capacity of the open watercourses has not historically been recorded and only limited information is available on the sections which have been culverted. Riparian responsibility means that standards of maintenance vary greatly, ranging from well-maintained lengths in private gardens and public parks, to fly-tipped, polluted lengths in undeveloped industrial land.

The industrial heritage of the larger settlements as textile centres has left an historical legacy of stone culverts carrying watercourses through areas of high residential occupation. Information on the location, condition and connectivity of the culvert systems is piecemeal but is a significant factor in understanding and reducing flood risk in those locations.

Surface Water Flooding

Surface water flooding is generally more prevalent in the hillier, rural, less developed south side of the district. The settlements along the Dearne, Holme, Colne and Woodsome Valleys are concentrated along the rivers and suffer the consequences of rapid surface water runoff from the uplands and fields on the steep valley sides. The flooding experienced in 2007 demonstrated the risks from overland surface water flows to rural communities and those on the urban fringe. The public sewer record is relatively well recorded but information on other

Kirklees Local Flood Risk Management Strategy

formal drainage systems is sparse, they are often unrecorded and consequently, poorly maintained.

The large settlements to the centre and north of the district, Huddersfield, Dewsbury and Batley, have significant networks of public sewers, owned and maintained by Yorkshire Water, with less evidence of smaller culverted watercourses remaining in those areas. It is likely that the traditional means of draining surface water via watercourses has been gradually replaced by the developing public sewer system carrying rainwater in both surface water and combined sewers.

Groundwater Flooding

Groundwater flooding occurs as a result of water rising to the surface from underlying ground or abnormal springs, usually as a result of sustained increased rainfall raising natural groundwater levels. Groundwater flooding is usually more prevalent in low-lying areas where normal water tables are high and underground aquifers are present. In Kirklees, it is very unusual to see groundwater breaking through the surface of the ground but the high number of basements in older properties in Kirklees, a product of its industrial heritage, means that groundwater flooding to “below ground” rooms is increasingly common.

Sewer Flooding

Yorkshire Water owns much of the combined and surface water sewers in the region. Sewer systems are currently designed not to flood in a 1:30 year return period design storm. This does not include accommodating flows from exceptional and high magnitude rainfall events. During extremely wet weather, the rainfall may exceed current design criteria. Such events can result in exceedance of the hydraulic capacity of the sewer thus increasing the risk of flooding. One of the most recent occurrences of this type of event was the flooding experienced in June 2007.

There are some known sewer related flooding issues within the Kirklees catchment. However, overall sewer performance is satisfactory. Yorkshire Water is working with Kirklees Council, the Environment Agency and other parties to better understand the interaction of the networks and provide improvements that will help further reduce the risk of flooding.

Recent Flood Events

Kirklees has been relatively unaffected by severe, community-wide flooding compared to other areas in the country, however, there have been a number of flood incidents where damage to property and infrastructure has occurred.

- There has been recent significant local flooding in the summers of 2002 (Holmfirth), 2004 (Milnsbridge, Ravensthorpe), 2007 (Various Locations), January 2008 (Holmfirth), June 2012 (Various Locations) and December 2015 (Mirfield)
- The 2007 floods flooded up to an estimated 500 properties across the district and were described by many residents as the worst in living memory. The flooding was widespread across the district but hotspots occurred around Ravensthorpe, Liversedge, Cleckheaton, Chickenley, Mirfield, Milnsbridge, Brockholes, New Mill, Denby Dale, Scissett and Clayton West.
- The most recent floods in 2015 were centred on the river Calder in Mirfield, flooding around 60 commercial and 10 residential properties.

2007 Floods

Two significant rainfall events occurred on Friday 15 June and Monday 25 June 2007, exacerbated by previous, generally high, May and June rainfall. In Kirklees, a wet May was followed by the wettest June on record – May rainfall was 30% above average and total June rainfall was 325% above average (nearly 300mm falling at Emley Moor during the month). The River Don was recorded running at 650% above the monthly average flow and also recorded the highest peak flow on record.

The effect of the above was unprecedented rainfall run-off from saturated fields onto undrained rural roads and very high river and watercourse levels. Few watercourses in Kirklees breached their banks but many surface water outfalls were submerged. Restricted discharge, resulted in surcharge of highway drains, YW surface water sewers and culverted watercourses causing much of the surface flooding in the area. The design capacity of YW combined sewers was exceeded which exacerbated the problem with Combined Sewer Overflows (CSO's) operating and sewage mixing with floodwater.

December 2015 Floods

Storms Desmond and Eva crossed the north of the country during December causing widespread flooding to Cumbria, Lancashire and West Yorkshire. Kirklees suffered serious flooding from the river Calder in Mirfield on Boxing Day with approximately 70 residential and commercial properties suffering internal flooding.

The interactions between different sources of flooding

Whilst the Catchment Flood Management Plans for the area direct policies and initiatives for the management of flood risk resulting from designated main rivers and this local strategy considers the risks from smaller watercourses, overland surface water and groundwater, it is inevitable that some flooding will result from many sources of water, including that carried in the public sewer system. The general public, understandably, care little where the floodwater comes from but the LLFA has a responsibility to determine, where possible, which risk management authority is responsible. Where there are complicated interactions of different sources, the LLFA will take a lead to ensure that investigation, assessment and appropriate mitigation measures are carried out.

Public Perception of Flood Risk

Households and businesses which have suffered from disruptive and damaging flooding generally understand the risks involved but many still rely on the various agencies and organisations to manage future risks. Agencies, particularly the LLFAs, have a role to play but an important outcome from this strategy will be a programme of awareness-raising with

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affected property owners to give them the knowledge and tools to take measures to protect themselves. There will always be extreme events that place people and property beyond economically viable protection and warning and evacuation may be the only solution. The future availability of affordable house insurance against flooding will inevitably drive property owners towards providing their own flood protection and resilience measures to help reduce premiums.

Local Flood Risk

This Strategy, outlining the responsibilities of Kirklees Council, deals with flood risk from “local” sources of flooding, namely:

- Surface Water
- Minor Watercourses
- Groundwater

The National Strategy, produced by the Environment Agency, deals with fluvial flood risk from designated “main rivers”

However, the local strategy considers the risk from main rivers in the district to provide a comprehensive and integrated approach to managing the risk from all sources of flooding.

3.3 The Size of Flood Risk in the District

Presenting a simple indication of the risk from flooding in the district is difficult. The risk comes from many sources and there are many methods of calculating predicted risk. The Council holds limited records of previous flood incidents but significant, area-wide flooding from future, high – intensity or prolonged rainfall provides the greatest risk for residents in the district. A variety of studies and calculations have been made in the past 5 years which contribute to an understanding of the size of the flood risk in Kirklees.

- The comparative figures shown below⁴ give an indication of how Kirklees sits locally and nationally with other Councils (LLFAs).
- The figures for number of properties at risk⁵ from flooding should be viewed as properties that may flood as a result of the type of rainfall event that may occur “once in a lifetime”.

Comparison across other Councils/LLFAs

Kirklees ranks **55th out of 150** LLFAs in England, in terms of general flood risk.

Excluding larger Counties and London Boroughs, **Kirklees ranks 7th behind Hull, Birmingham, Brighton, Doncaster, Leeds and Leicester.**

⁴ Defra, December 2010 – LLFA Funding Allocations

⁵ Defra, August 2009 - National Rank Order of Settlements Susceptible to Surface Water Flooding

Number of properties at risk from flooding

If a rainfall event with a 0.5% chance of happening in any year occurred in Kirklees the number of properties at risk of flooding are:

12,000 from river flooding, and

15,000 from other local sources (surface water, minor streams and groundwater)

ie a total of 27,000 properties or 15% of households in the district

Section 7 of the Strategy provides further information on the scale of local flood risk.

3.4 What will the Strategy do?

Flood risk in Kirklees **will** increase in the future as a result of climate change and new development pressures. Funding to address the increased risk through traditional flood defence or drainage capacity improvement works is limited but opportunities are available to flood risk management authorities and property owners to manage the risk in a structured and affordable way.

The Kirklees Local Flood Risk Management Strategy will explain how the Council, as Lead Local Flood Authority, will determine the location and size of flood risk, develop a co-ordinated, resourced and diverse action plan to mitigate the risk, presenting the objectives and measures in an understandable and accessible way.

The general principles of the Strategy are that:

- Flooding will always occur. It is uneconomic to totally prevent it and flood management will always be a balance of preventing flooding and managing the consequences of flooding.
- Flood risk management will be a compromise between managing today's problems and reducing the risk from future, larger, catastrophic flooding.
- More and better information on drainage systems and flood risk will result in more effective schemes and initiatives.
- Various authorities have flood risk management responsibilities but, ultimately, householders and businesses are best placed to protect their own properties.
- New developments offer the best opportunity to reverse the mistakes made by previous generations in building developments in high flood risk locations.
- The Strategy will pay due regard to the local, natural environment maximising opportunities for enhancement.

4 Responsibilities

4.1 Context

The Pitt Review identified inadequate and unclear responsibilities in those agencies and organisations with roles to play in flood management, as a significant factor in our historically poor response to flooding. The FWMA Act clarifies responsibilities and creates the new role of Lead Local Flood Authority to coordinate the local response to flood management and mitigation. In Kirklees, the Risk Management Authorities (RMA's) with legal responsibilities for local flood management are:

- The Environment Agency
- The Lead Local Flood Authority (**Kirklees Council**)
- The Water Company (**Yorkshire Water Services**)
- The Highway Authority (**Kirklees Council**)

4.2 Roles, Responsibilities and Functions

The main roles, responsibilities and functions to be exercised by the RMA's are as follows:

The Environment Agency

- Strategic overview of all forms of flooding
- Risk-based management of flooding from “main rivers”
- Regulation of the safety of higher-risk reservoirs
- Development of the National Strategy for Flood and Coastal Erosion Risk Management
- Coordination of Regional Flood and Coastal Committees
- Powers to request a person for any information relating to its flood management responsibilities
- Powers to designate structures and features relating to “main rivers”
- A duty to report to ministers on flood risk management
- Statutory consultees to Planning on main river flood risk
- Is a Competent Authority for the Water Framework Directive

The Lead Local Flood Authority

- Development of the strategy for local flood risk management
- Strategic leadership of local risk management authorities
- Reducing the risk of flooding from surface water, groundwater and ordinary watercourses
- Powers to request a person for any information relating to its flood management responsibilities
- A duty to investigate significant flood incidents and determine and allocate responsibilities
- A duty to maintain a register of structures or features likely to have a significant effect on flood risk
- Powers to designate structures and features relating to flood risk, other than from “main river”

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- Advise on land use planning processes to mitigate flood risk resulting from new or re-development of land
- Responsibility as the Statutory Consultee to Planning on Surface Water Drainage, encouraging the use of SuDS that are effective and maintained
- A duty to ensure local flood risk management functions are consistent with the national strategy

The Water Company

- Where appropriate, assist the LLFAs in meeting their duties in line with the national strategy and guidance.
- Where appropriate, assist the LLFAs in meeting their duties in line with local strategies in its area.
- Where appropriate, sharing of information and data with RMAs, relevant to their flood risk management functions.
- A duty to effectually drain their area, in accordance with section 94 of the Water Industry Act 1991.
- A duty to register all reservoirs with a capacity greater than 10,000m³ with the Environment Agency
- An agreement with Ofwat to maintain a register of properties at risk from hydraulic overloading in the public sewerage system (DG5 register).
- The appropriate management of surface water in combined systems.
- Encouraging the use of SuDS.
- Creating a detailed understanding of flood risk from the public sewer system.
- Explore and implement multi benefit/agency schemes.
- A duty to ensure local flood risk management and drainage works are consistent with environmental regulations (including the Water Framework Directive)

The Highway Authority

- A duty to act in a manner which is consistent with the local and national strategies and guidance
- A duty to share information with other RMA's relevant to their flood risk management functions
- A duty to drain the adopted highway of surface water

In addition to the role of RMA's, individual landowners owning land adjacent to watercourses, known as riparian owners, have important rights and responsibilities relating to flood risk management from natural watercourses. They have

- A right to receive flow in its natural quantity and quality. Water may only be abstracted from a watercourse with the formal approval of the Environment Agency.
- A right to protect their land and property from flooding and erosion. Any associated works must be approved by the Environment Agency and/or LLFA.

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- A responsibility to allow water to flow through their land without obstruction, diversion or pollution.
- A responsibility to receive flood flows through their land
- A responsibility to keep the watercourse bed and banks free of litter and debris.

4.3 The Powers and Duties of Kirklees Council

The Flood and Water Management Act 2010 identified Kirklees Council as the Lead Local Flood Authority for the district. The main responsibilities from the Act have been summarised in the previous section but the main effect of the Act will be to provide, for the first time, the means for the Council to coordinate and manage local flood risk. The Council has a number of duties, powers and responsibilities from other legislation which assist the Council in providing a comprehensive approach to the management of local flood risk.

It is important to understand that a **duty** is something the Council is legally obliged to do; a **power** can be used at the Council's discretion

The Council's powers and duties relating to the management of local flood risk are as follows:

4.3.1 As Lead Local Flood Authority

- **A duty to produce a local flood risk management strategy** – develop, maintain, apply, monitor and publish a local strategy. The strategy will provide a framework to deliver a prioritised programme of works and initiatives to manage flood risk in the area.
- **A duty to co-operate with other risk management authorities** – healthy and constructive arrangements have been in place for a number of years via *West Yorkshire LLFA Liaison Group*, and the more recent *Kirklees Flood Risk Management Partnership* where partners can share best practice and develop joint initiatives. The Council will be an active contributor to the regional Flood Partnership and the Regional Flood and Coastal Committee.
- **A power to arrange for a flood risk management function to be transferred to another risk management authority** - Kirklees Council does not currently anticipate transferring any functions and will deliver the requirements of the Act within its existing resources.
- **A power to request information in connection with its flood management functions from another person** – reciprocal arrangements are in place with the Council's principal partners, Yorkshire Water and the Environment Agency, to exchange relevant information. The Council will continue to expand its knowledge base by requesting relevant information from other key agencies and landowners.

- **A duty to investigate flooding** – the LLFA will act as the co-ordinator for the investigation of flood incidents, determining responsibility for any further action from risk management authorities. The LLFA has local discretion to determine which flood incidents it investigates. The results of any investigation will be published on the Councils website and any relevant risk management authorities informed of the results.

Kirklees Council will formally investigate flood incidents which meet the following criteria:

- *Where one or more residential or business properties suffer internal flooding*
- *Where there is a risk to life as a result of the depth and/or velocity of floodwater*
- *Where critical infrastructure (eg emergency services buildings, utility company infrastructure, schools, day centres, hospitals and main transport routes) suffer flooding or obstruction, or were in imminent danger of flooding*
- *Where 5 properties or more were in imminent danger of flooding, or*
- *Where local democratic pressures from elected members, committees, or other elected bodies, might be considered as a factor in determining whether a formal investigation should be carried out*

Whilst the principal purpose of formal flood investigation is to identify cause and responsibility for further action and provide a single point of contact for the householder, business or community, the information gathered will be invaluable in extending the Councils knowledge of drainage infrastructure and local flood risk.

- **A duty to maintain a register of drainage assets/ features** – the Council must establish and maintain a register of structures or features which it considers are likely to have a significant effect on local flood risk. Information on ownership and state of repair will also be held on the register. The register will be available for inspection. The LLFA has discretion to set a local indication of “significance” to determine which assets it records on the register.

The Councils register of drainage assets will include the following structures or features

For pipes/ culverts

- *The diameter is greater than 600mm or cross sectional area is greater than 0.3m² or*
- *The pipe/culvert has a recorded history of flooding or*
- *The pipe/culvert is within 20m of a cluster of 5 or more recorded flood incidents (non-cellar) – excluding pipes of 225mm diameter or less*

For trash grilles

- *The grille is council-maintained and is on the monthly clearance programme or*
- *The grille is privately-maintained and total blockage would cause flooding of adjacent infrastructure*

For surface water pumping stations

- *All pumping stations to be included*

The register is available on the Councils website and allows local residents, communities and businesses to better understand where the significant drainage and flood management features are located.

- **A power to designate features that affect flood risk** – if the LLFA considers a structure or feature affects a flood risk and it is not owned by the LLFA or the Environment Agency, it may formally “designate” the structure/feature. Designation places legal responsibilities on the owner of the asset to manage it with due regard to its function as a flood risk feature. The owner may not alter, remove or replace a designated structure or feature without the consent of the LLFA. Structures or features meriting designation could include culverts, garden/building walls, flood banks etc where there is evidence that their location affects flood risk. The Council intends to use the powers in a proportionate manner, determining an appropriate measure of significance for the flood risk. Any proposal to designate a structure or feature will be fully evidenced and justified.
- **A power to formally consent works within Ordinary Watercourses** – the FWMA Act transfers legal powers from the Environment Agency to the Council to manage works proposed in ordinary watercourses. The Environment Agency will continue to consent works in designated main rivers and the Council will consent those works in all other (ordinary) watercourses. Works which may need approval by the Council include new and replacement culverts, provision and removal of weir structures, construction of river walls and temporary support works for permanent structures which interfere with the flow of water in the watercourse. The Council will actively manage works

proposed by riparian owners to ensure that flood risk does not increase as a result of their actions.

- **A duty to promote and manage Sustainable Drainage** –The government decided not to enact Schedule 3 of the FWMA Act, preferring to strengthen the planning process and require Lead Local Flood Authorities to act as Statutory Consultees to Planning on Surface Water Drainage. Technical advice is offered to Planning to encourage developers to provide drainage systems, preferably SuDS, which meet national standards. There are great opportunities to remove the burden on currently over-loaded drainage systems through the development of more natural systems of water management. SuDS also offer numerous opportunities for environmental improvement and socio-economic benefits.

The LLFA will be consulted on surface water drainage for all major development sites by the Planning Authority. The LLFA will ensure that development drainage meets the national standards and that there are appropriate maintenance arrangements in place to ensure the ongoing effective performance of the drainage for the lifetime of the development.

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4.3.2 As a Category 1 Responder (Emergency Planning)

- A duty to assess risk of emergencies occurring and use this to inform contingency planning
- A duty to put in place emergency plans
- A duty to put in place Business Continuity Management arrangements
- A duty to put in place arrangements to make information available to the public about civil protection matters and maintain arrangements to warn, inform and advise the public in the event of an emergency
- A duty to share information with other local responders to enhance co-ordination
- A duty to Co-operate with other local responders to enhance co-ordination and efficiency
- A duty to provide advice and assistance to businesses and voluntary organisations about business continuity management

4.3.3 As Highway Authority

- **A duty to maintain the public highway network (excluding motorways)** – the Highways Act requires the Council, as Highway Authority, to ensure that highways are drained of surface water and, where necessary, maintain all drainage systems ensuring there is no pollution of the wider environment. In particular, the Council carries out regular maintenance of road gullies and their connections to the carrier drain. The carrier drain will generally be an adopted public sewer, maintainable by the local water company but, in some instances, it may be a dedicated highway drain maintainable by the Council. Culverts, carrying watercourses, crossing public highways may have trash grilles installed at the upstream end of the culvert, protecting the culvert from blockages. The highway authority has a responsibility to ensure these grilles operate efficiently, achieved by clearing them on a regular maintenance cycle.

4.3.4 As Planning Authority

- **A responsibility to consider flood risk in Local Plans** – the Planning Authority must prepare, publish and use a Local Plan) which directs how land can be used. The Local Plan considers flood risk from both fluvial (main river) and local sources (surface water) of flooding, paying due regard to available Strategic Flood Risk Assessments, Preliminary Flood Risk Assessments and Surface Water Management Plans.
- **A responsibility to consider flood risk when assessing applications for development** – The Planning Authority should only approve development where it can be demonstrated that the proposal doesn't increase the overall risk of flooding in the area and is adequately protected from flooding itself. A sequential approach should be taken to ensure development sites are chosen which offer the lowest possible flood risk.
- **Considering advice from the LLFA as a statutory Consultee**
– The Planning Authority should highlight at the Master Planning stage or during any early pre-planning enquiries the need to discuss drainage and flood management requirements with the LLFA.

4.3.5 As a Riparian Owner

- **A duty to pass on flow in a watercourse without obstruction, pollution or diversion affecting the rights of others** – The Council, as a landowner, has a duty to pass on the flow in a natural watercourse from its land to another.
- **A duty to accept flow** – The Council has a responsibility to accept normal flow onto its land and even flood flow which may be caused by under-capacity downstream. There is no duty for a landowner to increase the capacity of a watercourse crossing his land.
- **A duty to maintain the bed and banks of the watercourse** – The Council must clear obstructions in the watercourse which affect the flow of water in the channel, including vegetation, artificial obstructions and heavy siltation. The Council is responsible for protecting its own property from natural seepage through natural river and flood banks. There is also a duty to control alien invasive species, such as Japanese Knotweed and Himalayan Balsam.

5 The Objectives for Managing Local Flood Risk

Objectives, or outcomes to be achieved, will be strategic in nature but it is important that the process, measures and actions to achieve the outcomes are pragmatic, deliverable and supported by both partners and stakeholders.

The Strategy sets out objectives which delivers statutory requirements and supports complementary objectives from other plans and strategies.

5.1 Complementary Plans and Strategies

Several, mainly high-level, strategic plans have been developed recently which provide a strong evidence-base and direction for local flood risk management. They include, in chronological order:

- **Humber River Basin Management Plan (RBMP) December 2009** – The delivery mechanism for the Water Framework Directive objectives. The plan focuses on the protection, improvement and sustainable use of the water environment.
- **Calder Flood Management Plan (CFMP) July 2010** – Prepared by the Environment Agency, proposing catchment-wide, long-term measures, the CFMP considers all types of flooding and sets the context and direction for more local, detailed plans.
- **Kirklees Surface Water Management Plan (SWMP) January 2011** – An evidenced plan for the reduction of risk from surface water flooding across the district.
- **Preliminary Flood Risk Assessment (PFRA) November 2011** – Required under The Flood Risk Regulations 2011. Quantifies the level of flood risk from all sources across the district, highlighting areas at significant risk.
- **The National Flood and Coastal Erosion Risk Management Strategy for England 2011** – Sets out the Environment Agency's overview role in flood and coastal erosion risk management encouraging more effective partnership working between national and local agencies and local communities.
- **Calder Valley Strategic Flood Risk Assessment (SFRA) Refreshed in September 2016** – Provides a general assessment of flood risk across the Calder catchment in Kirklees, Calderdale and Wakefield, focusing on risk from the river Calder. The SFRA is a tool to help direct planned development towards those areas of lowest flood risk.

The Flooding in December 2015 affected Calderdale, Leeds and Bradford in particular, and prompted two formal reviews, with some headline recommendations that are relevant to the Local Strategy and the Council's priorities for the management of flood risk

Calderdale Flood Commission (2016)

- Review how we plan for flooding and how, where and when we deploy resources
- Improve the resilience of critical infrastructure, particularly transport routes
- Commit to a programme of improving the ability of the upland areas to retain more rainwater
- Strengthen flood risk awareness in the planning process with training, specific planning guidance, identifying critical drainage areas, use of neighbourhood plans etc

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- Specific workstreams including
 - Flood risk reduction projects
 - Natural flood risk management
 - Community resilience

Leeds City Region Flood Review (2016)

- Review of recovery processes
- Encouraging a City Region approach to Upland Management
- Improved understanding of where critical infrastructure is located and how the key rout network can be protected
- Improve development planning processes with the aid of LCR Supplementary Planning Guidance
- Improve collaboration across the Region to share expertise and strengthen governance arrangements

The above recommendations are supported in the Council's current action plan.

5.2 Main Policies and Measures relating to Flood Management

Policy/Measure	Strategy/Plan					
	SFRA	RBMP	CFMP	SWMP	PFRA	National Strategy
Enhance/improve existing knowledge base of flood risk	✓		✓	✓	✓	✓
Improve understanding of surface water flood risk	✓			✓	✓	✓
Provide information on flood risk to enable appropriate land allocations	✓			✓		✓
Ensure the Councils Flood Emergency Plan is comprehensive and up to date			✓			✓
Carry out asset inspections and action deficiencies		✓	✓	✓		✓
Assess the flood risk to transport links			✓	✓	✓	
Improve knowledge of drainage infrastructure			✓	✓		✓
Removal/improvement of culverts		✓	✓	✓		
Increase community awareness		✓	✓	✓		✓
Reduce the rate of run-off from open land in the higher catchment		✓	✓	✓		
Understand and manage the interaction between canal, river and minor watercourse systems			✓			

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Determine priority locations for surface water flood risk	✓			✓	✓	
Encourage SuDS/Source Control solutions		✓		✓		✓
Improve Capacity in Drainage Systems			✓	✓		✓
Improve property resistance and resilience				✓		
Understand the relative flood risk in the district (compared to other districts)				✓	✓	
Better coordination of FRM						✓
Sustainable approach – balancing social, economic and environmental needs		✓				✓
A partnership approach to funding						✓

- ✓ Main measure from plan
 - ✓ Supported measure

The Strategy will be consistent with the main policies and measures outlined above. It will include all current policies and measures which have been adopted in current flood management-related plans, which are relevant to the management of local flood risk. The two key documents which guide and support the Strategy are the **PFRA** and **SWMP**.

The **PFRA**, submitted under the Flood Risk Regulations 2011, states the overall flood risk across the district.

The district-wide **SWMP**, presenting the priorities for delivering better local flood risk management will form the main delivery and control mechanism for achieving better flood risk management across the district.

Work carried out since the initial strategy was published in 2013 has built on the base information held in the PFRA and SWMP. A prioritisation tool has since been developed, and used, to help prioritise those locations around the district where flood risk is highest, where properties are at risk and where affordable, grant-funded projects are most likely. This work has informed the programme of work over the last 3 years that has been funded by the Environment Agency's Grant in Aid programme.

5.3 Public Expectations from Flood Risk Management

A two stage consultation exercise with the general public was carried out to inform the Strategy.

The first stage involved an online questionnaire, promoted through local media, which sought the opinions of Kirklees residents on their experiences and perceptions of flood risk, their priorities for how to manage the risk and their preferred measures to achieve those priorities. Approximately 150 questionnaires were completed.

General views expressed as a result of the first public questionnaire

- The availability of house insurance is already a serious concern for households who have been flooded before
- The public are keen to see something more than a “Do minimum” approach in the Strategy. Most favour initiatives which address existing flooding problems but many support work to avoid flooding from future, more severe rainfall
- There is a clear indication that flooding to properties and businesses should be prioritised over flooding to “amenity” land
- There is a strong feeling that new development activity will provide opportunities to reduce flood risk to the “occupiers” and adjacent properties
- There is little appetite from the public to contribute financially to flood mitigation works
- The public are keen to understand more about the location, type and, in particular, the size of the flood risk they might face

The second stage again involved an online questionnaire which asked stakeholders how clear the Strategy was and asked for preferences on how the identified measures should be prioritised. Approximately 25 questionnaires were completed.

General views expressed as a result of the second public questionnaire

- The risk management authorities for the area are identified and their roles are clear
- It is not clear how the Council will fund the actions identified in the Strategy
- The Strategy offers a clear direction for the Council
- There is a preference for addressing existing flooding problems ahead of future, predicted flooding
- There is a preference for maintenance of existing drainage systems ahead of increasing the capacity of those systems
- There is a preference for working closely with private landowners rather than carrying out works on private land
- There is support to persuade developers to carry out additional flood mitigation and drainage works outside the development site area
- The general public consider maintenance and improvement of drainage systems to be the most important general action, ahead of the management of new development

5.4 The Objectives of the Strategy

The Strategy needs to provide a clear vision as to how local flood risk will be managed by the Council and its partners. The objectives in the Strategy will include statutory requirements from legislation, complementary objectives stated in relevant plans and strategies and preferences expressed, or known, within local communities.

The objectives are:

- Improve the level of understanding of local flood risk within the LLFA
- Improve the level of understanding of local flood risk amongst partners and stakeholders

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- Ensure that local communities understand their responsibilities in relation to local flood risk management
- Maximise the benefits from partnership working with flood risk partners and our stakeholders
- Actively manage flood risk associated with new development proposals
- Take a sustainable approach to FRM, balancing economic, environmental and social benefits from policies and programmes
- Improve and/or maintain the capacity of existing drainage systems by targeted maintenance
- Encourage proactive, responsible maintenance of privately-owned flood defence and drainage assets
- Influence planning policies and land allocations in Local Plans to take account of flood risk
- Maximise opportunities to reduce surface water run-off from the upper catchments
- Identify projects and programmes which are affordable, maximising capital funding from external sources
- Ensure local FRM knowledge is aligned with the Councils emergency planning procedures

The Strategy is a living document and will be updated regularly to ensure it is relevant and is informed by the developing knowledge base on local flood risk.

Key Points: Objectives

- Objectives have been chosen that are affordable and deliverable and reflect the communities aspirations and priorities
- The objectives include similar aspirations from complementary plans and strategies

6 The Measures Proposed to Achieve the Objectives

The initial analysis of flood risk carried out in the SWMP has been developed through a prioritisation tool into a programme of measures and initiatives to be considered in areas of identified flood risk. Measures can be “non-structural” such as planning controls and improved community engagement, or “structural” such as physical improvement or maintenance works. It is impractical and unaffordable to carry out every measure for every situation. The Strategy will help to determine which measures are most appropriate for Kirklees, which measures offer best value for money and how a blend of structural and non-structural measures can be used to give a balanced approach to mitigating risk.

The Strategy objectives and the measures required to achieve them are summarised in the following table:

	Objective Reference	Objective	Measures
Information and Communication	1	Improve the level of understanding of local flood risk within the LLFA	1.1. Record drainage and flood assets 1.2. Maintain a public asset register 1.3. Designating flood/ drainage assets 1.4. Recording/ mapping flood incidents 1.5. Carry out flood investigations 1.6. Assessment of high flood risk locations 1.7. Improve skills and knowledge of FRM officers 1.8. Information from stakeholder engagement
	2	Improve the level of understanding of local flood risk amongst partners and stakeholders	2.1. Publish a clear strategy and communicate it 2.2. Develop information strategy to improve partner and stakeholder knowledge 2.3. Improve and maintain the Councils FRM web pages
	3	Ensure that local communities understand their responsibilities in relation to local flood risk management	3.1. Publish and distribute information explaining responsibilities, local flood risk, property protection/resilience etc 3.2. Involve local communities in local initiatives and schemes
	4	Maximise the benefits from partnership working with flood risk partners and our stakeholders	4.1. Continue to develop the partnership with the Environment Agency and contribute to the Yorkshire LLFA Liaison Group 4.2. Ensure that policies and programmes promoted through the Strategy complement and support works across the rest of the Calder and Don catchments
Policies and Work Programmes	5	Actively manage flood risk associated with new development proposals	5.1. Develop and apply a robust local policy on FRM and drainage solutions on new development sites 5.2. Develop a process with the Planning Department to create clear advice and direction to developers on FRM and Drainage 5.3. Establish the LLFA’s role as a Statutory Consultee to Planning
	6	Take a sustainable approach to FRM, balancing economic, environmental and social benefits from policies and programmes	6.1. Ensure the environmental consequences of implementing the LFRMS are considered against the technical, economic and social benefits 6.2. Work with the Environment Agency to embed policies from local River Basin Management Plans, local environmental policies and “European “ protected sites into FRM procedures and programmes
	7	Improve and/or maintain the capacity of existing drainage systems by targeted maintenance	7.1. Identify highest risk open and culverted watercourses, highway drains and other drainage/flood features 7.2. Develop an affordable cyclical maintenance regime based on risk 7.3. Implement a responsive, reactive maintenance regime based on risk

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Policies and Work Programmes	8	Encourage proactive, responsible maintenance of privately-owned flood defence and drainage assets	8.1. Identify highest risk private flood defence and drainage assets 8.2. Develop technical advice for owners to guide them in preparing local maintenance plans 8.3. Establish risk-based consenting and designation processes
	9	Establish a robust policy on water management and use available information on flood risk to assess the suitability of the allocation of sites for different land uses through the Local Development Framework process.	9.1. Use available information on flood risk to identify appropriate development potential
	10	Maximise opportunities to reduce surface water run-off from the upper catchments	10.1. Develop proposals to engage with significant landowners to employ land management techniques and initiatives which help to reduce the rate of surface water run-off
	11	Identify projects and programmes which are affordable, maximising capital funding from external sources	11.1. Develop a pragmatic programme of schemes and initiatives which are likely to be funded through the National Grant in Aid and Local Levy Programmes 11.2. Develop and implement a policy on de-culverting, consistent with Local Plan policies. 11.3. Determine all other funding sources, Council, partners and other external, and maximise “match-funding”
	12	Ensure local FRM knowledge is aligned with the Councils emergency planning procedures	12.1. Embed the LFRMS into flood response and recovery plans and use developing knowledge on flood risk to “tune” emergency procedures

Key Points: Measures

- Measures have been chosen which allow a comprehensive and varied approach to managing local flood risk
- The measures build on existing initiatives, balancing ambition with available resources

7 Proposals, Timescales and Funding to Implement the Measures

Some of the measures outlined in the previous section have been core activities for the Council for a number of years and processes are in place to deliver those measures. Other measures, however, relate to new responsibilities or activities, often requiring a new set of skills and experience that may take some time to develop or acquire.

7.1 Affordability and Funding of the Measures

The Government commits significant funding every year to flood management activities across the country. Funding for investigation, co-ordination and local management of flood risk issues has been allocated to LLFA's with a long term commitment to support this foundation work. Capital funding for mitigation works (such as flood defences, property resilience schemes, flood storage etc) is generally allocated on the basis of risk and, inevitably, areas where high density populations co-exist with high risk from river flooding tend to attract much of the available funding. However, a more-flexible funding arrangement has recently been introduced which encourages community and business contributions to the funding of schemes which improves their chance of being supported through the national funding allocation. Essentially, the success of an FRM proposal will be improved if the cost burden is shared amongst as many contributors as possible, the share from the national allocation is as low as possible and the outcomes from the proposal are evidenced as clearly as possible. The new national funding scheme has also been extended to include proposals which address risk from surface water flooding as well as from main river-related fluvial flooding.

The Strategy has identified a range of measures to improve how flood risk is managed across the district – some measures can be delivered quickly with existing council resources but others need external funding support. The challenge for the council is to maximise the benefit from limited (council and external) funds through creative and innovative scheme development, mobilising community and business support for projects and initiatives and preparing sound and evidenced cost-benefit justifications.

The Strategy will explain the sources of funding available for FRM, the resources and funding required for the measures described in Section 6 and where any shortfalls in funding for the measures may be found.

7.2 Sources of Funding for Flood Risk Management

Source of Funding	Description	Indicative budget in 2012/13	Administered By?	Appropriate For?
Flood Defence Grant-in-Aid (FDGiA)	Central government funding for flood (and coastal) defence projects – recently revised to encourage a partnership approach to maximise match-funding, work towards achieving specified outcomes with a requirement to evidence a reduction in flood risk to properties	£30million (Yorkshire)	Environment Agency	Medium to large capital FRM projects
Local Levy	Annual contributions from Councils to a regional “pot”, smaller than the FDGiA budget but offers more flexibility on the type and size of project it can fund.	£2million (Yorkshire)	Environment Agency	Smaller FRM projects or as a contribution to FDGiA projects
Private Contributions	Voluntary, but funding from beneficiaries of projects could make contributions from national funding viable. Contributions could be financial or “in kind” eg land, volunteer labour	Unknown	Kirklees Council	All projects
Water Company Investment	Investment heavily regulated by Ofwat but opportunities for contributions to area-wide projects which help to address sewer under-capacity problems	Unknown	Water Company	Projects which help to remove surface water from combined sewers
Section 106 contributions (Town & Country Planning Act)	Contributions from developers, linked to specific development sites where off-site improvements to drainage infrastructure are required to make the developers proposals acceptable	Unknown	Kirklees Council	Larger development sites
Community Infrastructure Levy (CIL)	A local levy applied by the Planning Authority on developers to contribute to a general infrastructure fund. Kirklees Council has not yet implemented a CIL scheme. A bid for CIL would have to be made for flood management/drainage improvements against other competing council priorities.	Unknown	Kirklees Council	All measures outlined in the Strategy
Council Tax	A “ring-fenced” provision within the annual council tax for the specific purpose of addressing FRM.	Unknown	Kirklees Council	Key measures in the Strategy
Business Rates Supplements	Agreement from local businesses to raise rates for specified purposes.	Unknown	Kirklees Council	Measures which address flood risk to businesses
Council Capital Funding	The Councils infrastructure programme prioritising capital improvement projects. The programme has included funding for drainage capacity improvements for a number of years which is targeted at the highway drainage systems	£250k	Kirklees Council	Measures which are small to medium capital projects
Council Revenue Funding	The Council has a number of revenue streams to support technical and admin processes and to maintain council infrastructure. Existing revenue budgets include Highway Drainage Maintenance, Highway Gully Maintenance, Watercourse Maintenance and funding for the Flood Management Team discharging the LLFA duty for the Council.	Drainage Maintenance (£200) Gully Maintenance (£400k) Watercourse Maintenance (£100k) Flood Management Team (£300k)	Kirklees Council	Measures requiring officer time and/or maintenance activity

7.3 Delivery of the Measures

Each measure outlined in Section 6 has been developed into a set of activities, policies and procedures which have been described below. Funding is critical to the delivery of the strategy and whilst the Council has a legal responsibility to deliver many of the actions required to deliver the measures, the funding made available to do so is limited. **The delivery timescales indicated below reflect current levels of funding, existing commitments and preferences expressed through the consultation process for the Strategy.**

7.3.1 Objective 1 - Improve the level of understanding of local flood risk within the LLFA

Measure	Actions Proposed	Description and Benefits of Carrying out the Measure	Progress	Funding	
				Source	In Place
1.1	Record drainage and flood assets	Identifying the location, capacity and condition of drainage assets is key to understanding how local flood risk is managed and sharing the information with partner organisations to inform their work. The Council places a high priority on asset recording, taking opportunities through flood incident investigation, planned maintenance programmes, new highway works and 3 rd party information to build up a picture as to how surface water is drained via both underground and surface systems. Drainage and flood assets include pipes, culverts, open watercourses, mill-ponds, small reservoirs, informal flood banks and flood walls. The aim is expand the quantity and quality of information on the record to provide a comprehensive, linked network of drainage systems across the district which can be shared with partner organisations.	Ongoing	Council Revenue	✓
1.2	Maintain a public asset register	Although legislation only requires the Council to make the Register available for inspection, the Kirklees Register of Drainage Assets and Features is available as a GIS-based record on the Councils website. The first edition of the Register was posted in October 2012.	Ongoing	Council Revenue	✓
1.3	Designating flood/ drainage assets	The Councils current knowledge of 3 rd party drainage features or structures is limited. Work carried out to deliver Measure 1.1 will allow the Council to judge the merits of designating such assets. The Council has not identified any private flood assets which would benefit from designation.	Ongoing	Council Revenue	✓
1.4	Recording/ mapping flood incidents	The Council will investigate, to some degree, all reported flood incidents. Locations and detail of causes/solutions are recorded on the Councils GIS which allows all relevant flooding and asset data to be reviewed at the same time. All known historic flood incidents are recorded and all future incidents will be recorded.	Process in place	Council Revenue	✓
1.5	Carry out flood investigations	The Council has published its approach to carrying out formal flood investigations where significant flooding has occurred. The outcomes of the investigations and the full reports will be published on the Council's website within 6 weeks of the date of the incident.	Process in place, investigations ongoing	Council Revenue	✓

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1.6	Assessment of high flood risk locations	Locations of higher flood risk have been identified in the Kirklees SWMP which will be investigated in detail to determine whether mitigation measures are required. The level of risk has been determined from an assessment of available flood mapping/ recorded flood incidents and flood receptors such as residential/business properties, critical utility and social infrastructure, including schools, residential care facilities and key transport links. The SWMP has been developed further through the use of a prioritisation tool which uses the most up to date data available to produce a prioritised list of high risk flood locations. This informs our ongoing programme of studies.	Ongoing	Council Revenue/ EA Grant	✓
1.7	Improve skills and knowledge of FRM officers	Develop a local centre of expertise on general FRM issues, providing a “one-stop shop” for residents, businesses and developers. Encourage officers to develop a wide range of FRM skills rather than relying on specialists.	Ongoing	Council Revenue	✓
1.8	Information from stakeholder engagement	Develop initiatives to “tap into” local knowledge of historic drainage systems and flood incidents.	Ongoing	Council Revenue	✓

7.3.2 Objective 2 - Improve the level of understanding of local flood risk amongst partners and stakeholders

Measure	Actions Proposed	Description and Benefits of Carrying out the Measure	Progress	Funding	
				Source	In Place
2.1	Publish a clear strategy and communicate it	The Kirklees LFRMS provides the framework to manage local flood risk and mitigate any risks which are considered to be too high. It is by nature, a technical document with complex issues but it is imperative that the main priorities in the strategy are understandable by all stakeholders and can be delivered in reasonable timescales.	Ongoing	Council Revenue	✓
2.2	Develop information strategy to improve partner and stakeholder knowledge	The Council needs to translate the technical information on flood risk into simple, readily understandable terms. Text and graphics should be used to allow partners and stakeholders to understand the risk relevant to their interests. Innovative means of conveying complex information will be investigated, sharing best practice from other LLFA's.	Ongoing	Council Revenue	✓
2.3	Improve and maintain the Councils FRM web pages	The Council is committed to ensuring it communicates the message on flood risk as effectively and widely as possible and will use a number of methods to achieve this. However, the Councils website will become increasingly important as the most useful and flexible method of displaying both policies and graphical demonstrations of flood risk. The Flood Management pages on the website will be comprehensive and maintained as an up to date record of local flood risk.	Ongoing	Council Revenue	✓

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7.3.3 Objective 3 - Ensure that local communities understand their responsibilities in relation to local flood risk management

Measure	Actions Proposed	Description and Benefits of Carrying out the Measure	Progress	Funding	
				Source	In Place
3.1	Publish and distribute information explaining responsibilities, local flood risk, property protection/ resilience etc	The Council and its partner agencies are limited by legislation and resources in how much they can do to manage local flood risk. An essential part of the work of LLFA's is to share its developing knowledge with stakeholder to allow them to take appropriate responsibility for their own land and property. A number of techniques and measures are available to property owners to reduce the level of flood risk (Resistance measures) or to recover quickly and economically from flooding (Resilience measures). The Council will develop a template for a standard information pack explaining the rights and responsibilities of landowners, an indication of the kind and size of flood risk they might face and advice as to the measures they could use to manage the risk.	November 2016	Council Revenue	✓
3.2	Involve local communities in local initiatives and schemes	The current national capital funding arrangements for FRM encourages a partnership approach to maximise outcomes and funding contributions. In general terms, FRM projects stand the best chance of national funding if they are community led and supported. A key task for the Council is to engage with local communities to fully involve them in the process to develop affordable schemes, encourage community ownership of the scheme at inception, project development, funding and delivery.	Ongoing	Council Revenue	✓

7.3.4 Objective 4 - Maximise the benefits from partnership working with flood risk partners and our stakeholders

Measure	Actions Proposed	Description and Benefits of Carrying out the Measure	Progress	Funding	
				Source	In Place
4.1	Continue to develop the partnership with the Environment Agency and contribute to the Yorkshire LLFA Liaison Group	The Council will continue to be an active participant in the Liaison Group. Partnership working with the Environment Agency will be developed to work collaboratively towards reduced flood risk and to maximise the opportunities for EA funding contributions to Council projects	Ongoing	Council Revenue	✓
4.2	Ensure that policies and programmes promoted through the Strategy complement and support works across the rest of the Calder and Don catchments	Strategies and plans identified in Section 5.2 of the Strategy provide actions which complement many of the measures identified in the Strategy. All relevant strategies and plans will be referenced in funding bids for projects	Ongoing	Council Revenue	✓

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7.3.5 Objective 5 - Actively manage flood risk associated with new development proposals

Measure	Actions Proposed	Description and Benefits of Carrying out the Measure	Progress	Funding	
				Source	In Place
5.1	Develop and apply a robust local policy on FRM and drainage solutions on new development sites	The development of new sites and redevelopment of existing sites gives the Council an opportunity to reduce flood risk within the sites and upstream and downstream of the sites. National planning guidance exists which encourages the Council to adopt a consistent approach when recommending appropriate flood risk measures for new development sites. The council will continue to set stretching, local targets for developers in relation to permitted discharges from new or redeveloped sites, reassessing the targets as the council acquires more evidence of local flood risk. The Councils advice note on flood risk and drainage for new development sites, based on the national guidance, will be regularly updated to reflect current legislation and local knowledge	Ongoing	Council Revenue	✓
5.2	Develop a process with the Planning Department to create clear advice and direction to developers on FRM and drainage	Flood management and drainage solutions for development sites can be space-intensive and it is vital that early discussions with developers and planning officers take place to allow appropriate provision to be designed into the development. It is essential that the local guidance produced in Measure 5.1 forms part of an internal council procedure that integrates technical advice with the planning application process. Agreement and application of FRM and Drainage advice will be translated into appropriate conditions attached to planning approvals. The LLFA will work closely with Planning to support them at every stage of the planning process to ensure that flood risk is managed and appropriate surface water drainage solutions are developed	Ongoing	Council Revenue	✓
5.3	Establish the LLFA's role as a Statutory Consultee to Planning	The LLFA will maximise the future benefits from SuDS through its role as the Statutory Consultee for Surface Water Drainage. The role will be integrated into existing Council activities to provide links between the development planning, environment/biodiversity, highways and grounds maintenance processes. Existing relationships with the Councils main partners, Yorkshire Water and the Environment Agency, will be strengthened and focused on developing clear and strong policies and working arrangements for SuDS.	Ongoing	Council Revenue	✓

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7.3.6 Objective 6 - Take a sustainable approach to FRM, maximising environmental and social benefits from policies and programmes

Measure	Actions Proposed	Description and Benefits of Carrying out the Measure	Progress	Funding	
				Source	In Place
6.1	Ensure the environmental consequences of implementing the LFRMS are considered against the technical, economic and social benefits	The Council considers that the LFRMS is a significant local strategy and, consequently requires appraisal under the Strategic Environmental Assessment (SEA) Regulations. Specialist, independent advice has been sought to ensure a robust assessment of environmental effects are considered as the strategy is developed and implemented. Every opportunity will be taken to maximise biodiversity benefits in the delivery of the various measures outlined in the Strategy. Monitoring against the SEA will continue as the Strategy is implemented.	Ongoing	Council Revenue	✓
6.2	Work with the Environment Agency to embed policies from local River Basin Management Plans, local environmental policies and “European” protected sites into FRM procedures and programmes	Where there are significant and predictable environmental risks from schemes and initiatives promoted by the strategy, the council will commit to carrying out formal Environmental Impact Assessments for the proposals. When implementing the measures set out in the LFRMS, due regard will be given to the need to identify and avoid potential adverse effects on the integrity of European sites in and around Kirklees, in particular the South Pennine Moors SAC/SPA (Phases 1 and 2). National advice on appropriate allowances for climate change have been included in the developers advice guide and all flood mitigation projects include future climate change allowances.	Ongoing	Council Revenue	✓

7.3.7 Objective 7 - Improve and/or maintain the capacity of existing drainage systems by targeted maintenance

Measure	Actions Proposed	Description and Benefits of Carrying out the Measure	Progress	Funding	
				Source	In Place
7.1	Identify highest risk open and culverted watercourses, highway drains and other drainage/flood features	The Council has a statutory duty to maintain highway drains but only a riparian responsibility to keep watercourses within its ownership clear of obstructions. Some watercourses create a high flood risk for nearby communities and would benefit from a more structured and targeted maintenance regime. The council will carry out a comprehensive, methodical survey of all known, non-Environment Agency or Water Company assets to determine those lengths of watercourse and drains which offer a significant flood risk. Some of this information will be used to inform Measures 1.1 to 1.3, detailed earlier in this section.	Ongoing	Council Revenue	✓
7.2	Develop an affordable cyclical maintenance regime based on risk	Maintenance budgets are limited and need to be targeted at those areas where the risk of flooding is highest. The extent of flood risk and the asset type, condition and vulnerability to temporary blockage will influence the type and frequency of maintenance required. Open watercourses contribute to a network of green corridors across the district, linking larger areas of open space. The maintenance of the watercourses to maximise the drainage of surface water will be balanced with sensitive treatment of the biodiversity elements. Maintenance plans will incorporate appropriate direction on responsible management of the local water environment. Cyclical maintenance plans	Ongoing	Council Revenue	✓

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		will be developed for trash grilles protecting council-owned culverts, highway gullies and open watercourses where regular clearance would be beneficial in protecting downstream properties and infrastructure. Plans will be adapted as new information is collected.			
7.3	Implement a responsive, reactive maintenance regime based on risk	The Council cannot afford to carry out planned, preventative maintenance to all the drainage assets it is responsible for. There will be some situations where the Council may have to respond reactively to situations which arise suddenly or are reported directly by the public. The speed and type of response will be determined by the level of flood risk and the resources available. Existing council systems for receipt of, and response to, requests for maintenance work will be reassessed and adjusted to ensure a risk-based approach is followed.	Ongoing	Council Revenue and Capital budgets	✓

7.3.8 Objective 8 - Encourage proactive, responsible maintenance of privately-owned flood defence and drainage assets

Measure	Actions Proposed	Description and Benefits of Carrying out the Measure	Progress	Funding	
				Source	In Place
8.1	Identify highest risk private flood defence and drainage assets	The vast majority of watercourses are in private, rather than council ownership. Whilst riparian owners have a general responsibility to keep watercourses free of obstruction, a higher level of maintenance, which might help in maximising capacity, will need support and encouragement for private landowners. More often than not, landowners will be unaware of the level of flood risk associated with their watercourse/asset. The Council will filter information collected under Measure 7.1 to identify private assets. The Council will record the location and condition of private assets in the course of its general inspection work.	Ongoing	Council Revenue	✓
8.2	Develop technical advice for owners to guide them in preparing local maintenance plans	Improving knowledge of the location and condition of private drainage assets, acquired through Measures 1.1 and 1.3, will allow the Council to suggest appropriate proactive maintenance measures to reduce the risk of flooding to themselves and adjacent landowners. Maintenance plans will manage and maintain both the efficient flow of water in the watercourse and a healthy and attractive bio diverse environment in all water bodies in private ownership. A general advice note on riparian rights and responsibilities will be produced with bespoke advice produced for individual owners of assets with high flood risk.	November 2016	Council Revenue	✓
8.3	Establish risk-based consenting and designation processes	The council will need to consider how it uses the powers available to it to formally "designate" (See Measure 1.3). The council will need to determine how it uses the powers available to formally "consent" works in ordinary watercourses, which may have an effect on the flow of water in the watercourse. The council does not currently propose to carry out legal consenting of such works and will manage applications for works in watercourses via an "informal" approval process. The process will be reviewed annually to assess its suitability and effectiveness.	Ongoing	Council Revenue	✓

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7.3.9 Objective 9 - Establish a robust policy on water management and use available information on flood risk to assess the suitability of the allocation of sites for different land uses through the Local Plan process

Measure	Actions Proposed	Description and Benefits of Carrying out the Measure	Progress	Funding	
				Source	In Place
9.1	Use available information on flood risk to identify appropriate development potential	The council, as Planning Authority, has a responsibility to direct development towards areas where flood risk is lowest and any proposed development is appropriate to the flood risk present at the site. An increasing amount of evidence is available to identify and quantify the flood risk that exists across the district. The evidence base for flood risk will be used alongside environmental, social and financial factors to determine sustainable solutions for local issues. The relevant previous and developing plans and strategies are referenced in Section 5.1 of this strategy. The Councils Local Plan has allocated sites for development, informed by advice from the LLFA on levels and location of flood risk	Ongoing	Council Revenue	✓

7.3.10 Objective 10 - Maximise opportunities to reduce surface water run-off from the upper catchments

Measure	Actions Proposed	Description and Benefits of Carrying out the Measure	Progress	Funding	
				Source	In Place
10.1	Develop proposals to engage with significant landowners to employ land management techniques and initiatives which help to reduce the rate of surface water run-off	The south-western side of the district lies in the foothills of the South Pennines, providing substantial parts of the upper catchments for the rivers Colne and Dearne. Much of the Colne catchment is managed to provide a regular water supply to several large reservoirs, operated by Yorkshire Water, but significant areas provide opportunities through different land management practices to retain rainwater where it falls, delaying its entry to, or reducing the rate it enters, the river system. Innovative initiatives and supportive landowners are vital to achieving worthwhile reductions in surface water run-off rates. A significant part of the upper Calder catchment lies within the South Pennines Moors SAC/SPA and due regard will be paid to the particular requirements for any proposal having an effect on the water environment in the area. The Yorkshire Peak Partnership is carrying out complementary work and may be a useful source of information. There is an increasing level of national support for the interventions that might change the drainage characteristics of the upper catchments. Pilot projects are ongoing to look at options and benefits. Kirklees can play a significant role in influencing the amount of water carried down to vulnerable communities on the Calder/Aire/Humber. The council will look at opportunities to work with landowners and partners to develop specific proposals.	Ongoing	Council Revenue	✓

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7.3.11 Objective 11 - Identify projects and programmes which are affordable, maximising capital funding from external sources

Measure	Actions Proposed	Description and Benefits of Carrying out the Measure	Progress	Funding	
				Source	In Place
11.1	Develop a pragmatic programme of schemes and initiatives which are likely to be funded through the National Grant in Aid and Local Levy Programmes	The strategy describes a suite of measures which can be taken to manage local flood risk. Some measures are more affordable than others with larger capital improvement schemes offering the greatest challenges for funding. The national funding administered by the Environment Agency targets schemes with evidenced high risk of property flooding, preferably with contributory funding from partners and stakeholders benefiting from the scheme. The council's immediate priorities, using the outputs from the SWMP/ prioritisation work carried out under Measure 1.6 , are to establish an evidence base for the location and the extent of the risk of local flooding, quantify the size and potential effect of the risk and then identify costed options for appropriate and affordable mitigation measures. A programme of suitable projects which may attract capital funding will gradually develop over time. The council will deliver the actions in Measure 1.6 to identify projects for the higher priority areas in the district.	Ongoing	Council Revenue (Develop), Local Levy/ FDGiA (Deliver)	Partial
11.2	Develop and implement a policy on de-culverting, consistent with Local Plan policies.	The district has a high proportion of natural water courses carried in stone culverts as a result of its industrial legacy and the gradual urbanisation of its settlements. The condition, limited capacity and location can combine to create local sources of flood risk. The Local Plan will contain a policy relating to water management encouraging re-opening of culverts. The Council will look for opportunities to de-culvert and return culverted watercourse back to open channel, reducing flood risk and re-establishing biodiversity benefits.	Ongoing	Council Revenue	✓
11.3	Determine all other funding sources, Council, partners and other external, and maximise "match-funding"	The funding of proposals set out in this strategy is covered in detail in Section 7. The council will maximise the use of external funding sources to supplement the Councils available revenue and capital budgets for flood management and drainage	Ongoing	Council Revenue	✓

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7.3.12 Objective 12 - Ensure local FRM knowledge is aligned with the Councils emergency planning procedures

Measure	Actions Proposed	Description and Benefits of Carrying out the Measure	Progress	Funding	
				Source	In Place
12.1	Embed the LFRMS into response and recovery plans and use developing knowledge on flood risk to “tune” emergency procedures	The Corporate Safety and Resilience team have responsibility for the council's management of flood incidents affecting Kirklees communities. Any action required to manage the incident and its aftermath is co-ordinated through the council's Major Incident Plan. The new responsibilities outlined in the LFRMS will create an improving evidence base to target where council resources may be best deployed if a severe area-wide flooding event occurs. Post-flooding feedback will add to the information held by the Flood Management team to provide an ever-improving record of local flood risk. The Council's new responsibilities and current records will be embedded in the Major Incident Plan where appropriate and updated when necessary.	Ongoing	Council Revenue	✓

8 What is the Flood Risk in Kirklees?

The topography and hydrological characteristics of the area have been described in Section 3.2 and it is clear that flood risk across the district is complex and varied. It is imperative that the Strategy explains in simple terms the source and size of flood risk in Kirklees. An increasing amount of evidence is available to explain the general levels of risk from a variety of sources, some of which are managed by the Council and some by others. This section of the Strategy will bring together available information on local flood risk, summarise the main issues across the district and explain how the information will be used to help in a wider understanding of risk.

Actual Flooding/ Predicted Flooding

Stakeholders who have experienced **previous flooding** to land or property readily understand the value of initiatives which mitigate the risk of flooding occurring again.

One of the challenges of local FRM is to find effective ways of explaining future, **predicted flood risk** ie flooding which hasn't happened yet but may happen if measures are not put into place now to prevent it.

8.1 Available Evidence/Assessments of Flood Risk

Various plans and risk assessments produced over the last 10 years present local flood risk in a variety of ways. The following table summarises the plans and evidence:

Plan/ Evidence Source	Date	Description of Evidence	Rainfall Probability (%)	Properties flooded or predicted to flood
Summer 2007 Flooding	2007	The severe flooding in 2007 was the worst in living memory. Around 200 flooded properties were reported to the Council but it is estimated that up to 500 across the district flooded. Most of the flooding was attributed to surface water.	0.5	500
Calder Valley SFRA	2008	River mapping of the Calder catchment in Kirklees, Wakefield and Calderdale to support land-use decisions in the Councils planning processes. Flooding predictions is from fluvial sources and excludes surface water.	1	16,500 (Calder Catchment) 4,500 (Kirklees – estimated)
Calder CFMP	2010	Most recent EA assessment of fluvial risk providing an overview of flood risk in the Calder catchment.	1	10,300
Don CFMP	2010	The Don CFMP includes assessment of fluvial flood risk in the Upper Dearne Valley which covers around 15% of the area of the district	1	250
Defra allocation of funding	2010	Defra used the available evidence on predicted flood risk to allocate funding for new FRM duties in a proportionate way. Kirklees ranked 55 th out of 149 LLFA's for overall flood risk. Excluding London Boroughs and Counties, Kirklees ranked 7 th behind Hull, Birmingham, Brighton, Doncaster, Leeds and Leicester.	0.5	15,000 (surface water) 12,000 (fluvial)
PFRA/ Surface Water Maps	2011	The PFRA produced under the European Flood Risk Regulations was a high level overview of surface water flood risk across the district.	0.5	15,900

The calculation of future flood risk is complex and approximate. However, it is reasonable to assume that **a minimum of 20 - 25,000 properties in Kirklees are at risk of flooding from a rainfall event with a 0.5% annual chance of occurring.** Other infrastructure such as roads, bridges and public utility buildings would also be affected. **With a conservative estimate of £25,000 recovery/repair costs per property, such a rainfall event could cost the local economy in excess of £700million.** In reality, the more realistic scenario is that a severe rainfall event would affect only part of the district. **However, an event affecting 10% of the district could still cause £70million of damage.**

Increasing economic and social pressures to develop previously undeveloped land, the progression of urban creep (the increase in impermeable surfaces around existing infrastructure) and the effect of climate change in increasing the chance of disruptive rainfall events occurring, will combine to create a worsening situation in the district unless we develop and implement measures to address flood risk.

The properties and infrastructure at risk from flooding are scattered across the district, albeit most will be located in the valley bottoms close to rivers and minor watercourses. The broad geographical areas of concern are listed in the following section.

8.2 Areas at Risk from Future Flooding (Fluvial and Surface Water)

Using the evidence from previous flood incidents and predicted future flooding, the areas which are most at risk are as follows:

Area	Area Description	Main Sources of Flooding	Estimated No. of Properties Affected (0.5% AEP)
Huddersfield	Leeds Road Corridor (Between Bradley Mills Rd and Whitacre St)	River Colne, Surface Water	5000
Huddersfield	Aspley (Wakefield Rd/ Firth St)	River Colne, Surface Water	1800
Huddersfield	Dalton, Fenay Bridge (Waterloo Rd to Albany Rd)	Fenay Beck, Surface Water	500
Holme Valley	Holmfirth, Honley, Brockholes, New Mill (Most centres near to River Holme and New Mill Dyke)	River Holme, Surface Water	2500
Dearne Valley	Denby Dale, Scissett, Clayton West (Adjacent to River Dearne and Clayton Dyke)	River Dearne, Surface Water	600
Batley	Bradford Road Corridor (Batley Beck)	Batley Beck, Surface Water	1600
Marsden	Town Centre	River Colne, Surface Water	700
Dewsbury	Ravensthorpe (Huddersfield Rd)	River Calder, River Spen	2000

Kirklees Local Flood Risk Management Strategy

Dewsbury	Savile Town, (Savile Rd + commercial props)	River Calder, Surface Water	500
Thornhill	Thornhill Lees (Victoria Rd area)	Surface Water	400
Thornhill	Thornhill Rd	River Calder	300
Spennithorne			
Spennithorne	Liversedge, Cleckheaton, Oakenshaw	River Spennithorne, Surface Water	3000
Mirfield	Lower Hopton	River Calder, Surface Water	500
Kirkburton	Town Centre, Penistone Road	Dean Bottom Dike, Surface Water	200
Meltham	Town Centre	Meltham Dike, Surface Water	200
Slaithwaite	Town Centre	River Colne, Crimble Clough, Surface Water	200
		Total No. of Properties Affected in the Main Settlements	20000

8.3 Recent and Current Works Programme

Measure 11.1 outlined in Section 7 provides a rolling programme of affordable, funded schemes and initiatives which will help to reduce flood risk in the district. Initiatives based on recent flooding are already being developed and the table below shows some of the programme of work the Council has completed, or is in development.

Initiative	Date	Description	Number of properties at risk
Trash Grille Replacement	Spring 2014	New or updated trash grilles installed to protect highway-maintained culverted watercourses. Total of 34 grilles completed.	200+
Ex-Mill Ponds Survey	Spring 2014	Detailed surveys carried out to understand the flood risk associated with "orphaned" mill ponds. Suggested maintenance plans sent to owners	300+
Ox Field Beck, Dalton	Spring 2014	Desilting to beck to reduce flood risk to properties	3
New Mill Road, Brockholes	Autumn 2014	Option appraisal for defence works to river Holme	5
Various Flood Studies	2014 ongoing	Studies to understand flood risks at Dearne Valley, Cleckheaton, Liversedge, Dewsbury, Batley, Holmfirth, Honley and others	1000+
A62 Leeds Road, Huddersfield	2014 ongoing	Study looking at options to protect properties along the corridor from flooding from the river Colne	200+
Culvert repairs	2015 ongoing	6 year, £1.5 million programme to repair/replace ancient culverts	1000+
Property Cluster programme	2015 ongoing	A rolling programme of small schemes to address the flood risk at the highest risk properties	1000+
Ravensthorpe and Mirfield Flood Risk Study	2016 ongoing	A study to understand the viability and affordability of defending properties from flooding from the river Calder	1000+

8.4 Explanation of the Risk

Numerical calculation of flood risk is important if resources are to be prioritised for those locations where the risk of flooding to properties is highest. The Environment Agency also expect risk calculations to support bids for capital funding for FRM projects, providing evidence for the benefits from the proposed works. However, risk probabilities do not easily convey the uncertainties around flooding and the vulnerability property owners and communities might face. **Measure 2.2 outlined in Section 7** will develop simpler definitions of “the chance of flooding” which are easily understood by the general public and highlight but don’t unnecessarily exaggerate the risk.

Key Points: Flood Risk in Kirklees

- A minimum of 20-25,000 properties in Kirklees are at risk from a flood event with a 0.5% annual chance of occurring
- The locations of potential flooding are widespread and the mechanisms varied
- Calculation of risk is complex and imprecise. Simpler representations of flood risk will be developed

9 How and When will we Review the Strategy?

The Strategy will provide the framework for the Council's delivery of its flood risk management responsibilities. It is a "living document" which will develop as new information, expertise and resources influence the delivery of the measures outlined in the strategy. The strategy will be monitored by officers at the regular **Kirklees Flood Partnership Meetings** and progress against the measures assessed by local members through an annual report to the Councils **Development and Environment Overview and Scrutiny Panel**.

Issues discussed at previous annual Scrutiny reviews include:

- Review of the efficiency and appropriateness of the Council's highway gully emptying operation
- Encouragement to prioritise community engagement to share knowledge on flood risk, asset information and responsibilities, with the general aim to encourage self-help
- Sharing information more widely with local members on a ward basis – providing an overview of local sources of flood risk, previous work carried out and future work planned

The Strategy has been developed to deliver a short to medium term (3-5 years) improvement plan to establish a sound evidence and knowledge base to develop a longer-term investment programme for FRM measures across the district.

It is anticipated that the Strategy will become more focussed on the delivery of an affordable and funded capital programme of FRM works in the longer term (5-10 years).

10 A Sustainable Approach – Balancing Social, Economic and Environmental Needs

The focus on the Kirklees LFRMS is to reduce flood risk from local sources where it threatens private property and public infrastructure. The Council is also committed to maximising opportunities to carry out sustainable flood risk reduction in ways which complement national and council environmental priorities, are affordable and recognise social demographic differences across the district, delivering flood risk reduction across all its vulnerable communities. Measures which explicitly use a sustainable approach include:

- **Assessment of high flood risk locations (Measure 1.6)** – The SWMP/ prioritisation tool considers all relevant factors in determining the most appropriate approach
- **Publish and distribute information explaining responsibilities, local flood risk, property protection/resilience etc (Measure 3.2)** – Advice on measures that could be taken will be sensitive to the local environment
- **Establish the LLFA’s role as a Statutory Consultee to Planning (Measure 5.3)** – The LLFA will embrace national guidance on the encouragement and maintenance of SUDS. The guidance offers clear advice on the balance of managing surface water run-off with the maintenance and improvement of the local water environment.
- **Ensure the environmental consequences of implementing the LFRMS are considered against the technical, economic and social benefits (Measure 6.1)** – The Strategy has undergone a thorough assessment against the Strategic Environmental Assessment (SEA) and Habitats Regulations
- **Embed policies from local River Basin Management Plans, local environmental policies and “European” protected sites into FRM procedures and programmes (Measure 6.2)** – A Kirklees environmental management plan for FRM measures will be developed to ensure a consistent and comprehensive approach across all measures
- **Develop an affordable cyclical maintenance regime based on risk (Measure 7.2)** – Watercourses will be maintained as “green corridors” as well as surface water drains
- **Develop technical advice for owners to guide them in preparing local maintenance plans (Measure 8.2)** – Advice will be provided to riparian owners to allow them to maintain their watercourses in a way that is sensitive to the local water environment
- **Use available information on flood risk to identify appropriate development potential (Measure 9.1)** – The increasing evidence base for flood risk will allow the Planning Authority to make informed judgements on appropriate land allocations which are sensitive to all environmental, social and economic issues
- **Develop proposals to engage with significant landowners to employ land management techniques and initiatives which help to reduce the rate of surface water run-off (Measure 10.1)** – The Council has a responsibility as an LLFA located within the upper catchment to investigate how the undeveloped rural/moorland areas can be managed to retain/ infiltrate rainfall at source
- **Develop and implement a policy on de-culverting (Measure 11.2)** – Every opportunity will be taken to return culverted watercourses to open watercourse where there are clear environmental and hydraulic benefits

11 Consistency with the National Strategy

Recent legislation implies strong partnership working as a prerequisite in delivering more effective flood risk management. The National Strategy sets out the Environment Agency's priorities and it is vital that the Kirklees LFRMS supports those aspirations with complementary measures. Section 5 of this strategy references the main policies and measures suggested in the National Strategy ensuring that they are included within the general objectives for the Local Strategy.

The Environment Agency is represented on the steering group for the Kirklees LFRMS and is a statutory consultee. Following the approval and adoption of the Strategy as a Council plan it is intended to check continuing adherence of the LFRMS with the National Strategy at the regular Kirklees Flood Partnership meetings.

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Name of meeting: Cabinet
Date: 15th November 2016

Title of report: Christmas Parking Concessions 2016

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 - impacts on more than one ward
Is it in the Council's Forward Plan ?	YES
Is it eligible for "call in" by Scrutiny ?	YES
Date signed off by <u>Director</u> & name	Jacqui Gedman – 03.11.16
Is it signed off by the Assistant Director - Financial Management, Risk, IT and Performance?	Debbie Hogg - 02.11.16
Is it signed off by the Assistant Director - Legal, Governance & Monitoring?	Julie Muscroft - 02.11.16
Cabinet member portfolio	Cllr Peter McBride - Economy, Skills, Transportation and Planning

Electoral wards affected: Dewsbury East, Holme Valley South, Newsome.

Ward councillors consulted: Yes

Public or private: Public

1. Purpose of report

1.1 Cabinet are requested to consider Christmas parking concessions in respect of Huddersfield, Holmfirth and Dewsbury for 2016.

2. Key points

2.1 The current Cabinet approved parking concession for the Christmas period is 12 hours for Huddersfield and 20 hours for Holmfirth and Dewsbury. These concessions have been in place for over 10 years. The use of the hours has been agreed by officers under delegation after consultation with local ward councillors for the relevant town centres. The practice in recent years can be summarised as follows:

- **Huddersfield:** Initially the 12 hours were used to provide free parking after 4pm on the last 6 Thursdays leading to Christmas. In 2015, this changed to free parking after 2pm on the last three Thursdays leading to Christmas.
- **Holmfirth:** Traditionally the 20 hours are used to provide free parking from 12:00 on the last three Friday's and last two Saturday's leading to Christmas
- **Dewsbury:** Traditionally the 20 hours are used to provide free parking on market days from 2pm on the last three Wednesday's and last two Saturday's leading to Christmas.

2.2 Adopting the same principles for 2016 would suggest the following with an indication of the estimated "lost" income for offering the concessions.

Parking Concessions 2016	Potential Financial Impact to Council		
	Huddersfield (12hrs)	Holmfirth (20hrs)	Dewsbury (20hrs)
Free on Thursday from 2pm 8 th , 15 th & 22 nd December.	£15,000		
Free on Friday from 12 noon (charges only apply until 4pm) on 9 th , 16 th and 23 rd December. Free on Saturday from 12 noon (charges only apply until 4pm) on 10 th & 17 th December. Christmas Eve excluded as many shops close early on that day.		£3,000	
Free on Wednesdays from 2pm on 7 th , 14 th and 21 st December Free on Saturdays from 2pm on the 10 th and 17 th December. Christmas Eve excluded as many shops close early on that day.			£5,000
Total	£15,000	£3,000	£5,000

2.3 Cabinet is asked to consider the possibility of offering additional parking concessions across the two primary towns of Huddersfield and Dewsbury in the run up to Christmas 2016. The table below shows the proposed concessions along with the potential financial impact to the Council.

Proposed Additional Parking Concessions 2016	Potential Financial Impact to Council	
	Huddersfield	Dewsbury
Free on Saturdays from 1pm, 3 rd , 10 th and 17 th , 24 th and 31 st December.		
Free on Thursday from 2pm 1 st and 29 th December	£26,500	
Free on Sunday 11 th and 18 th December		
Free from 2pm on Wednesday 30 th November.		£2,500
Free on Saturday on the 3 rd and 24 th December		
Total	£27,500	£2,500

- 2.4 The aim of this initiative is to encourage greater visitor numbers, whilst promoting local shopping and to make the most of the variety of both established and independent shops within the three towns and in so doing, increase trade. More and more people see the benefit of shopping locally and the Council considers that Christmas is the perfect time to support local businesses, small shops and businesses and provide a boost to the Kirklees economy.
- 2.5 It is not uncommon for Councils to offer parking concessions in the run up to Christmas, across West Yorkshire our neighbours, (with the exception of Leeds CC who ceased concessions in 2010) have provided a variety of incentives.

Calderdale	Bradford	Wakefield	Leeds
<p>Free Saturdays in December - four commuter car parks in Halifax centre</p> <p>Free; Thursdays from 15:00 On Street Halifax centre from Christmas lights switch on (last Saturday in November)</p> <p>Other areas – as and when requested – normally mirrors the On Street parking (still to be confirmed for 2016).</p>	<p>In 2015 Bradford provided a mix of free parking after 4.30pm on all Thursdays during December.</p> <p>Ilkley, Bingley, Keighley and Shipley provide free parking in some car parks over a mix of days (Wed, Fri and Sun)</p>	<p>In 2015 provided free parking after 3pm on Thursdays from last week in November to end of December</p>	<p>No parking concessions over Christmas since 2010.</p>

3. Implications for the Council

- 3.1 Parking tariffs aim to maximise the availability of convenient town centre parking spaces for the benefit of the shopper and short-stay service users in support of the retail and social vitality of each of the town centres.
- 3.2 There is always a risk when providing free parking for any period of time that space will be taken up early by town centre workers and commuters thereby undermining the aim and purpose of the concession by making it more inconvenient and difficult for shoppers and blue badge users to find available and convenient on and off street parking.
- 3.3 Suspending parking tariffs before Christmas should assist in increasing footfall figures within the town centres; however, it would also come at a cost to the Council in terms of the opportunity cost of lost parking revenue.

Financial: The proposal of free parking before Christmas 2016 is estimated to cost the Council lost revenue of £53,000 (£23,000 existing approved, plus £30,000 additional concessions for 2016).

Legal: The Parking Places Orders (On Street & Off Street) enables the Council to charge parking fees in relation to specified car parking areas falling within the District. The application of the Order applies to the specified car parking areas and dates in respect of which suspension of the car parking charges is sought.

However, there is no restriction upon the Council suspending the application of the Parking Order should it resolve to do so, however that would be subject to any issues identified in the Financial Implications.

The legal effect and validity of the Order would not be undermined in the event that this proposal is approved.

Human Resource: There are no human resource implications arising from this report.

Operational: Advertise the concessions, via local press, radio and encouraging shops to inform customers.

4. Consultees and their responses

4.1 Report forwarded through to Ward Councillors.

5. Next steps

5.1 Work with colleagues in the Communications team to advertise and promote the additional parking concessions as well as support and engagement with local town centre representatives and business groups.

6. Officer recommendations and reasons

6.1 That Cabinet approve the parking concessions proposed at 2.2 and 2.3 above for 2016.

7. Cabinet portfolio holder's recommendations

7.1 Councillor Peter McBride, supports the officer recommendations and welcomes this initiative, to provide Christmas parking concessions for 2016 and would ask that Cabinet do the same.

8. Contact officer and relevant papers

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9. Assistant Director Responsible

Paul Kemp
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Name of meeting: Cabinet
Date: 15 November 2016

Title of report: Quarter 2, 2016-17 - Corporate Monitoring Report incorporating General Fund Revenue, Housing Revenue Account, Capital and Treasury Management

Key decision – is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	Yes
Key decision - is it in the Council's Forward Plan (key decisions and private reports)?	Key decision - Yes Private report/private appendix - no
The Decision - Is it eligible for “call in” by Scrutiny?	No
Date signed off by Director and name Is it signed off by Director of Resources? Is it signed off by the Assistant Director (Legal, Governance & Monitoring)?	Debbie Hogg, 4 th Nov 2016 Julie Muscroft, 4 th Nov 2016
Cabinet member portfolio	Resources

Electoral [wards](#) affected: All

Ward Councillors consulted: All

Public or private: Public

1. Purpose of the Report

The purpose of this report is for Council to receive information on the Council's 2016-17 forecast financial outturn position for General Fund revenue, Housing Revenue Account (HRA) and Capital Plan, as at Quarter 2 (month 6). The report also incorporates the mid-year summary of treasury management operational activity; covering the period 1 April to 30 September.

2. Summary

2.1 The Council's General Fund (net) revenue budget for 2016-17 was set at **£310.8m**. The Council's forecast net revenue spend is **£315.9m** in 2016-17,

resulting in an overspend of **£5.1m**, equivalent to 1.7%, against budget. The forecast net revenue spend position is summarised in Table 1 below.

Table 1 – Overview of 2016-17 general fund forecast revenue outturn position, as at Quarter 2 (month 6):

Description	Net Revenue Budget	Forecast Revenue Outturn	Variance
	£m	£m	£m
Directorates	265.0	279.2	14.2
Reserves Drawdown	-	(4.8)	(4.8)
Directorate Sub-total	265.0	274.4	9.4
Central Budgets	44.5	41.1	(3.4)
District Committee managed budgets	1.3	0.4	(0.9)
Grand Total	310.8	315.9	5.1

- 2.2 The forecast revenue outturn position summarised in Table 1 above includes a proposed drawdown of “one-off” revenue funding (Corporate Reserves) in-year to offset Directorate budget pressures relating to Children’s service developments (£4.8m).
- 2.3 The monitoring forecast presented at Quarter 2 does not include unexpected one off site clearance costs arising from an environmental incident at a commercial site at Lockwood. Estimated costs are still being worked up, including ongoing discussions with other interested parties to determine liability for costs. Officers will report back to a future Cabinet pending clarification of the above.
- 2.4 Overall, general fund corporate reserves are forecast to reduce from about £93m as at April 2016, to about £53m as at 31 March 2017; equivalent to a 43% reduction over the year.
- 2.5 These figures exclude statutory reserves held by the Council on behalf of local authority controlled schools. These reserves cannot be used by the Council for other purposes, and as at 31 March 2016 totalled about £20m.
- 2.6 Estimated movements in general fund balances and earmarked reserves in-year, including those referred to in paragraph 2.2 above, are forecast to total £40m. This includes a budget approved drawdown of £17.5m to support the delivery of a balanced budget in 2016-17.
- 2.7 The balance of estimated in-year drawdowns total £18m. These relate to earmarked reserves previously set aside from previous years, to fund a number of specific “one-off” spend commitments materialising in the current year, including approved revenue rollover, staff severance costs (workforce restructure reserve) and specific projects funded from grants reserve, including Stronger Families Project. These are early year drawdown forecasts, and will continue to be reviewed and updated in subsequent quarterly monitoring reports to Cabinet.
- 2.8 The £5.1m Quarter 2 projected overspend, if not corrected, will be a further call on available reserves.

- 2.9 Of the remaining £53m forecast reserves at year end, there are a number of significant future year commitments against these intended to support the level of service re-design and change required within current approved budget plans, working to a New Council. These include set asides for future severance costs and Transformation reserves, plus the balance of deferred spend commitments against approved revenue rollover. These also include a minimum balances requirement of £5m. In total these come to about £26m, and effectively leaves just £27m corporate reserves available to support the Council's budget plans going forward; equivalent to just 9% of the current year net budget.
- 2.10 The Council's Housing Revenue Account (HRA) accounts for all Council housing related revenue expenditure and income in a separate statutory (ring-fenced) account. The HRA forecast revenue outturn is a surplus of £490k against an annual budgeted turnover of £94.5m in 2016-17; equivalent to 0.5%. HRA reserves at 31 March 2016 were £42.8m, and it is anticipated that this will roll forward into future years to resource future year HRA business plan requirements.
- 2.11 The Council's capital budget for 2016-17 is £82.3m, net of £20.3m assumed slippage and the forecast capital outturn position is £78.7m, resulting in a relatively small underspend of £3.6m (4.4% variance compared to budget). This is summarised in Table 2 below.

Table 2 – Forecast Capital Outturn 2016-17

Description	Budget	Outturn	Variance
	£m	£m	£m
Strategic Priorities	24.5	15.1	(9.4)
Baseline	53.5	46.5	(7.0)
One-Off Initiatives	0.1	0.1	0
Risks & Pressures	5.0	0.0	(5.0)
Assumed slippage	(20.3)	0.0	20.3
General Fund	62.8	61.7	(1.1)
Housing Revenue Account	19.5	17.0	(2.5)
Total	82.3	78.7	(3.6)

- 2.12 As per Quarter 2 monitoring, it is anticipated that the actual performance indicator for debt charges as a proportion of budget, will be in line with budgeted assumptions, at 10.7%.
- 2.13 The 2016-17 Capital Plan assumes that £5.5m of non-earmarked capital receipts will be generated through asset disposal. Actual receipts generated currently as the first quarter stand at £0.9m. Year-end capital receipts are now projected at £4.5m; £1m less than planned.

3. Information required to make a decision

Revenue

- 3.1 Appendix A, Sections 1 & 2 attached, set out in more detail the forecast financial outturn position of the Council in 2016-17, as at Quarter 2 (month 6) in relation to the Council's general fund revenue, HRA revenue and Council capital budgets.
- 3.2 The forecast general fund revenue £5.1m overspend as at Quarter 2, is net of £4.8m proposed drawdown from corporate (risk) reserves to resource temporary additional staffing requirements in-year as part of the Children's Services

Development Programme; follows on from member approval as part of the Q1 Monitoring Report to Cabinet, which at the time included early estimates of likely costs requiring reserves drawdown in 2016-17, of about £2.9m.

- 3.3 Appendix A, Section 1, sets out in more detail reasons for the more significant forecast Directorate overspends, along with an overall sensitivity analysis of potential variations from current outturn forecast, based on recent year trends.
- 3.4 The Quarter 1 monitoring report to Cabinet on 23 August 2016 included the recommendation for officers to consider further proposals to bring the forecast overspend at least in line with budgets by current year end, and other actions to build up available reserves to support the medium term financial plan from 2017 onwards. (These are included at Appendix A, Section 1, paras 1.9 to 1.10).
- 3.5 In light of current pressures in particular with regard to learning disability, it is recommended that a further, separate report is brought to 15th December Cabinet detailing the management actions being taken to mitigate the increasing overspend in this area. This report will also set out future intelligence which will be vital in feeding into budget discussions and the post settlement announcement review in early January.

General Fund Reserves and Balances

- 3.6 The accelerated pace at which earmarked reserves are reducing overall is set out in paragraphs 2.4 to 2.7 above, and Appendix B. The estimated level of remaining reserves at the year end, at £53m, includes future year spend priority commitments totalling £26m, leaving remaining reserves available to support the MTFP from 2017 onwards, at about £27m.
- 3.7 The current year forecast net overspend position of £5.1m as at Quarter 2, would reduce this further to just £22m.
- 3.8 The rollover reserve, totalling an estimated £7.2m by 31st March 2017, includes £3.3m set aside for decant costs relating to Mount Pleasant Primary School. These costs are no longer due to be incurred and as such, it is proposed that Officers report back to a future Cabinet to consider how the £3.3m potential release from the rollover reserve could be used. See also Appendix A, Section 1, para 1.24.

Collection Fund

- 3.9 There is a forecast in-year surplus of £1.8m on Council Tax; equivalent to 1.2% against budgeted income of £149m; mainly due to income collection performance in excess of targeted.
- 3.10 There is a current £1.8m in year forecast deficit against business rates income of £52m; equivalent to 3.4%; due to in year reduced rates income as a result of successful appeals and a review of outstanding backdated appeals currently with the Valuation Office.

Capital

- 3.11 The Quarter 2 Capital forecast underspend is £3.6m; of which £1.2m relates to General Fund. Appendix C provides more detailed commentary on the highlight variances.

- 3.12 As part of the Council objective to support mobile working, Member authority is sought to make an amendment to the 'Corporate Facilities IT' capital programme and transfer £500k (allowable under Financial Procedure Rules 2.22 & 3.10) from the IT Revenue budget into the 'Corporate Facilities IT' Capital Programme budget. See also Appendix A, Section 2, paras 2.6 to 2.7

Treasury Management

- 3.13 The Council has adopted the CIPFA Code of Practice on Treasury Management. It is a requirement of the code that regular reports be submitted to Members detailing treasury management operational activity. Appendix A, Section 3, attached summarises the mid-year position for 2016-17, covering the period 1 April to 30 September.

4. Implications for the Council

- 4.1 The Council continues to face significant financial challenges and must ensure it can achieve a sustainable balanced budget over the medium term and beyond.
- 4.2 Current approved budget plans include a planned saving requirement of £31m over the 2016-19 period; of which about £10m falls in 2016-17. These plans already reflect an underlying 'unbalanced budget' i.e. budget gap, at £16m from 2017-18, increasing to £38m by 2019-20.
- 4.3 The budget strategy update report approved by Council 12 October 2016 outlined a refresh of the cost and income assumptions underpinning the Council's budget for the next 4 years to 2020-21, together with early savings proposals. Revised budget gaps presented as a result of this update were £25m in 2017-18, increasing to £29m in 2018-19, £31m in 2019-20 and £42m in 2020-21.
- 4.4 The cost assumptions included in the MTFP update reflected underlying budget pressures presented in Quarter 1 monitoring; in particular against demand led activity. Any increase in these pressures in year, if not addressed, will add to the budget gap assumptions set out in para 4.3 above' and the financial implications of such will require consideration in the current budget round.
- 4.5 The Council's MTFP Update included an efficiency plan. This was forwarded to DCLG by the 14th October deadline and once approved would enable Kirklees to take up the Government's offer of a multi-year (4 year) financial settlement, as a minimum funding guarantee. Councils who do not produce a plan may receive a lower grant settlement on an annual basis. At the time of writing this report, the Council has not yet received official confirmation from DCLG that whether or not the Efficiency Plan has been approved by Government
- 4.6 The forecast HRA revenue surplus in 2017-16, at £490k, would revert to HRA general reserves at year end, and would be available to support the HRA business plan requirements over the longer term.
- 4.7 When the Capital Plan was presented to Council in February 2016, the proportion of overall budget taken up with interest and debt repayment was estimated to reach 12.81% by 2020-21. At 2015-16 outturn the actual prudential indicator (PI) rate for 2015-16 was 10.6% and after taking account of rollover, the re-phasing of schemes and changes to grant assumptions, the PI was estimated at a lower figure of 11.86% by 2020-21.

- 4.8 As revenue resources are under considerable pressure, close scrutiny will need to continue to ensure borrowing fulfils the criteria of being affordable, prudent and sustainable. As part of the forthcoming budget strategy update a further review of existing 5 year capital baseline allocations will be undertaken to assess the scope of reducing overall borrowing levels.
- 4.9 The underspending of the Treasury Management function has been taken into account in the Quarter 2 budget monitoring position presented in this report.

5. Consultees and their opinions

This report has been prepared by the Assistant Director of Financial Management, Risk, IT & Performance in consultation with the Executive Team.

Arlingclose, Treasury Management Advisors to the Council have helped inform the Quarter 2 Treasury Management position

6. Next Steps

Cabinet to consider Officer recommendations below.

7. Officer recommendations and reasons

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

General Fund Revenue

- 7.1 approve proposals to increase earmarked (risk) reserves drawdown by a further £1.9m, to £4.8m to resource additional children's services development costs in 2016-17 (para 2.2)
- 7.2 note the forecast £5.1m forecast revenue overspend position for 2016-17, net of the proposed reserves drawdown in 7.1 above (para 2.1 and Appendix A, Section 1)
- 7.3 note that Officers will report back to future Cabinet pending clarification of liability for site clearance costs relating to the environmental incident at a commercial site at Lockwood (para 2.3)
- 7.4 note the forecast outturn position on collection fund (para 3.9 to 3.10) and forecast movements in reserves and balances in -year (para 3.6 to 3.8)
- 7.5 note further officer proposals to bring the forecast £5.1m overspend at least in line with budgets by current year end, and other actions to build up available reserves to support the medium term financial plan from 2017 onwards (para 3.4)
- 7.6 instruct officers to bring a separate report to 15 December Cabinet on management actions being taken to mitigate the increasing overspend in Learning Disabilities (para 3.5)
- 7.7 note that Officers will report back to future Cabinet to consider how the Mount Pleasant £3.3m potential release from the rollover reserve could be used (para 3.8)

Housing Revenue Account (HRA)

- 7.8 note the forecast revenue outturn position for 2016-17 (para 2.10 and Appendix A, Section 1)
- 7.9 note the forecast HRA reserves position at year end (Appendix B)

Capital

- 7.10 note the Council forecast capital outturn position for 2016-17 (para 2.11 and Appendix A, Section 2)
- 7.11 approve the transfer of £500k (allowable under Financial Procedure Rules 2.22 & 3.10) from the IT Revenue budget into the 'Corporate Facilities IT' Capital Programme budget.

Treasury Management

- 7.12 note the mid-year summary of Treasury Management activity for 2016-17 (Appendix A, Section 3)

8. Cabinet Portfolio Holder recommendation

The portfolio holder supports the officer recommendations.

9. Contact Officer

Eamonn Croston	Strategic Council Finance Manager	01484 221000
Philip Deighton	Strategic Council Finance Manager	01484 221000
Tim Mitchell	Finance Manager	01484 221000
SarahM Hill	Finance Manager	01484 221000

10. Background papers and History of Decisions

Quarter 1 Corporate Revenue & Capital Monitoring Report 2016-17
Annual budget report 2016-19
Early revenue outturn review 2015-16
Annual outturn and rollover report 2015-16
Annual statement of accounts (draft) 2015-16
CIPFA's Prudential Code for Capital Finance in Local Authorities.
CIPFA's Code of Practice on Treasury Management in the Public Services.

11. Assistant Director responsible

Debbie Hogg	Assistant Director	01484 221000
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**REVENUE FORECAST MONITORING AS AT QUARTER 2 (MONTH 6),
2016-17**

1. Key Points

GENERAL FUND

- 1.1 The Council's general fund net revenue budget for 2016-17 is **£310.8million (m)**. Approved budget plans for the current year include a planned saving requirement of £10m in 2016-17.
- 1.2 The forecast outturn spend is **£315.9m**, net of the proposed drawdown of risk reserves to fund additional (one-off) Children's Services Development costs (£4.8m).
- 1.3 This results in an overall forecast **overspend of £5.1m**; equivalent to 1.7% against net revenue budget. This is a reduction in overspend of £1.0m compared to Q1 estimates.
- 1.4 Headline Directorate pressures include demand led pressures regarding activity relating to vulnerable adults at £8.3m, looked after children at £6.1m, waste contract at £1.1m and schools transport at £1.0m.
- 1.5 Directorate pressures also include £4.8m temporary additional staffing requirements in-year as part of the Children's Services Development Programme. The current temporary arrangements are expected to run to the end of December 2016, and the Q2 headline figures assume that they are resourced from risk reserves, as per member agreement as part of the Q1 Monitoring Report to Cabinet. At the time, the reported costs and reserves drawdown was £2.9m. This has increased since, due to the engagement of temporary staff requirements.
- 1.6 The monitoring forecast presented at Quarter 2 does not include unexpected one off site clearance costs arising from an environmental incident at a commercial site at Lockwood. Estimated costs are still being worked up, including ongoing discussions with other interested parties to determine liability for costs. Officers will report back to a future Cabinet pending clarification of the above.
- 1.7 The overall forecast revenue outturn position is summarised by Directorate, at Appendix B attached, and the more significant variances against Directorate activity, also summarised at Appendix B.
- 1.8 More detailed narrative explanations for key highlight forecast variances and management actions are set out in the following paragraphs below:

1.9 Children & Young People £11.4m forecast overspend (£6.6m net of proposed drawdown of £4.8m risk reserves)

Commentary from Director for Children & Young People

- 1.9.1 Previous reports have made reference to the Development Board established by the Chief Executive in response to urgent issues identified in social care practice that have created risk to children and young people accessing service support.
- 1.9.2 To manage that risk, a robust action plan was developed that required additional capacity alluded to in point 1.5 earlier in this report. Owing to the ongoing turbulence within the workforce, created by the urgent need to address the inconsistency of practice within Children's Social Care, there has been a need to sustain a high percentage of agency workers.
- 1.9.3 Currently, the level of agency staff is 30% and this has created ongoing pressure on an already overstretched budget. The need to address this budget pressure is well understood by the service. However; this is balanced by the need to keep children safe.
- 1.9.4 On September 12th Ofsted announced they would be inspecting the Local Authority arrangements to safeguard children in need of help and protection under the Safeguarding Inspection Framework (SIF). The four week inspection was an intense and rigorous process resulting in a provisional judgement that was shared on October 6th 2016 with the Chief Executive, the Portfolio Holder for Learning and Skills (representing the Portfolio Holder for Children and Families), the Director for Children and Young People, and the Assistant Director for Family Support and Child Protection.
- 1.9.5 Ofsted have a prescribed quality assurance process that means final judgements will not be made public until the report is published on November 25th 2016, however it is likely the provisional judgements will be upheld and the implications of this are that there will be intense ongoing scrutiny from Ofsted and the Department for Education.
- 1.9.6 It is critical that the objectives of the action plan to improve children's services are delivered to ensure that all children and young people in Kirklees are safe. However, these objectives cannot be realised without a robust financial strategy that reduces the ongoing budgetary pressures as this is clearly not sustainable.
- 1.9.7 There are some immediate actions listed further below at paragraphs 1.9.8 & 1.9.9 within the body of this report to alleviate current pressures but it is proposed that a future paper will be presented to Cabinet Members that sets out clearly the medium and long term financial plan.

Additional Commentary from Assistant Director of Family Support and Child Protection

- 1.9.8 Various mitigating actions are being taken against current overspend caused by increased numbers of children in care and a reliance on agency staff, including the review of:
- i) top 10 high cost placements
 - ii) contributions from health and education, to placements that have an education or health element.
 - iii) all 16 & 17 year olds in residential care to determine whether they can be moved into less expensive supported accommodation
 - iv) all contracts to check adherence with framework agreement.
- 1.9.9 The service is reducing agency spend on senior management through a recruitment campaign with the appointment of a permanent Assistant Director and Heads of Service interviews in November 2016. Agency contracts with some middle managers are being terminated where it is safe to do so and there is also an ongoing recruitment campaign for senior social workers and team managers to replace agency workers.

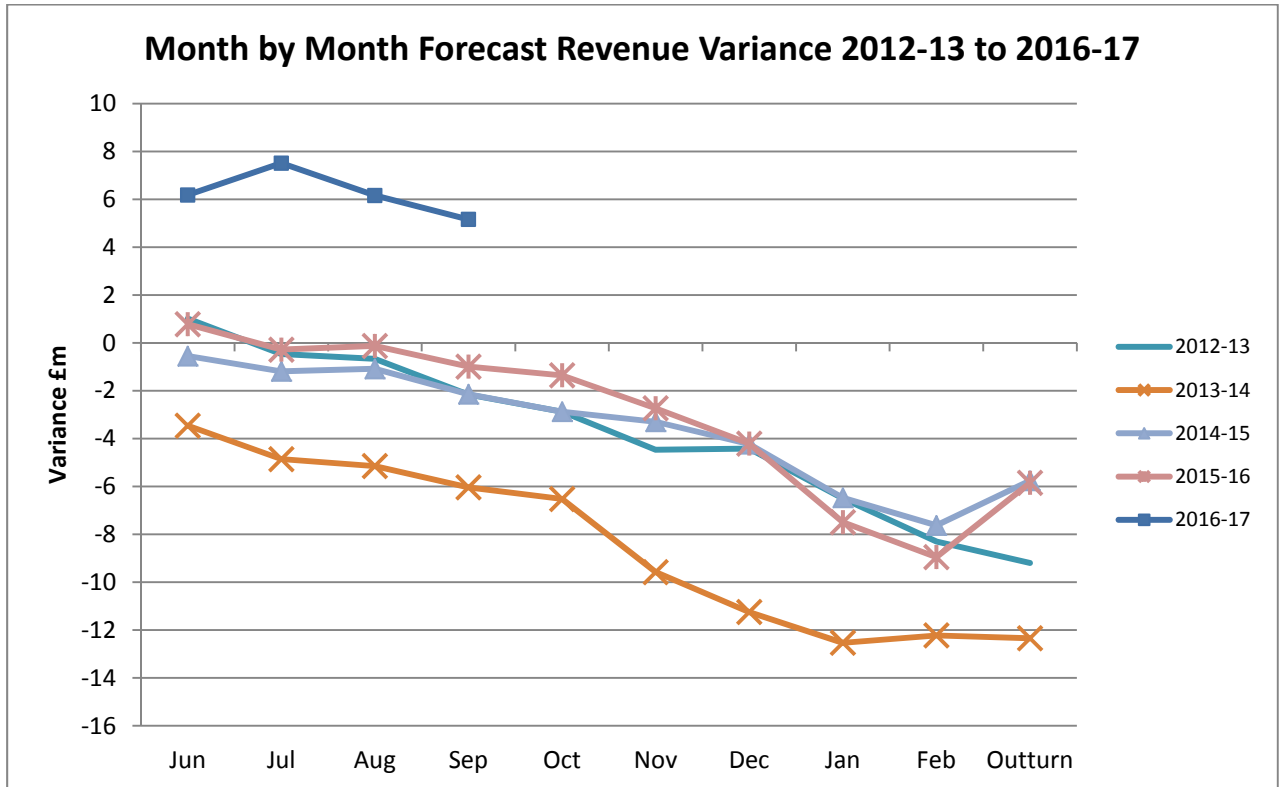
1.10 Adults, Commissioning & Public Health; forecast overspend £10.7m

Commentary from Assistant Director of Adult Social Care & Wellbeing

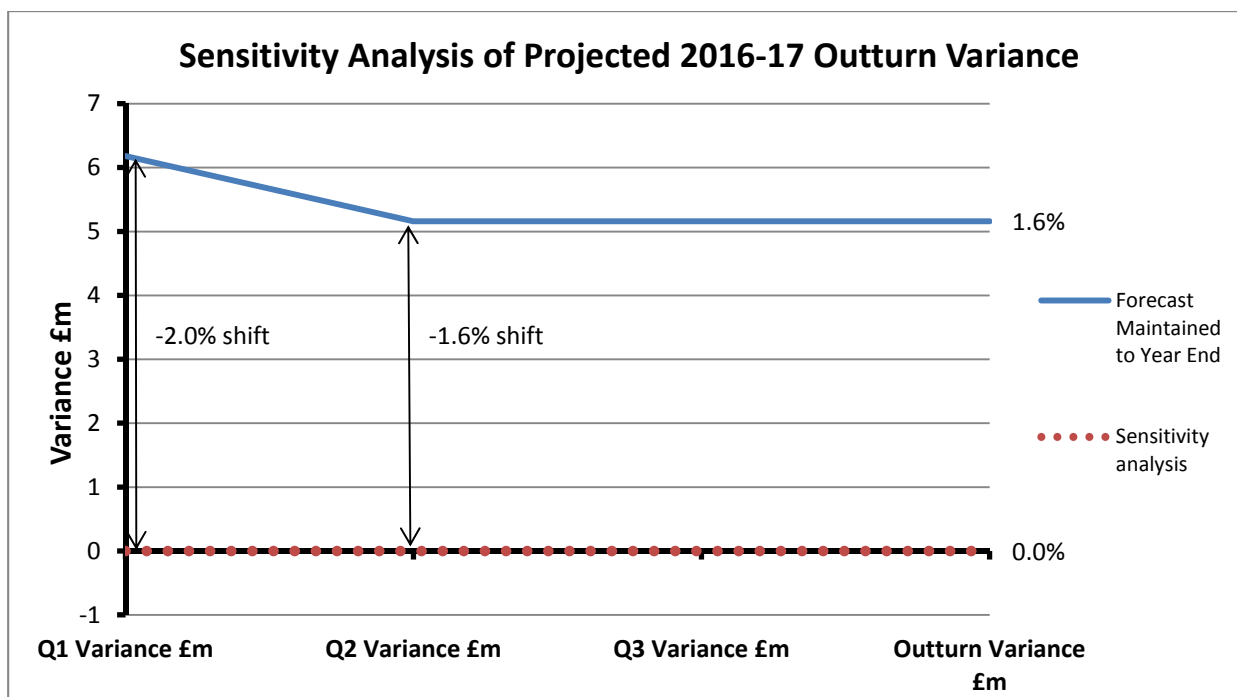
- 1.10.1 There are £8.0m of unfunded pressures that arise from a decreasing budget and increasing demand (both volume and complexity) as a result of demography (mainly an ageing population) and more people with a learning disability, particularly those with very complex needs. These pressures are most marked in the learning disability group which accounts for about £5.5m of the overspend. Work is underway to understand the increasing costs in more detail and to mitigate against this continued trend.
- 1.10.2 There has been a 19% increase in learning disability numbers (170 people) since the end of 2014-15. This structural demand pressure has been compounded by review of continuing care cases resulting in increased cost for the Council, additional costs pressures brought about by the Transforming Care Partnership which means the transfer of existing health supported clients from a hospital setting into the community, and pressures from annual reductions in Independent Living Funding to support an existing client base. Annual funding reductions had assumed a reduction in client numbers supported over time, greater than actual current trends. Admissions into Long term care (65+) are reducing slightly however costs are increasing due to the high cost needs of individuals and the deaths and discharge rates assumed are less than forecast.
- 1.10.3 Given the significance of this emerging position, a separate report on this subject matter will be considered by Cabinet on 15th December.

SENSITIVITY ANALYSIS

- 1.11 The outturn underspend has ranged between £5.0m to £15.2m over the last 8 years and has consistently been more favourable (i.e. greater underspend) than Quarter 2 forecasts. This trend is largely attributable to early quarter forecasts being relatively prudent with regards to future spend and risks. See chart below showing month by month forecasts from 2012-13 including 2016-17 forecasts to date.



- 1.12 Sensitivity analysis at Quarter 2 supports the assumptions detailed in the Quarter 1 report to Cabinet that the final outturn position could be close to nil by year end. The last two financial years, 2014-15 and 2015-16, show a consistent outturn position of £5.8m underspend; reflecting a reduction of approximately 1.6% from Q2 projections. If this trend is applied to the current Quarter 2 forecast overspend of £5.1m, a -1.6% shift brings net spend more or less in line with budget (see chart below).



1.13 The above analysis is based on most recent year monitoring trends; however unanticipated factors or the impact of known risks can also affect the financial position. In line with established monitoring practices, any material factors which come to light will be reported at the earliest opportunity into subsequent quarterly monitoring.

1.14 Monitoring projections are also impacted on by management actions in-year to ensure managed activity is contained within budgeted resources. In light of the accelerated drawdown of available reserves (see also paras 1.19 to 1.23 below and Section 1 Appendix A), a key action recommended in Quarter 1 monitoring was for urgent consideration of management actions and options in-year (see also para 1.8 to 1.10 above) to ensure spend is maintained at least in line with budgeted resources.

COLLECTION FUND

1.15 The Collection Fund forecasts here are based on Council shares of Collection Fund income due. There is a forecast in-year surplus of £1.8m on Council tax; equivalent to 1.2% against budget income of £149m; mainly due to council tax income collection performance in excess of targeted.

1.16 There is a current £1.8m in year forecast deficit against business rates income of £52m; equivalent to 3.4%. This is due to in year reduced rates income as a result of successful appeals and 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 £1.5m for backdated payments plus reduced rates income of £280k per annum going forward. These backdated payments have been built into the provision for appeals in the 2015-16 accounts; of which, Kirklees share amounts to £4.3m.

HOUSING REVENUE ACCOUNT (HRA)

- 1.17 The HRA forecast as at Quarter 2 is a surplus of £490k; equivalent to -0.5% against annual budgeted turnover (income) of £94.5m.
- 1.18 The HRA is a statutory ring-fenced account, and this means that this forecast surplus would automatically transfer to HRA general reserves at year end.
- 1.19 Appendix B attached summarises the HRA reserves position, which reflects a carry forward of £42.8m as at April 2016, and amounts set aside against this for specific purposes in future years, totalling £10m (£8.5m business risks, £1.5m working balance). This leaves remaining general reserves of about £32.8m, (excluding any surplus from 2016/17), which will be used to support HRA business plan resourcing requirements over the medium term.

NEW COUNCIL DEVELOPMENT RESERVE

- 1.20 This reserve is currently £4m as at April 2016. As at Quarter 2, current commitments (2016-19) against this total an estimated £1.1m and include mainly;
- £0.7m Programme Management Resources within New Council Programme Management Office; recruitment of 9 posts for allocation to specific New Council programmes or projects – e.g. aspects of ‘Early Intervention and Prevention’ and ‘Economic Resilience.’
 - £0.3m Information Governance; £0.2m to create an Information Governance & Management Team (3 Information Governance Officers, 2 Business Support Officers) to support the development of Information Governance requirements of the Council, plus £0.1m consultancy fees for key projects.

GENERAL FUND RESERVES AND BALANCES

- 1.21 Appendix B attached summarises the current and estimated available reserves position. Available reserves (i.e. excluding statutory schools related reserves which the Council cannot use for other purposes) are estimated at £53m by year end; compared with £93m available reserves as at April 2016; overall reduction of 43% over the year. The estimated reserves movements in 2016-17 at £40m equates to a current average weekly drawdown of approximately £800k, which is unsustainable.
- 1.22 Estimated in-year reserves movements includes the proposed £4.8m risk reserve drawdown in-year, £17.5m approved drawdown to support the 2016-17 MTFP, and other estimated reserves drawdowns totalling over £18m in-year, previously set aside and earmarked for a number of one-off spend commitments including revenue rollover, severance costs, and grant reserves

drawn down to support Stronger Families Programme (grant), European Regional Development Funded schemes.

- 1.23 Remaining reserves forecast at current year end at £53m includes the balance of New Council Transformation Reserve at over £3m, remaining workforce restructure reserve at £7m Private Finance Initiative (PFI) prepayment reserve (schools) at £3m, approved rollover commitments at £7m and minimum balances provision at £5m. These add up to about £26m, and are all assumed priority spend commitments against the £51m remaining reserves.
- 1.24 The £7m rollover commitments noted in 1.23 above, include £3.3m set aside for decant costs relating to Mount Pleasant Primary School. Due to the decant now being contained on the existing site, these costs will not be incurred. It is proposed that Officers report back to a future Cabinet to consider how the £3.3m potential release from the rollover reserve could be used.
- 1.25 Adjusting for the above priority spend commitments, actual level of available Reserves to support MTFP requirements from April 2017 is forecast to be about £27m; equivalent to just 9% of current net revenue budget. Council Reserves at this point could be considered to be at critical levels. This forecast also assumes that while the current Quarter 2 forecast is a £5.1m overspend, that by year end the Council's bottom line net spend position will be brought back in line within overall budget, otherwise, any year end overspend would then be a further draw on available reserves.

SECTION 2 – FORECAST CAPITAL OUTTURN 2016-17 AS AT QUARTER 2, (MONTH 6)

2. Key Points

2.1 The Council’s capital budget for 2016-17 is £102.6m at the end of quarter 2. Adjustments to the budget since it was approved at Council on 29th June 16 are detailed below, in accordance with Financial Procedure Rules 3.14:

(a) Revenue Contribution to Capital Outlay (RCCO) – (+£290k)

- Children & Young People Service - £200k for modular provision at Longley school
- Parks and Open Spaces - £40k for Greenhead Play Area and £18k for East Bierley pond restoration
- District Committees - £4k for various schemes
- Highways - £28k from District Committees for Weatherhill Road Footway Development

(b) Additional Funding – (+£342k)

- Housing private Sector - £273k additional section 106 monies
- Parks and Open Spaces - £11k contribution from Friends of Meltham skate park
- Highways - £325k Pothole Action Fund grant from the Department of Transport and £267k reduction to the West Yorkshire Transport Fund budget in Strategic Priorities.

2.2 The budget of £102.6m is before a budgetary assumption for slippage in-year, totalling £20.3m or 19.7%. Adjusted for slippage, the capital budget is funded to a level of £82.3m, also referred to as the budgeted funding requirement. There is a headline forecast outturn **underspend of £3.6m** (4.4% variance compared to the budgeted funding requirement).

2.3 There is a General Fund forecast underspend of just £1.2m, as at Quarter 2, and it is anticipated that, in line with previous year slippage trends, it will at least be in line with funding requirement by current year end.

2.4 The Housing Revenue Account (HRA) forecast underspend is £2.5m.

2.5 Appendix C attached shows a more detailed breakdown of the forecast, and commentary on highlight variances.

2.6 The IT programme currently has a budget for 2016-17 of £980k and its objective is to “support the IT ongoing refresh and update of core technology to support the IT enabled change programme for the Council”. Additional investment is required to enable the Council to further benefit from available technologies in matching the needs of individuals (and how they work) to the right services and equipment to support them, thereby promoting more flexible working and greater productivity.

- 2.7 As part of the Council objective to support mobile working, this report therefore seeks Member authority to amend the 'Corporate Facilities IT' Capital Programme and transfer £500k (allowable under Financial Procedure Rules 2.22 & 3.10) from the IT Revenue budget into the 'Corporate Facilities IT' Capital Programme budget, to be reflected in the next quarterly monitoring.
- 2.8 The new Prudential Code for Capital Finance in local authorities began on 1 April 2004 and introduced a greater freedom for the Council's capital expenditure. Part of the requirements of the Code is for reporting procedures to be implemented to monitor the progress and status of capital expenditure plans. The monitoring information is shown in Appendix D.
- 2.5 It should be noted that the Assistant Director Strategic Investment Group have conducted a review during the summer 2016 of all capital baseline allocations. The review has challenged existing allocations and whether they represent the minimum capital investment levels needed to support each programme area. The conclusions of the Group will feed into the forthcoming budget round.

**HALF YEARLY MONITORING REPORT ON TREASURY MANAGEMENT
ACTIVITIES 2016-17**

1. Key Points

SUMMARY

- 1.1 The report gives assurance that the Council's treasury management function is being managed on a prudent and pro-active basis. External investments averaged £44.8 million during the period at an average rate of 0.46%. Balances were invested in line with the approved strategy, where possible, in instant access accounts or short-term deposits. External borrowing has fallen to £414.7 million but is expected to rise by up to £30 million short term borrowing by the end of the year. The treasury management revenue budget is expected to underspend by £1.8 million in 2016/17. Performance is in line with the treasury management prudential indicators set for the year, but there was one material risk and compliance issue to report, when a Barclays' system failure prevented the Council from transmitting funds to other counterparty deposit accounts back in April.

TREASURY MANAGEMENT STRATEGY

- 1.2 The treasury management strategy for 2016/17 was approved by Council on 17 February 2016. The over-riding policy continues to be one of ensuring the security of the Council's balances. The Council aims to invest externally balances of around £30 million, largely for the purpose of managing day-to-day cash flow requirements, with any remaining balances invested "internally", offsetting borrowing requirements. The investment strategy is designed to minimise risk, investments being made primarily in instant access accounts or short-term deposits, with the major British owned banks and building societies, or Money Market Funds. Diversification amongst counterparties is key. It was forecast that the Council could have an external borrowing requirement of up to £30 million.

ECONOMIC CONTEXT AND INTEREST RATES

- 1.3 After a period of relative strong growth and stability, the outlook for the UK economy changed significantly on 23 June 2016 following the Brexit vote. The repercussions of the plunge in sentiment on economic growth were judged to be severe by the Bank of England, prompting substantial monetary policy easing, including a cut in Bank Rate in August to 0.25%, further quantitative easing and cheap funding for banks to maintain the supply of credit to the economy. After the vote, interest rates plunged to new record lows – a 50 year maturity loan from the PWLB can now be obtained at around 2.1% compared to 3.0% in April.
- 1.4 The effect of Brexit is expected to dampen economic growth through the second half of 2016 and in 2017. Inflation is expected to pick up due to a rise

in import prices, dampening real wage growth and real investment returns. Equity markets, however, appear to have shrugged off the result of the referendum despite an initial sharp drop. The Council's treasury management advisors forecast that the Base Rate is not likely to rise within the next three years and that there is a 40% chance of a cut down to zero percent.

INVESTMENT PERFORMANCE

- 1.5 The Council invested an average balance of £44.8 million externally during the period (£60.9 million in the first six months of 2015/16), generating £0.104 million in investment income. The reduction is largely due to the Government flattening the payment profiles of Revenue Support Grant.
- 1.6 Balances were invested in instant access accounts or short term deposits. Appendix E shows where investments were held at the start of April, the end of June and September by counterparty, by sector and by country.
- 1.7 The Council's average investment rate for the period was 0.46%. This is higher than the average for 2015/16 of 0.45%. The Base Rate cut of 0.25% at the beginning of August is gradually being factored into investment rates offered and by the end of September, all rates are expected to be around 0.25% lower.

BORROWING PERFORMANCE

- 1.8 In terms of borrowing, long-term loans at the end September totalled £405.3 million (£408.4 million 31 March 2016) and short-term loans £9.4 million (£16.0 million 31 March 2016). There has been no new external borrowing so far this year. The external borrowing requirement for the year is still expected to be around £30 million. Any borrowing undertaken is likely to be fairly short-term, mainly to take advantage of very low borrowing rates.
- 1.9 In June 2016, the Council received deed polls from Barclays Bank stating that it would not exercise its options to increase interest rates on £30 million of LOBO loans held by the Council. This effectively makes the loans fixed rate maturity loans. The interest rates on these loans range from 3.81% to 4.10%. This effectively brings the total of LOBO loans down to 76.6 million which represents 18.5% of total external borrowing.
- 1.10 Fixed rate loans account for around 81.5% of total long-term debt giving the Council stability in its interest costs. The maturity profile for fixed rate long-term loans is shown in Appendix F and shows that no more than 10% of fixed rate debt is due to be repaid in any one year. This is good practice as it reduces the Council's exposure to a substantial borrowing requirement in future years when interest rates might be at a relatively high level.
- 1.11 The Council has occasionally borrowed small amounts from the Money Market for periods between one and two months at an average rate of 0.32%.

REVENUE BUDGET MONITORING

- 1.12 The treasury management budget for 2016/17 currently stands at £32.8 million. The latest budget monitoring shows an under-spend of £1.8 million. The under-spend is due to savings on principal and interest arising from capital slippage and interest rates remaining lower for longer than expected.

PRUDENTIAL INDICATORS

- 1.13 The Council is able to undertake borrowing without central government approval under a code of practice called the Prudential Code. Under this Code, certain indicators have to be set at the beginning of the financial year as part of the treasury management strategy. The purpose of the indicators is to contain the treasury function within certain limits, thereby reducing the risk or likelihood of an adverse movement in interest rates or borrowing decision impacting negatively on the Council's overall financial position. Other prudential indicators are reported as part of the monitoring of capital. Appendix G provides a schedule of the indicators set for treasury management and the latest position.

RISK AND COMPLIANCE ISSUES

- 1.14 On two occasions when the Council has received unexpected monies late in the day, officers have had no alternative but to put the monies into the Barclays Business Reserve Account overnight. This has led to a marginal breach of the investment limit on Barclays on each occasion. In addition at the end of April, a Barclays' software problem prevented the Council from transmitting funds to other counterparty deposit accounts. This caused the Council to have £11 million in excess of its own investment limit with Barclays over the weekend. The Council was compensated by Barclays for any loss of interest and the problem has not re-occurred.
- 1.15 In line with the investment strategy, the Council has not placed any direct investments with companies as defined by the Carbon Underground 200.

Directorate	Net		Variance	%	Variance from Qtr 1
	Controllable	Forecast			
	Budget	Outturn			
	£000s	£000s	£000s		£000s
Children & Young People	60,772	72,195	11,423	18.8%	2,855
Adults Commissioning & Public Health	84,793	95,499	10,706	12.6%	974
Place	35,935	35,451	(484)	-1.3%	(709)
Resources	38,802	37,682	(1,120)	-2.9%	(224)
Communities, Transformation & Change	6,083	5,618	(465)	-7.6%	(445)
Economic Resilience	14,080	11,168	(2,912)	-20.7%	(421)
Early Intervention & Prevention	24,560	21,659	(2,901)	-11.8%	(161)
Sub-total	265,025	279,272	14,247	5.4%	1,869
Reserves Drawdown		(4,800)	(4,800)		(1,884)
Sub-total	265,025	274,472	9,447	3.6%	(15)
Central Budgets	44,471	41,048	(3,423)	-7.7%	(1,018)
Sub-total	309,496	315,520	6,024	1.9%	(1,033)
District Committee managed budgets	1,340	463	(877)	-65.4%	0
General Fund Total	310,836	315,983	5,147	1.7%	(1,033)
Memo Item (HRA)	(19,719)	(20,209)	(490)	2.5%	(547)
Collection Fund forecast (Council Share)	Council Tax	Business Rates	Total		
	£m	£m	£m		
(Surplus)/Deficit at 1st April 2016	(4.6)	5.0	0.4		
Re-payments to/(from) General Fund	3.9	(4.2)	(0.3)		
In year (Surplus)/Deficit	(1.8)	1.8	0.0		
(Surplus)/Deficit at 31st March 2017	(2.5)	2.6	0.1		

General Fund Reserves Summary

General Fund Reserves/Balances available to support MTFP	Balance at 31st March 2016	Forecast Movement in Reserves	Estimated Balance at 31st March 2017
	£m	£m	£m
Earmarked			
Approved Draw down to Support MTFP		1.3	
Journey to New Council		0.5	
Revenue Grants		5.0	
Stronger Families		1.7	
Workforce Restructure		4.2	
Rollover		3.3	
Business Rates		2.4	
Other		1.0	
sub-total	-57.4	19.4	38.0
Risk Based			
draw down to support childrens service developments		4.8	
sub-total	-10.0	4.8	5.2
General Balances			
Approved Draw down to Support MTFP		16.2	
sub-total	-25.9	16.2	9.7
Grand Total	-93.3	40.4	52.9
Assumed set aside for specific spend commitments rolled forward into 2017-18			
minimum balances required to support Council cashflow			5.0
Workforce Restructure (Severance costs)			6.8
New Council Transformation			3.5
PFI Prepayment Reserve			3.1
Revenue Rollover			7.2
Remaining Reserves Available to Support MTFP 2017-21			27.3

HRA Reserves Summary

Statement of Reserves	Balance at 31 March 2016	Approved Movement in Reserves (inc. future years commitments)	New Requested Movement	Uncommitted Balance
	£000s	£000s	£000s	£000s
HRA Balances				
Opening Balance 1 April	42,804			42,804
Forecast in Year Suplus/Deficit		0		0
To Support the 16/17 Capital Investment Programme		0		0
Set aside to support Council priorities		0		0
Set aside for Council Priorities		0		0
Set aside for business risks		-8,500		-8,500
Working balance		-1,500		-1,500
	42,804	-10,000	0	32,804
HRA Major Repairs Reserve				
Opening Balance 1 April	0			0
Contribution from HRA (depreciation charge)		15,900		15,900
Capital Debt Repayment		-6,259		-6,259
Capital Investment Requirement		-9,641		-9,641
	0	0	0	0

HIGHLIGHT VARIANCES

Directorate	Activity	Highlight Variances £000	Additional comments on highlight variances (before BCF/ reserves applied)
Children & Young People	Safeguarding & family support; demand led activity	+6,115	+£6,115k Volumes, (Underlying overspend £3.5m 15-16)
	Safeguarding & family support	+3,840	Additional agency staffing costs due to Interim Service Management arrangements; current arrangements presumed to end December 2016
	Safeguarding Assurance	+790	Due to Medium Term Financial Plan savings not achieved +£253k and Agency costs +£571k less misc. savings (£34k)
	Learning & Skills	(339)	Income re SLA's on partnership services (£280k), surplus on Schools Mgmt Information system (£61k) Savings on employee budgets /Vacant posts (£69k), pressure on Day care budget re income shortfall +£71k.
	Disabled Children's Service	+159	Pressure on direct payments +£315k & +£138k commissioned short break activities, offset by drawdown from KICES pooled reserves (£304k)
	Child Sexual Exploitation Team	+380	Additional costs arising from Child Sexual Exploitation unfunded to be met from reserves
	Safeguarding & family support; Legal Costs	+375	Pressure on legal disbursements
	Sub-total	+11,320	
Commissioning, Public Health & Adults	Placement equivalent demand	+8,318	Older people +£0.7m, Physical disabilities +£1.2m, Learning disabilities +£5.5m and Mental health +£0.9m, (Underlying overspend £1.7m 15-16) Expenditure of £0.3m has been resourced from the Better Care Fund to mitigate this. In addition there has been £2m Better Care Funding already allocated to placement equivalents from 16/17 monies for supporting social care.
	(Older People) In-house residential	+624	Net employee overspends
	Best Partnering	+953	Assumes that arrangements to make the savings will not commence this financial year
	Re-ablement	+216	Medium Term financial Plan Savings not made
	Commissioning	(503)	Contracted Services including extra care housing (£189k), savings in other contracted services (£333k) & commissioning infrastructure costs funded through the Better care fund (£34k), reduced KICES contribution (£243k), & Deprivation of Liberty Safeguarding - External Assessors to meet demand +£296k

Directorate	Activity	Highlight Variances £000	Additional comments on highlight variances (before BCF/ reserves applied)
	Public Health	+1,385	Savings on Substance Misuse, Smoking and Sexual Health (£465k), Health Child programme (£181k), Weight Management Resources +£50k, staff savings (£260k) and other PH savings (£38k) to offset grant reduction of £2,278k.
	Sub-total	+10,993	
Place	Waste Services	+1,500	Waste disposal +£1,085k. Delayed implementation of Medium term financial Plan savings +£683k. New savings not included in MTFP (£167k), In year savings (£101k) Improved trade waste performance.
	Driver Training	(450)	Referral numbers assumed to continue as per 15/16 levels
	Policy, Strategy & Commissioning	(472)	The Economic Resilience board are still considering which area this activity will support
	Parking	+200	Income levels on planning + £410k, partially offset by expenditure (£210k)
	Planning	(100)	Income (£242k), less operational costs +£142k
	Markets	+170	Income shortfall +£250k offset by savings across various cost headings (£80k)
	Schools Transport	+965	Volume pressures Home to School Transport
	Schools Facilities Management	(1,382)	Catering surplus due to increased efficiency on labour and food costs of supplying Universal Free School Meals
	Corporate Landlord	(786)	Capacity created to fund transformational type works e.g. asset transfers
	Sub-total	(355)	
Resources	Customer & Exchequer services	(748)	Mainly due to the assumption that benefit subsidy will continue to underspend as in previous years (£162k) but to a lesser degree, Library & Information Centres savings in advance (£293k) Welfare Complimentary Benefits employee savings (£291k)
	Support for Council as Democratic Org	(265)	Civic Office, and Councillor allowances.
	Looking Local	+248	Review around long term viability and new transfer imminent business model being undertaken.
	Corporate & Democratic Core	(202)	Anticipated savings on subscriptions/external audit fees.
	Sub-total	(967)	
CTC	N/A	-	No key variances at Month 6
	Sub-total	-	
Cross-Directorate Themes	Economic Resilience	(2,912)	Mainly (£3,458k) underspend on add backs partially offset by slippage in delivery of achieving 16-17 Medium Term Financial Plan savings in the Community Safety Hub model

Directorate	Activity	Highlight Variances £000	Additional comments on highlight variances (before BCF/ reserves applied)
	Early Intervention & Prevention	(2,900)	EITS (£1,526k), (£750k) Community grants budget savings in advance & +£2,942k Supporting People MTFP savings not yet achieved, Carers projects not fully achieved (£50k), (£355k) Kirklees Direct & Customer Service Centres Vacant posts pending service review and (£90k) reduction in Healthwatch contract payments less Add back of (£2.6m) not committed.
	Sub-total	(5,812)	
Central Budgets	Treasury Management	(1,800)	Reduced borrowing costs, slippage in 15-16 Capital plan
	Inflation	(1,100)	Contingency and energy inflation not required
	Contingencies	(445)	Carbon Reduction Commitment budget not required for this year.
	Sub-total	(3,345)	
Ringfenced Corporate Budgets	District Committee managed budgets	(877)	Similar levels of underspend to last financial year.
Grand Total (highlight variance)		+10,957	

HRA HIGHLIGHT VARIANCES

Directorate	Activity	Variance £000	Additional comments on variances
HRA	Repairs & Maintenance	275	Responsive theme +£475k, chargeable repairs (£200k), offset by minor variances in unplanned works.
	Housing Management	(76)	Council Services bought in (£136k), Increase in charges for Sheltered housing cleaning +£29k and Concierge +£14k, Policy & Management (£86k)
	Other Expenditure	(953)	Mainly due to delayed implementation of Universal credit.
	Income	+264	Mainly dwellings rent Income +£262k, Rechargeable repair +£200k, District heating Income +62k, less Increased income due to other Service Charges (£120k), Increased level of charges for major repairs (£100k), Other rents (£29k)
	Sub-total	(490)	

FORECAST CAPITAL PLAN MONITORING 2016-17, AS AT QUARTER 2

Capital Plan	Revised Budget	Actual to Date	Outturn	Variance	%	Change in Variance
	£'000	£'000	£'000	£'000		£'000
Strategic Priorities Total	24,579	3,324	15,125	(9,454)	-38%	(1,415)
Baseline						
Childrens & Young People	10,573	2,384	8,834	(1,739)	-16%	286
Adults	500	-2	500	(0)	nil	0
Place	37,984	15,246	33,930	(4,054)	-11%	(971)
Communities, Transformation & Change	1,405	-9	211	(1,194)	-85%	8
Resources	1,133	233	1,133	0	nil	0
Leeds City Region Revolving Fund	1,874	1,324	1,874	0	nil	0
Baseline Total	53,469	19,644	46,482	(6,987)	-13%	(677)
One-Off Initiatives	101	19	101	0	nil	0
Risks & Pressures	5,000	0	0	(5,000)	-100%	0
General Fund Total	83,149	22,986	61,708	(21,441)	-26%	(2,092)
Notional slippage	(20,264)	-	-	-	-	-
General Fund Total after Slippage	62,885	22,986	61,708	(1,177)	-2%	(2,092)
Housing Revenue Account (HRA)	19,478	7,527	17,015	(2,463)	-13%	9
Total Funding Requirement	82,363	30,513	78,723	(3,640)	-4%	(2,083)

Comments on Highlight Variances, as at Quarter 2, 2016-17

Strategic Priorities Capital Plan	Highlight Variance	Comments on Highlight Variances
	£'000	
New Pupil Places in Primary Schools	(7,450)	Slippage to the start on site date at Beaumont Academy has meant that only enabling works will go ahead this financial year. The New North primary school will not start on site until 2017/18, which has led to an increase in the variance by £1.3m since quarter 1. Any underspend in funding on Strategic Priorities will be required to rollover to 2017-18 to enable the rolling programme on schools to be delivered as part of the Schools Investment Needs Strategy.
Huddersfield Leisure Centre	(710)	Final retention payment less than previously estimated figure. Final fee payments to be processed, also anticipated being less than previously estimated figure.
Spenborough Sports Facility	(814)	Delays to programme, expenditure on fees only in 2016/17
Strategic Priorities Total	(8,974)	

APPENDIX C

Baseline Capital Plan	Highlight Variance	Comments on Highlight Variances
	£'000	
Children & Young People		
One-off Initiatives	(1,548)	Mainly includes Section 106. Some contributions not received from developers. Majority of funds remain unallocated either whilst discussions occur to identify schools to benefit or funds held pending emergence of new Investment Need Strategy.
Children & YP Total	(1,548)	
Place		
Housing (Private)	(1,371)	Includes Section 106 budget of £889k not currently projected to spend but looking into possible schemes that could be funded from this pot and Demolition of property at Wakefield Road, Moldgreen of £205k which is not projected to spend this year due to needing to CPO one of the properties.
Economic Delivery	(1,757)	Currently not projecting £1.6m of baseline budget for 2016-17 because there are no schemes in the pipeline at present. The Funding Circle loan scheme is to be discontinued.
Place Total	(3,128)	
Communities, Transformation & Change		
KAL Self-Funded	(867)	KAL are currently in the early stages of developing a range of potential capital projects, with the likelihood that the more significant schemes will emerge within 2017/18.
CTC Total	(867)	
Baseline Total	(5,543)	
Risks & Pressures Total	(5,000)	Cabinet Approval given on 20.9.16 to fund the loan advance to Kirklees Stadium Development Ltd from the Risks & Pressures line. The commitment against these resources is anticipated to fall into future years.

HRA Capital Plan	Highlight Variance	Comments on Highlight Variances
	£'000	
Strategic Priorities	(1,800)	Capital Spend not due to commence until 2017-18 on Ashbrow Extra Care New Build (-£1m) and KNH/Building Service Pilot New Build (-£0.8m).
Baseline	(663)	Underspend expected on budgets managed via district committees (-£663k), and Maintaining Decency windows programme (-£363k) due to change in specification from replacement to refurbishment of windows, this will deliver better value for money but has a longer lead in time due to procurement issues. This is offset by an overspend on Maintaining Decency Roofing programme (£363k) due to expected volume of roofing works higher than budget to deliver commitments on leasehold blocks.
HRA Total	(2,463)	

Prudential Indicators

The approved indicators for 2016/17 below assumed a certain level of slippage and the revised estimate includes further slippage on borrowing from that identified at Quarter 2.

1. Prudential indicators for affordability (mandatory indicators highlighted)

Capital Expenditure and External Debt

The table below draws together the main elements of Capital Plan expenditure, highlighting borrowing and other financing arrangements. It contains the following prudential indicators:

- 1) Capital expenditure – sets out the latest actual spend and the estimated spend in the plan period, split between General Fund and HRA.
- 2) Capital Financing Requirement (CFR) – this is the Council's underlying need to borrow to fund capital investment.
- 3) External debt – sets out the latest actual debt for the Council. The difference between external borrowing and the CFR in each year reflects the amount of internal balances that are being “borrowed” to finance capital indebtedness.

	2015/16	2016/17	
	Actual	Approved Indicator	Revised Estimate
	£000s	£000s	£000s
<u>Capital Expenditure</u>			
General Fund	50,796	62,581	58,729
General Fund - PFI	1,539	0	1,392
HRA	22,655	19,478	17,015
HRA - PFI	151	173	173
Total	75,141	82,232	77,309
<u>Financed by -</u>			
Borrowing	11,264	24,928	24,928
PFI	1,690	173	1,565
Other Resources	62,187	57,131	50,816
Total	75,141	82,232	77,309
CFR as at 31 March			
General Fund excl PFI	411,332	413,930	414,021
General Fund PFI	58,058	55,473	55,473
HRA excl PFI	192,440	186,181	186,181
HRA PFI	58,910	56,824	56,824
Total	720,740	712,408	712,499
External debt as at 31 March			
Borrowing	424,418	451,216	452,282
Other LT Liabilities	121,360	116,718	116,718
Total	545,778	567,934	569,000

A further two Prudential Indicators control overall level of borrowing. These are the Authorised Limit and the Operational Boundary. The Authorised Limit represents the limit beyond which borrowing is prohibited. It reflects the level

of borrowing which, while not desired, could be afforded in the short-term, but is not sustainable. It is the expected maximum borrowing need with some headroom for unexpected movements. This is the statutory limit determined under section 3(1) of the Local Government Act 2003.

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

	2016/17 £m
<u>Authorised limit for external debt</u>	
Borrowing	554.6
Other Long Term Liabilities	121.4
Total	676.0
 <u>Operational boundary for external debt</u>	
Borrowing	505.2
Other Long Term Liabilities	121.4
Total	626.6
 <u>Estimated maxima for external debt</u>	
Borrowing	452.3
Other Long Term Liabilities	121.4
Total	573.7

The Council is expected to comfortably remain within its Authorised Limit.

There is also a limit on HRA indebtedness set by the Department for Communities and Local Government under the recent HRA self-financing reform. The limit is set at £247.6 million for the HRA CFR excluding PFI liabilities. The estimated HRA CFR excluding PFI liabilities as at 31 March 2016 is £186.2 million which is well within the limit.

Estimates of ratio of financing costs to net revenue stream

This prudential indicator measures the impact of borrowing costs on the General Fund and the HRA. It expresses financing costs as a percentage of the “net revenue stream” (taxation and non-specific grant income for General Fund and gross income for HRA).

	2015/16 Actual	2016/17	
		Approved Indicator	Revised Estimate
General Fund	12.65%	12.70%	12.74%
General Fund (excl. PFI)	10.61%	10.70%	10.74%
HRA	30.89%	30.22%	30.28%
HRA (excl. PFI)	28.51%	27.93%	27.99%

The lower percentages for General Fund reflect lower financing costs mainly due to a slower anticipated rise in interest rates and capital slippage.

2. **Prudential indicators for prudence**

Net Borrowing and the Capital Financing Requirement (CFR)

In order to ensure that over the medium term, net borrowing will only be for a capital purpose, the authority should ensure that net external borrowing does not, except in the short term, exceed the total CFR. The Council comfortably complied with this requirement in 2015/16 and no difficulties are envisaged for current or future years.

3. **Prudential indicator for treasury management**

Treasury Management

The prudential indicator in respect of treasury management is that the local authority has adopted the CIPFA *Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes*. The aim is to ensure that treasury management is led by a clear integrated forward treasury management strategy, and a recognition of the pre-existing structure of the authority's borrowing and investment portfolios. The Council adopted the Code in February 2002.

APPENDIX E

Kirklees Council Investments 2016-17										
Counterparty	Credit Rating Sept 2016*	1 April 2016 (opening)			30 June 2016			30 September 2016		
		£m	Interest Rate	Type of Investment	£m	Interest Rate	Type of Investment	£m	Interest Rate	Type of Investment
Specified Investments										
Bank of Scotland Bank	F1/A+							6.0	0.40%	Instant Access
Handelsbanken Bank	F1+/AA	2.9	0.45%	Instant Access	2.4	0.45%	Instant Access			
Std Life (Igris) MMF**	AAAmmf	7.5	0.49%	MMF-Instant Acc	7.5	0.53%	MMF-Instant Acc	7.5	0.37%	MMF-Instant Acc
Aviva MMF**	Aaa-mf	7.3	0.48%	MMF-Instant Acc	6.2	0.44%	MMF-Instant Acc	8.6	0.31%	MMF-Instant Acc
Aviva - Govt MMF**	Aaa-mf				6.3	0.37%	MMF-Instant Acc	1.5	0.17%	MMF-Instant Acc
Deutsche MMF**	AAAmmf	6.7	0.46%	MMF-Instant Acc	8.1	0.46%	MMF-Instant Acc	6.2	0.32%	MMF-Instant Acc
Goldman Sachs MMF**	AAAmmf	6.0	0.44%	MMF-Instant Acc	8.1	0.46%	MMF-Instant Acc	7.7	0.30%	MMF-Instant Acc
Santander UK Bank	F1/A	5.0	0.65%	31 day notice	5.0	0.65%	31 day notice	3.0	0.40%	31 day notice
Non-specified investments										
Barclays*** Bank	F1/A	2.9	0.10%+0.40%	Instant Access	2.9	0.10%+0.40%	Instant Access	2.9	0.10%+0.40%	Instant Access
		38.3			46.5			43.4		
Sector analysis										
Bank		10.8	28%		10.3	22%		11.9	27%	
Building Society MMF**		27.5	72%		36.2	78%		31.5	73%	
Local Authorities/Cent Govt										
		38.3	100%		46.5	100%		43.4	100%	
Country analysis										
UK		7.9	21%		7.9	17%		11.9	27%	
Sweden		2.9	7%		2.4	5%				
MMF**		27.5	72%		36.2	78%		31.5	73%	
		38.7	100%		46.5	100%		43.4	100%	

*Fitch short/long term ratings, except Aviva MMF (Moody rating). See next page for key. The use of Fitch ratings is illustrative – the Council assesses counterparty suitability using all 3 credit rating agencies, where applicable, and other information on credit quality.

**MMF – Money Market Fund. These funds are domiciled in Ireland for tax reasons, but the funds are made up of numerous diverse investments with highly rated banks and other institutions. The credit risk is therefore spread over numerous countries, including the UK. The exception to this is the Aviva Government Liquidity Fund which invests directly in UK government securities and in short-term deposits secured on those securities.

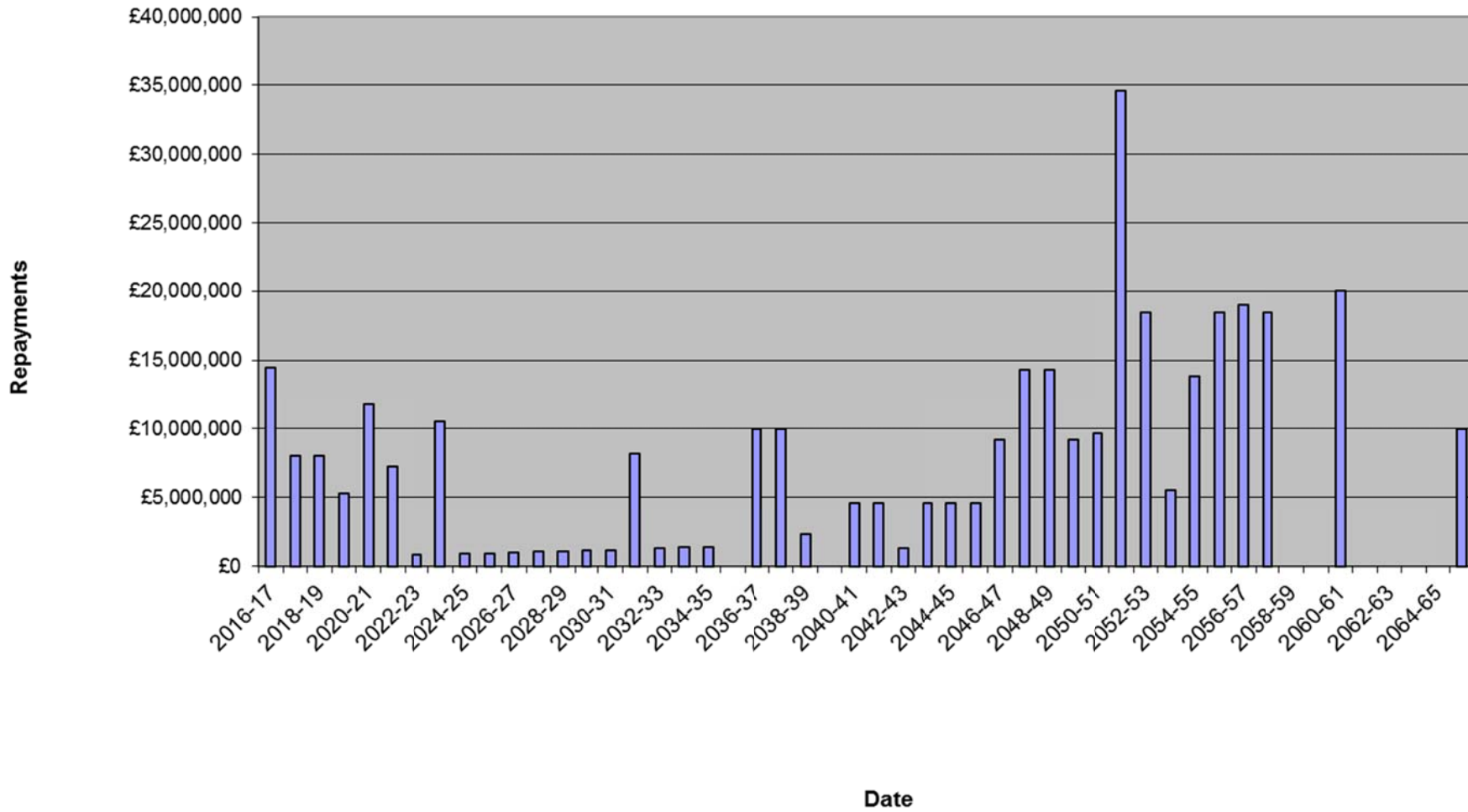
***Barclays falls into non-specified investment category due to lower rating with S&P.

APPENDIX E (cont)

Key – Fitch’s credit ratings:

		Long	Short	
Investment Grade	Extremely Strong	AAA	F1+	
		Very Strong		AA+
				AA
	Strong	AA-		
		A+		F1
		A		
	Adequate	A-		F2
		BBB+		
		BBB		F3
Speculative Grade	Speculative	BBB-	B	
		BB+		
		BB		
	Very Speculative	BB-		
		B+		
		B		
	Vulnerable	B-		C
		CCC+		
		CCC		
		CCC-		
Defaulting	CC	D		
	C			
	D			

KMC Loan Maturity Profile (Fixed-Rate)



Treasury Management Prudential Indicators

Interest Rate Exposures

While fixed rate borrowing can contribute significantly to reducing the uncertainty surrounding future interest rate scenarios, the pursuit of optimum performance justifies retaining a degree of flexibility through the use of variable interest rates on at least part of the treasury management portfolio. The Prudential Code requires the setting of upper limits for both variable rate and fixed interest rate exposure:

	Limit Set 2016 - 17	Estd Actual 2016 - 17
Interest at fixed rates as a percentage of net interest payments	60% - 100%	87%
Interest at variable rates as a percentage of net interest payments	0% - 40%	13%

The interest payments were within the limits set.

Maturity Structure of Borrowing

This indicator is designed to prevent the Council having large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates.

Amount of projected borrowing that is fixed rate maturing in each period as a percentage of total projected borrowing that is fixed rate	Limit Set 2016 - 17	Estd Actual 2016 - 17
Under 12 months	0% - 20%	2% - 4%
12 months to 2 years	0% - 20%	2% - 3%
2 years to 5 years	0% - 60%	5% - 7%
5 years to 10 years	0% - 80%	4% - 6%
More than 10 years	20% - 100%	80% - 84%

The limits on the proportion of fixed rate debt were adhered to.

Total principal sums invested for periods longer than 364 days

The Council will not invest sums for periods longer than 364 days.

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Name of meeting: Cabinet
Date: 15th November 2016

Title of report: Report on the outcomes from the non-statutory consultation for Members consideration on proposals for changes to specialist provision for children with Speech, Language and Communication Needs (SLCN) and autism

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 – this impacts on all wards across Kirklees
Is it in the Council’s Forward Plan ?	Yes – March 2016
Is it eligible for “call in” by Scrutiny ?	Yes
Date signed off by <u>Director</u> & name	4 th November 2016 Sarah Callaghan
Is it signed off by the Assistant Director for Resources?	3 rd November 2016 Debbie Hogg (Carole Hardern)
Is it signed off by the Assistant Director - Legal & Governance?	4 th November 2016 Julie Muscroft (John Chapman)
Cabinet member portfolio	Cllr Masood Ahmed Community Cohesion and Schools

Electoral [wards](#) affected: All wards

Ward councillors consulted: All councillors have been sent a consultation document and a covering letter as part of this process.

Public or private: Public

1. Purpose of report

The report sets out the outcomes from the non-statutory consultation that took place between 16th May 2016 and 17th June 2016 for Members’ consideration on proposals for changes to specialist provisions at Ashbrow School, Moldgreen Community Primary School & Thornhill Junior and Infant School and seeks a decision about the way forward.

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APPENDICES

Appendix A - Distribution List for consultation document.

Appendix B - Consultation Document.

Appendix C - Detailed feedback received in response to the consultation by stakeholder.

Appendix D – Notes of the meeting with SENCOs 20th September 2016

Appendix E – The Effectiveness of Primary SLCN Outreach evaluation questionnaire

Appendix F - The Effectiveness of Primary SLCN Outreach – questionnaire response summary

2. Summary

2.1 A four week term-time non-statutory consultation has been carried out with all key stakeholders to gather views about Kirklees Local Authority proposals to make changes to specialist provision at the following schools;

a) Ashbrow School

- Discontinue the 12 transitional places plus outreach for children with Speech, Language and Communication Needs (SLCN)

b) Thornhill J&I School

- Discontinue the 12 transitional places plus outreach for children with Speech Language and Communication Needs (SLCN)

c) Moldgreen Community Primary School

- Discontinue the 10 transitional places plus outreach for children with autism (This proposal enables the legal closure of this specialist provision where there have been no children in transitional places since July 2014)

d) Primary outreach provision for Speech, Language and Communication Needs (SLCN) and autism across Kirklees

- Proposal to increase resources for a centralised primary outreach provision 'hub' to serve the whole of Kirklees for children with Speech, Language and Communication Needs (SLCN) and autism.

From over 1,100 consultation documents circulated, 39 responses were received. Responses have been received from parents and carers, governors, staff, residents, and other respondents. A consultation drop-in event has been held at Ashbrow School, the session was held during the non- statutory consultation period on 23rd May 2016. This was an opportunity for governors and staff at Ashbrow School and all other stakeholders to discuss the proposals with officers from the Council's Learning and Skills Service and was also designed to support parents and carers in completing consultation response forms.

The key themes drawn from the consultation are that:-

- There are concerns about the impact that the loss of dedicated support would have on children with SLCN. There are some respondents who are worried that this would mean the children become less of a priority.
- Views were expressed that children with the most complex SLCN require intense therapy and support on a one-to-one basis several times per week, many respondents are concerned that outreach does not address the needs of these children.
- Respondents showed concern at a loss of dedicated provision at Primary level in South Kirklees. They explained that a lack of early intervention and prevention could potentially mean it is too late to effectively support those with SLCN at high school age if the right provision has not been available at primary level.

- There is a general concern regarding the lack of evidence of the effectiveness of an external outreach provision, which is combined with some expressing difficulties in accessing this provision.
- Respondents who strongly opposed the proposals pointed out that demand was prevalent in Kirklees and that there were major problems with the existing referral process, parents have reported that they were never made aware of the provision.
- Respondents pointed out that changes should not be made to save money and that the needs of children should be the key consideration.
- Concern was raised that outreach staff could become de-skilled as they need to work in a specialist provision to gain knowledge, and would become isolated.

2.2 Following the four week term-time non-statutory consultation, and after analysis of the feedback received (this is detailed in Appendix C), the officer recommendations to Cabinet members are that:

- a) Approval is given for the statutory process to proceed to the next stage which is for the publication of a statutory notice and proposals (representation period) for the following proposals;

Moldgreen Community Primary School. *Discontinue the 10 transitional places for children with autism at Moldgreen Community Primary School.*

- b) **Thornhill J&I School.** *It should be noted that the school converted to become an Academy on 1st September 2016. As part of the conversion process the matter of discontinuance of the specialist provision was considered. By mutual agreement, the funding agreement signed between Focus Trust (the Multi Academy Trust that Thornhill J & I School has joined) and the Secretary of State, does not include any specialist provision places and therefore no further statutory process is required for this school. If the process of academisation had not taken place, member's approval would have been sought to move to the next stage of the statutory process also.*

Following the subsequent 4 week representation period, the proposal should be brought back to Cabinet for final decision regarding implementation of the proposals from 1st April 2017.

- c) Following the outcome of the consultation, time has been taken to reconsider and reshape the initial proposals regarding the following proposals:-

Ashbrow School. *Discontinue the 12 transitional places for children with Speech Language and Communication Needs at Ashbrow School.*

Primary outreach provision for Speech, Language and Communication Needs (SLCN) and autism across Kirklees. *Proposal to increase resources to a centralised primary outreach provision 'hub' to serve the whole of Kirklees for children with Speech, Language and Communication Needs (SLCN) and autism.*

- d) Therefore, permission is sought to proceed to a 4 week period for an opportunity to seek expressions of interest for a primary school to host a combined 'Communication and Interaction' specialist provision with 12 transitional places plus outreach.

Following the 4 week 'expression of interest' period, the proposals should be brought back to Cabinet for further approval to proceed with 'recommissioning'.

3. Background

Work has been taking place since 2008 to look at the best way to meet the needs of children and young people in Kirklees who have special educational needs (SEN). Since then and following consultation, views have been given by a wide range of people, including head teachers, staff, governors, professionals and parents of children with SEN. Following the review, changes were agreed in 2012 and as part of this; the revised approach for specialist provision across the authority has been implemented.

Since the re-organisation of specialist provision for children with special educational needs was initially implemented, all specialist provisions are subject to Service Level Agreements that are reviewed regularly. Following a review of uptake as part of the monitoring of the Service Level Agreements, the need for some changes to be made to existing provisions were identified and detailed in a report to Kirklees Cabinet on the 2nd December 2014. These proposals were designed to improve existing arrangements for children in some specialist resource provisions in order to provide the best possible standards of care and education, to ensure resource was provided fairly to all Kirklees children with SEN and, to retain and improve services for children with special educational needs and their families.

4. The proposals

On 5th April 2016 Cabinet members authorised officers to develop plans for a consultation to make changes to the specialist provision for children with Speech, Language and Communication Needs (SLCN) and autism. The proposals that were consulted upon are;

- a) for the provision of 12 transitional places and outreach for children with speech, language and communication needs at Ashbrow School to be discontinued.
- b) for the provision of 12 transitional places for children with speech, language and communication needs and outreach at Thornhill J&I School to be discontinued.
- c) for the provision of 10 transitional places and outreach for children with autism at Moldgreen Community Primary School to be discontinued.

**Note – This proposal enables the legal closure of this specialist provision where there have been no children in transitional places since July 2014*

- d) to increase resources to a centralised primary outreach provision 'hub' to serve the whole of Kirklees for children with Speech, Language and Communication Needs (SLCN) and autism.

The rationale for bringing forward the proposals is because of the positive outcomes from outreach support in mainstream schools that supports children and young people to be supported in their local school, there is a reduced demand for transitional places for children with Speech, Language and Communication Needs (SLCN) and autism. It was proposed that the changes would be implemented from 1st December 2016.

4.1 The benefits of changes to specialist resource provisions.

By continually reviewing the specialist provision offer:-

- The overall pattern of specialist school provision in Kirklees gives a flexible range of provision and support that can respond to the needs of individual pupils and parental preferences, in a safe environment where young people can thrive in buildings and provision tailored to meet their special educational need or disability and which takes full account of educational considerations, in particular the need to ensure a broad and balanced curriculum, within a learning environment where children can be healthy and stay safe.
- Provide access to appropriately trained staff and access to specialist support and advice, so that individual pupils can have the fullest possible opportunities to make progress in their learning and participate in their local school and community.
- Supports the LA's strategy for making schools and settings more accessible to disabled children and young people and their scheme for promoting equality of opportunity for disabled people.
- Takes account of the original consultations with a wide range of stakeholders regarding the range of specialist provision in Kirklees.

5. Consultation methodology

5.1 A non-statutory consultation took place between 16th May 2016 and 17th June 2016. Consultation documents were written and produced with due regard to 'The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations April 2016' and with reference to the detail contained in the cabinet report from the 5th April 2016.

Consultation documents were made widely available. Documents were sent to the families of pupils at Ashbrow School & Thornhill Junior and Infant School. Documents were also sent to all school staff at Ashbrow School and Thornhill J&I School, and to the school governors at all schools affected by the proposals, Ashbrow School, Thornhill J&I School and Moldgreen Community Primary School.

Copies of the consultation document were also sent to Kirklees Special Schools, other Kirklees schools with specialist provisions, all elected members, trade union representatives, faith groups, neighbouring Local Authorities, local community groups and other teams affected within the Council. The consultation document was also made available on the Council's website, at the consultation event and by request. A complete list of distribution is attached at Appendix A.

During the consultation period more than 1,100 documents were distributed either via royal mail, schools, internal mail or at the consultation event. The documents and an online response form were available throughout the consultation period on the Kirklees webpage: www.kirklees.gov.uk/schoolorganisation

5.2 The consultation material consisted of the document included in Appendix B. - "Non Statutory consultation on proposals for: Changes to specialist provision for children with Speech, Language and Communication Needs (SLCN) and autism. Please tell us your views on our proposals"

The consultation document outlined the proposals for:

- a) Ashbrow School to discontinue the provision of 12 transitional places for children with SLCN.
- b) Thornhill J&I School to discontinue the provision of 12 transitional places for children with SLCN.
- c) Moldgreen Community Primary School to discontinue the provision of 10 transitional places for children with autism.
- d) To provide a Primary outreach provision for Speech, Language and Communication Needs (SLCN) and autism across Kirklees.

The document detailed the proposed future provisions and the document had feedback forms for each of the 4 proposals that were designed to enable qualitative feedback, and questions to ascertain the type of stakeholder responding.

Forms could be completed in writing or electronically on the Council website. In addition, individuals were encouraged to feedback any additional views either via email or letter. A 'Freepost' address was available for returning paper forms and/or letters to maximise the opportunities for receiving feedback to the proposals.

5.3 A consultation 'drop-in session' for parents/carers and members of the community was held at Ashbrow School on 23rd May 2016. This was also an opportunity for staff and governors from Ashbrow School to discuss the proposals with officers from the Council's Learning Service.

The meeting was planned to enable individuals to speak with officers about the proposals in more detail (and in particular about the potential implications for them as individuals and their families).

Parents/carers and members of the community were invited to attend the consultation session.

Table 1 : Count of attendees at the drop-in event			
Date	Venue	Time	Number of attendees
23 rd May	Ashbrow School	16:30-18:00	26
Total			26

Further engagement has been held with the leadership of Thornhill J&I School and Moldgreen Community Primary School.

Throughout the consultation period further opinions and questions were recorded via a dedicated e-mail address (school.organisation@kirklees.gov.uk), by a freepost address and via telephone (01484 221000).

6. Response to consultation

Attached at Appendix C is a comprehensive report which details the responses received to the consultation and is organised by stakeholder.

6.1 Analysis of responses received

Table 2 : Count of responses received	
E-mail	0
On-line form	22
Response Sheet	17
Letters	0
Total	39

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

Q1) Do you support or oppose the proposal relating to Ashbrow School?

Table 3 (a) Type of respondent for Ashbrow School		
Respondent	Number of responses	% of responses
Parents/Carers	15	36%
Pupils	0	0%
Staff Members	12	29%
Governors	5	12%
Local Residents	2	5%
Other	4	9%
Not Stated	4	9%
42		

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

Table 3 (a) shows 36% of responses were from parents and carers, 29% of respondents were staff members and a further 12% were classified as governors.

Q2) Do you support or oppose the proposal relating to Thornhill Junior and Infant School?

Table 3 (b) Type of respondent for Thornhill J&I School		
Respondent	Number of responses	% of responses
Parents/Carers	14	41%
Pupils	0	0%
Staff Members	11	32%
Governors	4	12%
Local Residents	2	6%
Other	2	6%
Not Stated	1	3%
	34	

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

Table 3 (b) shows that 41% of responses were from parents and carers, 32% were from staff members and a further 12% were respondents classified as governors.

Q3) Do you support or oppose the proposal relating to Moldgreen Community Primary School?

Table 3 (c) Type of respondent for Moldgreen Community Primary School		
Respondent	Number of responses	% of responses
Parents/Carers	14	41%
Pupils	0	0%
Staff Members	11	32%
Governors	4	12%
Local Residents	2	6%
Other	2	6%
Not Stated	1	3%
	34	

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

Table 3 (c) shows that 41% of responses were from parents, 32% were from staff members and a further 12% were respondents classified as governors.

Q4) Do you support or oppose the proposal relating to the provision of a centralised primary outreach hub?

Table 3 (d) Type of respondent for the provision of a centralised primary outreach hub		
Respondent	Number of responses	% of responses
Parents/Carers	14	41%
Pupils	0	0%
Staff Members	10	29%
Governors	4	12%
Local Residents	2	6%
Other	3	9%
Not Stated	1	3%
	34	

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

Table 3 (d) shows that 41% of responses were from parents and carers, 29% were from staff members and a further 12% were respondents classified as governors.

6.1.1 Summary of respondents by response type.

Q1) Do you support or oppose the proposal relating to Ashbrow School?

Table 4 (a) Summary table by response type	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	Total
	3	0	2	1	30	2	38
	8%	0%	5%	3%	79%	5%	

***Note – Where respondents have been classified in more than one category, the total number of responses in this table have been counted only once.**

Table 4 (a) provides a summary of the responses received and is included in order that the overall level of support and opposition to the proposal can be clearly established, from the responses received.

Table 4 (a) shows that 8% of respondents either strongly supported or supported the proposal. 5% of respondents neither supported nor opposed the proposal with 82% of respondents opposing or strongly opposing the proposal.

Q2) Do you support or oppose the proposal relating to Thornhill Junior and Infant School?

Table 4 (b) Summary table by response type	strongly support	support	neither support nor oppose	Oppose	strongly oppose	don't know	Total
	5	1	5	0	14	5	30
	17%	3%	17%	0%	46%	17%	

***Note – Where respondents have been classified in more than one category, the total number of responses in this table have been counted only once.**

Table 4(b) provides a summary of the responses received and is included in order that the overall level of support and opposition to the proposal can be clearly established, from the responses received.

Table 4(b) shows that 20% of respondents either supported or strongly supported the proposal. 17% of respondents neither supported nor opposed the proposal with 63% opposing or strongly opposing the proposal and 17% of respondents were categorised as “don't know”.

Q3) Do you support or oppose the proposal relating to Moldgreen Community Primary School?

Table 4 (c) Summary table by response type	strongly support	support	neither support nor oppose	Oppose	strongly oppose	don't know	Total
	5	1	3	3	14	4	30
	17%	3%	10%	10%	47%	13%	

***Note – Where respondents have been classified in more than one category, the total number of responses in this table have been counted only once.**

Table 4(c) provides a summary of the responses received and is included in order that the overall level of support and opposition to the proposal can be clearly established, from the responses received.

Table 4(c) shows that 20% of respondents either supported or strongly supported the proposal. 10% of respondents neither supported nor opposed the proposal with 57% opposing or strongly opposing the proposal.

Q4) Do you support or oppose the proposal relating to the provision of a centralised primary outreach hub?

Table 4 (d) Summary table by response type	strongly support	support	neither support nor oppose	Oppose	strongly oppose	don't know	Total
	4	2	6	3	12	3	30
	13%	7%	20%	10%	40%	10%	

***Note – Where respondents have been classified in more than one category, the total number of responses in this table have been counted only once.**

Table 4(d) provides a summary of the responses received and is included in order that the overall level of support and opposition to the proposal can be clearly established, from the responses received.

Table 4(d) shows that 20% of respondents either supported or strongly supported the proposal. 20% of respondents neither supported nor opposed the proposal with 50% opposing or strongly opposing the proposal and 10% of respondents were categorised as “don’t know”.

6.1.2 Responses from parents/carers

Q1) Do you support or oppose the proposal relating to Ashbrow School?

Table 5 (a) Responses of parents/carers with pupils at	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	total	
Ashbrow School					4		4	25%
Ashbrow & Royds Hall Schools					1		1	7%
Castle Hill School					1		1	7%
Farnley Tyas First School					1		1	7%
Honley High Schools					1		1	7%
Lindley Infant School					1		1	7%
Meltham Moor Primary School			1				1	7%
Royds Hall Community School					1		1	7%
Shaw Cross J&I School					1		1	7%
Thornhill J&I School	1				1		2	12%
Not-stated						1	1	7%
Total	1	0	1	0	12	1	15	
	7%	0%	7%	0%	79%	7%		

- Table 5 (a) shows the distribution of responses from parents/carers, 15 responses were received.
- 7% of this group of respondents strongly support the proposal, 7% neither support or oppose the proposal, with 79% strongly opposing the proposal.

Q2) Do you support or oppose the proposal relating to Thornhill Junior and Infant School?

Table 5 (b) Responses of parents/carers with pupils at	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	Total	
Ashbrow School	1		1		1		3	23%
Ashbrow & Royds Hall Schools					1		1	7%
Castle Hill School					1		1	7%
Farnley Tyas First School					1		1	7%
Honley High Schools			1				1	7%
Lindley Infant School					1		1	7%
Meltham Moor Primary School			1				1	7%
Royds Hall Community School					1		1	7%
Shaw Cross J&I School					1		1	7%
Thornhill J&I School	1				1		2	14%
Not stated						1	1	7%
Total	2	0	3	0	8	1	14	
	14%	0%	22%	0%	57%	7%		

- Table 5 (b) shows the distribution of responses from parents/carers, which included 14 responses in total.
- 57% opposing or strongly opposing the proposal, 14% of parents/carers strongly supported or supported the proposal, and 22% neither supporting nor opposing the proposal.

Q3) Do you support or oppose the proposal relating to Moldgreen Community Primary School?

Table 5 (c) Responses of parents/carers with pupils at	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	total	
Ashbrow School	1			1	1		3	22%
Ashbrow & Royds Hall Schools					1		1	8%
Castle Hill School					1		1	8%
Farnley Tyas First School		1					1	8%
Honley High Schools			1				1	8%
Lindley Infant School					1		1	8%
Meltham Moor Primary School			1				1	8%
Royds Hall Community School					1		1	8%
Shaw Cross J&I School					1		1	8%
Thornhill J&I School	1				1		2	14%
Total	2	1	2	1	7	0	13	
	15%	8%	15%	8%	54%	0%		

- Table 5 (c) shows the distribution of responses from parents/carers, 13 responses were received.
- 23% of this group of respondents strongly supporting or supporting the proposal, with 62% opposing or strongly opposing the proposal.

Q4) Do you support or oppose the proposal relating to the provision of a centralised primary outreach hub?

Table 5 (d) Responses of parents/carers with pupils at	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	Total	
Ashbrow School			1			2	3	22%
Ashbrow & Royds Hall Schools				1			1	7%
Castle Hill School			1				1	7%
Farnley Tyas First School		1					1	7%
Honley High Schools			1				1	7%
Lindley Infant School			1				1	7%
Meltham Moor Primary School	1						1	7%
Royds Hall Community School					1		1	7%
Shaw Cross J&I School					1		1	7%
Thornhill J&I School	1		1				2	15%
Not stated						1	1	7%
Total	2	1	5	1	2	3	14	
	14%	7%	35%	7%	14%	23%		

- Table 5 (d) shows the distribution of responses from parents/carers, 14 responses were received.
- 21% of this group of respondents strongly supporting or supporting the proposal, with 21% opposing or strongly opposing the proposal.

6.1.3 Responses from Staff.

Q1) Do you support or oppose the proposal relating to Ashbrow School?

Table 6 (a) Responses from individual staff at	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	total	
Ashbrow School					8		8	73%
Thornhill J&I School	1						1	9%
Not stated			1		1		2	18%
	1	0	1	0	9	0	11	
	9%	0%	9%	0%	82%	0%		

- Table 6(a) shows the distribution of responses from individual staff members from various schools. A total of 11 responses received from staff members. 9% strongly supported or supported the proposal. 82% of these respondents strongly opposed the proposal.

Q2) Do you support or oppose the proposal relating to Thornhill Junior and Infant School?

Table 6 (b) Responses from individual staff at	strongly support	support	neither support nor oppose	oppose	Strongly oppose	don't know	Total	
Ashbrow School	1		1		4	2	8	73%
Thornhill J&I School	1						1	9%
Not Stated		1	1				2	18%
	2	1	2	0	4	2	11	
	18%	10%	18%	0%	36%	18%		

- Table 6(b) shows the distribution of responses from individual staff members from various schools. A total of 11 responses were received. 28% strongly supported or supported the proposal with 36% strongly opposing the proposal.

Q3) Do you support or oppose the proposal relating to Moldgreen Community Primary School?

Table 6 (c) Responses from individual staff at	strongly support	support	neither support nor oppose	oppose	Strongly oppose	don't know	total	
Ashbrow School	1			1	5	1	8	73%
Thornhill J&I School	1						1	9%
Not stated				2			2	18%
	2	0	0	3	5	1	11	
	18%	0%	0%	27%	46%	9%		

- Table 6(c) shows the distribution of responses from individual staff members from various schools. A total of 11 responses were received. 18% strongly supported the proposal and 73% opposed or strongly opposed the proposal.

Q4) Do you support or oppose the proposal relating to the provision of a centralised primary outreach hub?

Table 6 (d) Responses from individual staff at	strongly support	support	neither support nor oppose	oppose	Strongly oppose	don't know	total	
Ashbrow School				1	5	1	7	70%
Thornhill J&I School	1						1	10%
Not stated		1		1			2	20%
	1	1	0	2	5	1	10	
	10%	10%	0%	20%	50%	10%		

- Table 6(d) shows the distribution of responses from individual staff members from various schools. A total of 10 responses were received. 20% strongly supported or support the proposal and 70% opposed or strongly opposed the proposal.

6.1.4 Responses from Governors.

Q1) Do you support or oppose the proposal relating to Ashbrow School?

Table 7 (a) Responses from governors at	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	total	
Ashbrow School					3		3	60%
Thornhill J&I School	1						1	20%
Not stated				1			1	20%
	1	0	0	1	3	0	5	
	20%	0%	0%	20%	60%	0%		

- Table 7(a) shows responses from Governors. A total of 5 responses were received. 20% of governors strongly supported the proposal and 80% of governors responded opposed or strongly opposed the proposal.

Q2) Do you support or oppose the proposal relating to Thornhill Junior and Infant School?

Table 7 (b) Responses from governors at	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	total	
Ashbrow School			1		1	1	3	75%
Thornhill J&I School	1						1	35%
	1	0	1	0	1	1	4	
	25%	0%	25%	0%	25%	25%		

- Table 7(b) shows responses from Governors. A total of 4 responses were received, with 25% strongly supporting the proposal and 25% strongly opposing the proposal. The low number of responses should be noted.

Q3) Do you support or oppose the proposal relating to Moldgreen Community Primary School?

Table 7 (c) Responses from governors at	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	total	
Ashbrow School			1	1		1	3	75%
Thornhill J&I School	1						1	25%
	1	0	1	1	0	1	4	
	25%	0%	25%	25%	0%	25%		

- Table 7(c) shows responses from Governors. A total of 4 responses were received, with 25% strongly supporting the proposal and 25% stating 'don't know'. The low number of responses should be noted.

Q4) Do you support or oppose the proposal relating to the provision of a centralised primary outreach hub?

Table 7 (d) Responses from governors at	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	total	
Ashbrow School					2	1	3	75%
Thornhill J&I School	1						1	25%
	1	0	0	0	2	1	4	
	25%	0%	0%	0%	50%	25%		

- Table 7(d) shows responses from Governors. A total of 4 responses were received, with 25% strongly supporting the proposal and 50% strongly opposing the proposal. The low number of responses should be noted.

6.1.5 Responses from Other respondents, Local Residents and respondents not stated.

Q1) Do you support or oppose the proposal relating to Ashbrow School?

Table 8(a) Responses from other respondents	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	Total	
Local Residents					2		2	20%
Other respondents					3	1	4	40%
Not stated					4		4	40%
	0	0	0	0	9	1	10	
	0%	0%	0%	0%	90%	10%		

- Table 8 (a) shows responses from other respondents including Local Residents. A total of 10 responses were received of which 90% strongly opposed the proposal.

Q2) Do you support or oppose the proposal relating to Thornhill Junior and Infant School?

Table 8(b) Responses from other respondents	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	Total	
Local Residents					2		2	40%
Other respondents			1			1	2	40%
Not stated			1				1	20%
	0	0	2	0	2	1	5	
	0%	0%	40%	0%	40%	20%		

- Table 8 (b) shows responses from other respondents including Local Residents. A total of 5 responses were received of which 40% strongly opposed the proposal.

Q3) Do you support or oppose the proposal relating to Moldgreen Community Primary School?

Table 8(c) Responses from other respondents	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	Total	
Local Residents					2		2	40%
Other respondents				1		1	2	40%
Not stated					1		1	20%
	0	0	0	1	3	1	5	
	0%	0%	0%	20%	60%	20%		

- Table 8(c) shows responses from other respondents including Local Residents. A total of 5 responses were received of which 60% strongly opposed the proposal.

Q4) Do you support or oppose the proposal relating to the provision of a centralised primary outreach hub?

Table 8(d) Responses from other respondents	strongly support	support	neither support nor oppose	oppose	strongly oppose	don't know	Total	
Local Residents					1	1	2	34%
Other respondents					2	1	3	50%
Not stated			1				1	16%
	0	0	1	0	3	2	6	
	0%	0%	17%	0%	50%	33%		

- Table 8(d) shows responses from other respondents including Local Residents. A total of 6 responses were received of which 50% strongly opposed the proposal.

6.2 Key themes from the consultation responses.

The feedback from the consultation features the following themes.

6.2.1. Impact of the loss of dedicated support
Summary response
Respondents who strongly opposed the proposals at Ashbrow were concerned about the impact that the loss of dedicated support would have on children with SLCN. Respondents are worried that this will see the children becoming less of a priority, struggling within a mainstream setting and that the lack of support will mean they may be labelled as ‘disruptive’ with behavioural problems.
Officer commentary
<p>The existing outreach support offer to all mainstream schools has been in place since the implementation of the reorganisation of specialist SEN provision in 2013. Prior to this time there was no specialist outreach support available from what was at the time the one LA dedicated provision (Ashbrow). The outreach support offered since 2013 has meant that many children have been able to benefit from the team’s expertise whilst continuing to attend their local mainstream schools. Outreach support has meant that many schools across Kirklees have been able to better meet the needs of children with SLCN. This was a key principle underpinning the reorganisation of specialist provision in 2013, to enable more children to have their needs met within their local school. This principle is consistent with the SEND Code of Practice 2014 which clearly outlines the responsibilities of mainstream schools with regard to identifying special educational needs.</p> <p>There will be no loss of dedicated support given that existing staff will be accommodated within the new model in order to ensure existing skills and expertise within primary SLCN specialist provision are retained. Staff already working within the system will continue to deliver support to children in their local schools as they have done since the implementation of the SEN review in 2013. The lack of take up of places at Ashbrow and Thornhill has meant that staff working as part of the specialist team have been able to direct a significant amount of time towards supporting Kirklees mainstream schools through the outreach offer to better meet the needs of children with SLCN. Over the last 2 years the team have responded to 165 referrals offering varying levels of support on a flexible basis according to the needs of the child and the setting attended. This support has ranged from consultation visits to more intensive and regular support as determined by the individual case. This will continue.</p>
Summary response
Children with the most complex SLCN require intense therapy and support on a one-to-one basis several times per week, many respondents are concerned that outreach does not address the needs of these children. Respondents felt the children will suffer from a loss of close relationships with support staff who they trust and who they depend upon. A generalised solution will not work for some children. A lack of a feeling of security affects behaviour.
Officer commentary
<p>Children with complex SLCN needs can access speech and language therapy services whilst attending mainstream schools. Centring additional SALT support around one school may be highly beneficial to the very small number of children accessing a transitional placement at that school, however it creates an inequity of</p>

provision for those children with similar levels or even greater levels of need who remain in their local school.

Specialist provision and SALT services work together where they are both involved with a child, however they are different services and as such, have a different offer. SALT give a diagnostic report of the child's needs often with recommendations for how these needs can be supported in school. The specialist provision teams are educationalists who identify barriers to learning for children with SLCN who support schools to put interventions into place which remove or minimise those barriers to learning and advice on what specific strategies and resources can be used to support these. Many children referred to specialist provision outreach do not have SALT involvement, often because they do not meet the thresholds for SALT assessment or continued SALT involvement post assessment. In those cases where SALTs are involved the outreach team will support schools to implement the recommendations made by speech therapy within the learning setting, advising on strategies and specific approaches. The responsibility on mainstream schools to meet the needs of children with SEND is clearly documented in the Code of Practice 2014. The Code is clear that therapists have important and specific roles in supporting children and young people with SEN or disabilities, working directly with children and young people, advising and training education staff and setting programmes for implementation at home and in school (para 3.63). It is anticipated that this is determined by the child's needs rather than being specific to particular schools or types of schools.

In terms of a 'one size fits all' notion, support offered through any aspect of specialist provision, regardless of strand of need, is based on a flexible offer which takes into account the child's needs, the learning environment and the support required. In terms of outreach, responses to referrals vary tremendously based on this. For example, some referrals may only require one visit to advise staff on particular strategies whereas another case may require more frequent visits to model ways of working to the key adults in the child's school, undertake some direct work with the child and offer follow up support and advice as necessary. The aim of outreach is to ensure that individual children's needs are met and to build up the skills of staff in the local school where children already have secure relationships with familiar adults and established friendship groups in a setting within their local community.

There are 3 children remaining at Ashbrow who will be supported by existing staff.

Summary response

The permanent closure of the specialist provisions removes parental choice, there are children who have been refused a place at Headlands as there is no space.

Officer commentary

Places are reduced for children with complex ASD as a result of the closure of Moldgreen. There are 6 places at Headlands for children who have complex ASD. Places are agreed as part of the statutory SEN statement/EHCP review processes. Whilst the closure of Moldgreen has reduced the number of places available, the staffing resource released has been utilised to support children more effectively in their local schools. There is no evidence to indicate that children have been refused a place as a consequence of the request being made following the statement/EHCP review.

6.2.2. Lack of continuity of dedicated provision between nursery and high school

Summary response

Respondents showed concern that the Ashbrow proposal will mean a loss of dedicated provision at Primary level in South Kirklees and that this doesn't make sense when there will still be provision available at Royds Hall for Secondary age students, especially as this is now an all-through school. Respondents raised concerns regarding impact on social skills, the effect on academic achievements and progress in speech therapy.

Officer commentary

The proposal to reallocate primary SLCN 'places' based resources to increase the outreach support is based on the low number of children taking up places. Children accessing specialist provision primary places in all strands at primary level is lower than those accessing places at secondary school, for a number of reasons. The way primary schools are organised and the particular environment are more conducive to meeting complex needs. For example, children largely remain in one room with one teacher who knows the child very well. This changes significantly at high school where children need to move around for lessons and have contact with many more teachers in an environment where there is an increased complexity of language and social situations which can result in anxieties and an increase in gaps in learning without specialist support. As such, requests for places in specialist provision high schools or even special schools increase significantly at the primary to high school transition points. The majority of children accessing KS3 specialist provision places at Royds Hall are from their local mainstream schools and have been both prior to and after the reorganisation of provision. This indicates that there are children with complex SLCN whose needs are met effectively within local mainstream primary school provision with outreach support up until the end of KS2. Royds Hall is not currently an all-through school as it goes up to Y2 at present at Primary level, this will build up year on year.

Summary response

A lack of early intervention and prevention could potentially mean it is too late to deal with SLCN at high school age if this has not been addressed at primary level as needs will be much greater.

Officer commentary

By its very nature, a key function of outreach is to ensure specialist support is available at the earliest opportunity. As soon as a child is identified as having SLCN, the school can make a referral to the specialist provision outreach team and have a response within 2 weeks. This response includes an array of support, for example, building the capacity of mainstream schools to enable them to better meet need, providing training for schools on identifying SLCN, targeted interventions for individual children, environmental audits, language friendly classrooms, etc. This support is geared towards supporting the delivery of quality first teaching for all children and ensuring appropriate differentiation and personalised support is available where needed. SENCO Champions highlighted a cohort of children who have SLCN along with a range of other often more significant difficulties which require a different type of provision from purely SLCN. SENCOs suggested that this cohort of children challenge schools the most and identified a lack of specific specialist provision places for this group of children. It was felt that some of these children may have underlying SLCN that have gone unidentified at an earlier age, and it was

acknowledged that the outreach support now offered can help with this in terms of supporting schools with developing robust early identification processes so that children can be supported earlier which may prevent additional problems arising later. They also felt that for some children, the overlap of a range of difficulties, one of which may be SLCN meant that a more holistic approach was needed to tackle presenting needs around social communication skills and challenging behaviour and that a refocus of a primary provision from singly 'SLCN' to 'communication and interaction' would better accommodate this more complex cohort of children whilst at the same time cater for children with complex SLCN or ASD.

6.2.3. Effectiveness of outreach provision and level of demand for places

Summary response

There is a general concern regarding the lack of evidence of the effectiveness of an external outreach provision, combined with the apparent difficulties in accessing this provision. Many respondents made points about the ability of mainstream school teaching staff to follow through on advice and guidance from outreach support, and whether they have the time and skills required to effectively support the child.

Officer commentary

In the evaluation of the Specialist Provision Primary SLCN Outreach (2015/16) (See Appendix F) schools indicate clearly the positive impact for pupils, staff and in whole school improvement.

In terms of impact on the child referred for outreach support, schools report improved outcomes, reduced anxieties, children happier to come to school, improved behaviour, increased engagement in class, adaptations to the environment and other changes having positive impact on student development.

In terms of impact of outreach support on key staff, schools report positive impact, for example, increased confidence, staff are re-assured by advice, increased knowledge, support in trying out new strategies, advice on resources, increased confidence to speak to parents about their child, helpful training and staff development, increased staff awareness about more complex needs, confidence in planning for more complex needs.

With regard to impact of outreach on the whole school, positive impact was indicated; from general and specific training for all staff, increased knowledge and confidence in meeting needs of the children, sharing good practice, using advice to cascade to other staff, improvement in the school environment, supported children to meet and exceed their expected progress, support with writing reports and My Support Plans, support and training for new staff, consistency of practice across school.

Summary response

Respondents who strongly opposed the proposals pointed out that the demand for such services was prevalent in Kirklees and that there were major problems with the existing referral process, in some cases parents have reported that they were never made aware of the provision. There are comments raised to challenge the apparent 'low level of demand' and that this is a false representation due to the low level of referral and lack of promotion of the provision.

Officer commentary

Referral for specialist provision support is largely school based however there is an option for parents to contact the service directly which is referred to in information on

the Local Offer. Over the past 2 years there have been 604 referrals to Specialist Provision from schools, of which 165 were responded to by SLCN. SENCO feedback confirms speed of response following referral as well as the ease of the referral process. In terms of access to transitional places, these are managed through the statutory statement/EHCP review processes. This ensures that only those children with the most complex needs who have undergone a period of intensive outreach support where, as part of the review process, there is a recommendation that a transitional place at a specialist provision school be considered by the local authority. The provision is referred to on the Local Offer as well as provision school websites. At the time of its implementation it was promoted to schools. There have been regular promotion events at SENCONET meetings for schools as well as it being included in the training for new SENCOs.

Summary response

A full ICAN provision at Ashbrow shows that there is demand and need and that the provision has shown excellent progress for those children over time.

Officer commentary

The aim of ICAN provision is to provide intensive specialist early intervention to children aged 3-4 (or almost 3) with specific speech and language impairment. Children attend between 2-5 sessions per week for up to 3 terms. At the point of transition to local mainstream provision, ICAN offer support and outreach if needed. ICAN is not intended as a precursor to placement at specialist provision given that it is a short term pre-school provision.

Summary response

It's a long way for children in South Kirklees to travel to Headlands if they do need a transitional place. This means an inequality of provision across the district.

Officer commentary

The closure of Moldgreen does mean that any children with ASD requiring a transitional specialist provision placement living in the south of the borough may have a longer journey dependent upon their location in Kirklees. Setting up a specialist provision school to cater for such a potential small number of children may not be deemed cost efficient particularly when the primary ASD outreach team provide significant support to this group of children. Over the past year however specialist services have been aware of an increasing cohort of young people who display a range of complex needs including those with ASD and with identified SLCN.

These young people are often displaying a complex range of behaviours which are challenging to the mainstream school and place them at risk of exclusion. For some of these children, even after extensive outreach, a number of young people are unable to successfully access a mainstream school.

Schools have identified that the expectations for these young people with identified complex needs can often result in them having overwhelming levels of anxieties and /or challenging behaviours which mainstream schools are unable to manage as effectively as is required. For these young people support is required which can quickly and efficiently respond to their needs in a timely way which equips the young person with the necessary skill set to regulate them emotionally and specifically address their identified SEN needs. This is consistent with feedback from SENCO Champions referred to above (See Appendix D).

6.2.4 Moldgreen Community Primary School – Discontinue the transitional places for children with autism

Summary response

Children with autism need plainer environments where they are not over-stimulated and are constant, mainstream schools cannot offer this.

Officer commentary

Specialist ASD outreach offers a package of individual support for pupils in mainstream schools which allows many young people with ASD to be successfully supported in their local mainstream school and schools welcome and value this support. The team work with mainstream schools to ensure an environment conducive to learning for children with ASD. This is provided through an environmental audit which enables key sensory areas to be identified and adaptations made to support the young person with ASD. Outreach supports settings to link individualised education programmes to the core characteristics of ASD and identify key areas with which pupils may require additional support. This will include modifying procedures and practices to accommodate needs of pupils with ASD, e.g. time out periods, work spaces in and out of the classroom, safe spaces, one to one teaching where appropriate, use of visuals, activities for unstructured times, etc. There are a high number of children with ASD in mainstream schools who are successfully having their needs met.

6.2.5 Provision of a centralised Primary Outreach ‘hub’

Summary response

Respondents who strongly opposed the proposals pointed out that changes should not be made to save money and that the needs of children should be the key consideration.

Officer commentary

This will not save money. The money will be directed to other parts of the specialist provision structure where there is a need, thereby showing a more cost effective use of resources targeted at areas where additional capacity is required.

Summary response

Outreach is useful at a lower level of need, but not as a replacement. Support needs to be consistent, regular and familiar.

Officer commentary

Outreach operates at a variety of different levels from light touch to intensive. Where specialist staff are allocated to a case, they remain with the case for as long as is necessary. There are a number of complex cases which specialist provision outreach teams are involved with which do require regular and intensive involvement. The outreach model provides flexibility to do this.

Summary response

The closure of these units is not about lack of uptake, but how hard it is to get a place.

Officer commentary

Placement is determined through the statutory SEN review processes for children with a statement or an education, health and care plan. Schools are in receipt of additional funding for these children and have a responsibility to ensure that this funding specifically targets the individual needs of the child. The expectation is that children will have undergone a period of intensive outreach support prior to being

considered for a transitional place. This is to ensure that resources already available to schools are used as efficiently and effectively as possible prior to a request for a more costly provision.

Summary response

SLCN and autism are different – centralising them is wrong. Outreach will not work for children with complex needs, they need experienced staff at all times.

Officer commentary

There are many children in mainstream schools with very complex needs, the most complex of whom have a statement or education, health and care plan which provides school with additional funding to meet need. Schools utilise this funding to ensure familiar staff work alongside such children to deliver targeted interventions aimed at areas of need. Part of this involves schools ensuring that staff working with children with SEND have access to training and support. Outreach support is there to provide advice and support around targeted interventions and to build the capacity in schools to put this into place. There are a large number of children whose needs are not isolated to one area and there is considerable overlap between ASD and SLCN. Children with SLCN may have difficulties with understanding and formulating spoken language, processing and producing speech sounds or using and understanding all aspects of language appropriately in different contexts. The impact of both SLCN and ASD on social interaction and social and emotional development is well documented – both groups are at risk of having problems with peer relationships and prosocial skills and of developing emotional problems. Any provision for these two groups needs to take into account this overlap and ensure a focus on individual needs rather than diagnostic groups. This provision needs to take into account their likelihood of needing support to develop peer relationships and prosocial skills as well as language and their increased risk for emotional problems. The overlap between SLCN and ASD indicates that the determination of needs requires careful assessment to identify their profiles of strengths and weaknesses with regard to different aspects of speech, language and communication as well as behavioural, emotional and social difficulties.

This overlap has been highlighted by the referrals received into both the ASD and SLCN strands where requests for outreach support for the 2 categories often mirror one another in respect of the nature of difficulties, presenting needs and this information has guided which team respond rather than a label. As a consequence of this, there have been a number of children referred to the ASD strand which have been allocated to the SLCN outreach team for support. Where this has happened, feedback from schools has continued to be positive. Where specific strand support is required this has continued to be available however it is important that this flexibility remains given that the most effective way of utilising local authority resources has to be based on presenting needs.

Summary response

Outreach staff will become de-skilled as they need to work in a specialist provision to gain knowledge, they will become isolated.

Officer commentary

Given the wide ranging needs of children referred for support, outreach teams are constantly reviewing and researching new ideas and methods in order to ensure the most effective interventions and advice is available to meet the needs of children. As such, they are constantly building upon their own skills and expertise in order to build up the skills of staff they work with in mainstream schools and ensure interventions are tailored to children's specific needs. The vast amount of their time is spent in

schools and as a team they are far from isolated as they have strong links with other services in education, health and social care, working in partnership to ensure a joined up and consistent approach and the sharing of good practice.

6.3 Summary of the consultation responses

For the complete detail of stakeholder responses please see Appendix C.

The main conclusions to be drawn from the responses to the consultation are:

- **Ashbrow School.** There was a mixed response to this proposal, however a significant majority strongly opposed the proposal. The majority of responses came from parents and carers and staff members.
- **Thornhill J&I School.** The majority of responses received across all stakeholder groups strongly opposed the proposals. The majority of respondents were parents and carers and staff members.
- **Moldgreen Community Primary School.** There was a mixed response to this proposal, however the majority strongly opposed the proposal. The majority of responses came from parents and carers and staff members.
- **Provision of centralised primary outreach 'hub'**
The majority of respondents to the proposal were identified as parents and carers and staff members, with most respondents neither supporting nor opposing, strongly opposing or opposing the proposal.

6.4 Further engagement following the consultation

To explore in more detail some of the themes that arose from the non-statutory consultation, further engagement was carried out with SENCO Champions. A session was held to discuss concerns that had emerged as part of the consultation process on Tuesday 20th September, at 11am held at Grange Moor Primary School. 5 SENCOs attended (see Appendix D for notes of the meeting). These discussions have influenced the proposed next steps.

In addition, an evaluation form (See Appendix E) was sent to all the Primary Schools that had requested SLCN outreach last year. This was titled "The Effectiveness of Primary SLCN Outreach", 66 Evaluation forms were sent to schools, 22 schools had returned a response by the closing date, see Appendix F for a breakdown of responses. This feedback has been invaluable in shaping the proposed next steps.

7. Proposed approach following the non-statutory consultation

Taking into consideration the consultation responses along with feedback from schools, in order to enhance the positively evaluated current outreach provision, officers recommend a new 'commission' of a primary specialist provision which

would offer 12 transitional places and outreach to cater for children with complex Communication and Interaction needs that are impacting significantly upon their social development and emotional wellbeing.

This means that a process to identify a host school for the proposed provision would need to take place. It is acknowledged that this would require interim arrangements and as part of this transitional phase, support arrangements for children currently accessing a place at Ashbrow School have been discussed and agreed with school senior leaders, as has the proposal for the new commission outlined above.

8. Equalities Impact Assessment

The Equality Act 2010 places the Council under a duty - the Public Sector Equality Duty to have due regard to the need to achieve equality objectives when carrying out its functions. An initial Equalities Impact Assessment has been carried out on the proposals. The following is a short initial analysis of the likely changes arising from the revised proposals.

The initial assessment showed that implementation of the proposals is likely to have little impact. Following the updates made to the EIA after the non-statutory consultation, impact was reduced, although this would continue to be revised as appropriate in light of any further matters being raised, should the completion of the subsequent stages of the statutory process be approved by Cabinet. No adverse impacts are highlighted as part of this proposal. The EIA can be found here:-

<https://www.kirklees.gov.uk/youkmc/deliveringServices/impactAssessments/impactassessments.asp>

9. Implications for the council

9.1. Council priorities

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

- **Enhance life chances for young people:** Working in partnership to improve health and educational attainment to enable them to reach their full potential. The proposals offer the opportunity to continue to improve and enhance the overall educational opportunities and achievements of young people in Kirklees.
- **Support older people to be healthy, active and involved in their communities:** Focusing on preventative work, while empowering those with long term conditions to live independent lives to the full and be in control of making their own decisions.
- **Business growth and jobs:** Creating the right conditions for business to sustain the Kirklees economy, facilitating investment in skills, jobs and homes and providing pathways into work.
- **Provide effective and productive services:** Ensuring services are focused on the needs of the community and delivering excellent value for money.

9.2. Human Resources implications

There are human resources implications resulting from these proposals. Should the proposals be agreed, officers would work with the governing bodies and head teachers regarding any necessary revision to structures to provide professional and technical support. However, in terms of the existing provisions there are anticipated to be no outstanding issues, with all staffing expected to be resolved through deployment or alternative posts.

9.3. Financial Implications

Revenue

The education budget that the Council receives from government known as the Dedicated Schools Grant (DSG) can only be spent on education – so the proposals have no revenue impact for the Council. Specialist school places are funded from the “high needs block” of the DSG and the number of places now has to be formally agreed with the Education Funding Agency (EFA) each year. Schools also receive ‘top-up’ funding on a per pupil basis which relates to standard support needs and the school setting.

Capital

It is not envisaged that there would be any capital implications arising from all the proposals if agreed and implemented.

9.4. Information technology (IT) implications

There are no IT implications in relation to this report.

10. Consultees and their opinions

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

11. Next steps

The table below shows what has happened to date and the next steps and indicative timescales involved in the reorganisation of specialist provision should cabinet approve the officer recommendations.

Table 9 – Steps of the statutory process and indicative timescales	
Activity	Date
Cabinet approval for statutory consultation	April 2016
Non Statutory consultation	May-June 2016
Cabinet consider report on consultation outcomes and decide next steps	15 th November 2016
Publication of notices and representation period (for Moldgreen Community School Only) AND Seeking expressions of interest for a primary school to host a combined 'Communication and Interaction' specialist provision.	November-December 2016
Bring back to Cabinet the outcome of the expression of interest period with a view to recommission a Communication and Interaction specialist provision and publish notice and proposals for Ashbrow School and the host school	February 2017*
Decision by Cabinet (within 2 Months) (Moldgreen Community School Only)	February 2017*
Implementation (Moldgreen Community School only) starts from	1 st April 2017*
Decision by Cabinet (within 2 Months) (Ashbrow and the proposed host school)	May 2017*
Implementation (Ashbrow School and new host school) starts from	1 st July 2017*

*Timescales are indicative and are subject to change

12. Officer recommendation and reasons

Members are requested to:

Note the feedback in response to the non-statutory consultation and the officer commentary that address the concerns and issues that have been raised and in light of that feedback:

a) **Moldgreen Community Primary School**

Approve that officers publish the statutory proposals and notices to discontinue the 10 transitional places for children with autism.

Following the subsequent 4 week representation period, the proposal should be brought back to Cabinet for final decision regarding implementation of the proposals from 1st April 2017.

b) Thornhill Junior and Infant School.

Note that the school converted to become an Academy on 1st September 2016. As part of the conversion process the matter of discontinuance of the specialist provision was considered. By mutual agreement, the funding agreement signed between Focus Trust (the Multi Academy Trust that Thornhill J&I School has joined) and the Secretary of State, does not include any specialist provision places and therefore no further statutory process is required for this school

- c) Following the outcome of the consultation, time has been taken to reconsider and reshape the initial proposals regarding the following proposals;

Ashbrow School. *Discontinue the 12 transitional places for children with Speech Language and Communication Needs at Ashbrow School.*

In order to commission;

- d) **Primary outreach provision for Speech, Language and Communication Needs (SLCN) and autism across Kirklees.** *Proposal to increase resources to a centralised primary outreach provision 'hub' to serve the whole of Kirklees for children with Speech, Language and Communication Needs (SLCN) and autism.*

Permission is to be sought to proceed to a 4 week period of opportunity for expressions of interest for a school to host a combined 'Communication and Interaction' specialist provision with 12 transitional places.

Following the 4 week 'expressions of interest' period, the proposals should be brought back to Cabinet for further approval to proceed with recommissioning.

- e) Note the next steps and timescales for the subsequent stage of the statutory process and that a final decision would be required by Cabinet as the decision maker following the representation period.
- f) Request that officers carry out preliminary and preparatory work with parents, governing bodies and staff to enable a successful implementation, if the proposals are finally agreed, by engaging relevant parties as widely as possible in planning the changes in order to build confidence in the future specialist resource provisions in mainstream schools.

13. Cabinet portfolio holder's recommendations

We have welcomed all of the responses and representations received as part of the consultation process. This has given parents and carers, school staff, governors and a range of other interested parties the opportunity to feedback their views about the proposed changes to these particular specialist provisions for children with special educational needs in Kirklees.

In light of the feedback that has been received, it has been important for us to take the time to consider carefully the views that have been expressed and are grateful to those who have engaged and contributed their comments and suggestions. The feedback has influenced changes to be made to the original proposals.

Ongoing engagement with all stakeholders is valued and will be critical to ensure the very best use of resources and support is available for our children across Kirklees.

We are keen that the highest quality provision is available fairly to all children with special educational needs/Education, health and care plans (EHCP) across Kirklees to ensure that they have the very best educational experience. It is for these reasons that we support the officer recommendations to move to the next stage of the statutory process for Moldgreen Community School, and, to seek expressions of interest from primary schools to host a Communication and Interaction provision with outreach that can support young people, wherever possible to say in their local school.

We will be keen to receive further updates following both of these processes.

14. Contact officers

Jo-Anne Sanders
Deputy Assistant Director-Learning and Skills: LA Statutory Duties
Tel: 01484 221000
Email: jo-anne.sanders@kirklees.gov.uk

Mandy Cameron
Deputy Assistant Director - Learning and Skills: Vulnerable Children and Groups
Tel: 01484 221000
Email: mandy.cameron@kirklees.gov.uk

Assistant Director
Gill Ellis
Assistant Director for Learning and Skills
Directorate for Children and Adults
Tel: 01484 221000
Email: gill.ellis@kirklees.gov.uk

15. Background papers

- Report Prepared by Cambridge Education April 2008 : Kirklees Council - Review of the Arrangements for Special Educational Needs in the Children & Young People Service
- Cabinet Report: 28th September 2010 - Specialist Provision for Disabled Children and those with Special Educational Needs

- Cabinet Report: 21st June 2011 - Report on the outcomes of the non-statutory consultation on the proposals for the future organisation of specialist provision for disabled children and those with special educational needs across Kirklees
- Cabinet Report: 13th March 2012 - Report on the representations received from the published Statutory Notices on the proposals for the future organisation of specialist provision for disabled children and those with special educational needs across Kirklees.
- Cabinet Report: 2nd December 2014 - Report requesting approval to carry out a non-statutory consultation on proposed changes to existing specialist provisions at Moldgreen Community Primary School, Flatts Nursery School, Thornhill Junior & Infant School, Rawthorpe St. James (CE) VC I&N School and Rawthorpe Junior School.
- Cabinet Report: 5th April 2016 - Report requesting approval to carry out a non-statutory consultation on proposed changes to specialist provision at Ashbrow School, Thornhill Junior & Infant School & Moldgreen Community Primary School for children with Speech, Language and Communication Needs (SLCN) and autism.

Distribution list:

List of consultees		
Kirklees Council Officers	Chief Executive – Adrian Lythgo Director for economy skills and the environment – Jacqui Gedman Director for resources – David Smith Director for children and adults – Sarah Callaghan Director for communities, transformation and change – Ruth Redfern Director for public health – Richard Parry Assistant director for learning - Gill Ellis Assistant director for personalisation and commissioning – Keith Smith Assistant director for family support & child protection –Carly Speechley Assistant director for well-being and integration – Sue Richards Director of public health – Rachel Spencer-Henshall	
Kirklees Councillors	Ashbrow Dalton Dewsbury South	Councillor Jean Calvert Councillor Amanda Pinnock Councillor Ken Smith Councillor Musarrat Khan Councillor Naheed Mather Councillor Peter McBride Councillor Masood Ahmed Councillor Nosheen Dad Councillor Abdul Patel
Dioceses	Diocese Of Leeds Diocese Of Wakefield	
Further Education Collages	Greenhead College Huddersfield New Collage Kirklees College	
HR	Head of HR HR manager School Governor service	
Choice Advice	Parent Partnership	
University	University of Huddersfield	
MP's	Jason McCartney MP Paula Sherriff MP Barry Sherman MP	
DfE	School Organisation Unit	
Neighbouring La's	Barnsley Council..... Barnsley Council..... Calderdale Metropolitan Borough Council..... Calderdale Metropolitan Borough Council..... City Of Bradford Metropolitan District Council..... City Of Bradford Metropolitan District Council..... Leeds City Council..... Leeds City Council..... Oldham Council..... Wakefield Metropolitan District Council..... Wakefield Metropolitan District Council.....	School Organisation Assistant Head of Infrastructure for Learning and Care (Access) School Organisation Director Of children's Services Director of children's services Principle research & policy Director of children services Education Leeds Assistant Executive Director Director Of children's Services School Organisation
The Children's Trust Board Members	Calderdale & Hudds NHS Foundation Trust Kirklees Active Leisure National Children's Centre Calderdale & Kirklees Careers Primary Pupil Referral Service The Mid Yorkshire Hospitals	

	<p>NHS Kirklees University of Huddersfield West Yorkshire Police West Yorks Fire & Rescue Authority Kirklees College North Kirklees Clinical Commissioning Group Clinical Commissioning Group Children & Adults Services Locala Community Partnerships Job Centre Plus South West Yorkshire Partnership NHS West Yorkshire Probation Trust</p>	
Unions	<p>AEP ASCL ASPECT ATL GMB NAHT NASUWT NUT UNISON UNITE VOICE THE UNION</p>	
Parent / guardian's of pupils at :	<p>Ashbrow School Thornhill J&I School</p>	
Governors and staff at :	<p>Ashbrow School Thornhill J&I School Moldgreen Community Primary School</p>	
Special Schools	<p>Castle Hill School Fairfield School Longley School Lydgate School Nortonthorpe Hall School Ravenshall School Holly Bank School</p>	
Schools with Specialist Provisions	<p>Dalton School Headlands Church of England VC JI & N School Honley High School Lowerhouses CofE (VC) JI & EY School Moor End Academy Newsome High School and Sports College Rawthorpe St James I&N Rawthorpe Junior Royds Hall High School Thornhill Community Academy</p>	
Libraries	<p>Birkby and Fartown LIC Chestnut Centre Dewsbury Library Huddersfield Library and Art Gallery Rawthorpe/Dalton Library Thornhill Lees Library and Information Centre</p>	
Health Centres	<p>Dewsbury Health Centre Fartown Health Centre Mill Hill Health centre</p>	
Community Centres	<p>Greenfields Family Centre Thornhill Lees Community Centre Kirklees CLDT</p>	
Community Groups	<p>ADD/ADHD Support HSGA - Huddersfield Support Group For Autism North Kirklees Autism Support Group & Friends</p>	

	<p>Huddersfield Down Syndrome Support Group Kirklees Deaf Children's Society Service for Children with Sensory Impairment Huddersfield Actionnaires (Action for Blind people) Ellerslie Child Development Centre Pre-school Learning Alliance Patient Advice Liaison Service (PALS) NHS Crossroads Care in Mid Yorkshire Orchard View Young Peoples Activity Team (YPAT) Calderdale and Kirklees Dyslexia Association Dewsbury and District Autism Support Group North Kirklees Phab Club Parents of Children with Additional Needs (PCAN)</p>	
Others	<p>SENCO Team Educational Psychologists Team</p>	

Non-statutory consultation on:

Proposals for changes to specialist provision for children with Speech, Language and Communication Needs (SLCN) and autism

Please tell us your views on our proposals

This document tells you the reasons why Kirklees Council is making these proposals. It also explains how the decision making process works.

Please take time to read it and let us know your views. Comments can be made on the response form at the back of this booklet.

The closing date for responses is
17 June 2016

Why are we making these proposals?

We have taken a fresh look at our arrangements for children and young people with special educational needs. Our review covered the areas of:

- Autism
- Speech, Language and Communication Needs (SLCN)
- Sensory Impairment (hearing and visual)
- Physical Impairment

Our aim is always to ensure that the right support is in place for children, young people and their families. For this reason, we have put forward proposals to strengthen our arrangements so that children are better supported, whichever school they attend. The proposals relate to SLCN and autism.

Speech, Language and Communication Needs

We currently have specialist places at Ashbrow School and Thornhill J&I School for children with SLCN, but demand is very low. The reason for the lack of demand is that children with SLCN are being very well supported in their local schools by 'outreach' staff, who work wherever they are needed most. This means most children with SLCN do not need to access the specialist places at Ashbrow and Thornhill. We therefore have more resources than we need in these locations.

Outreach support is where specialist provision staff identify what will help children progress in their own school.

Outreach is also about working with staff in schools to allow them to work effectively and confidently with children.

Outreach allows a flexible approach to be taken so that the needs of children are responded to quickly and effectively.

Autism

We currently have specialist places at Moldgreen Community Primary School for children with autism. However, due to a lack of demand, none of the places have been allocated since 2014 and the provision has effectively been closed. We are now proposing to complete the legal process and formally discontinue these places. There are enough specialist autism places at Headlands CE (VC) JI&N School to meet the current and predicted demand.

Our proposals

Overall, our review shows that the SLCN places at Ashbrow and Thornhill, and the autism places at Moldgreen are not needed. Discontinuing these places would allow us to improve our support for primary-aged children throughout the whole of Kirklees by increasing our outreach provision for children with autism and SLCN.

The objective of these proposals is not to reduce or cut the local authority's wider support for children with special educational needs. The aim is to re-allocate resources so that we are able to react to changes in demand and offer high quality support to children and families.

Places will continue to be kept under close review.

Summary of proposals

<p>Proposal 1 Ashbrow School – discontinue the 12 specialist places for children with SLCN</p>	<p>Proposal 2 Thornhill J&I School – discontinue the 12 specialist places for children with SLCN</p>	<p>Proposal 3 Moldgreen Community Primary School – discontinue the 10 specialist places for children with autism</p>
<p style="text-align: center;">Proposal 4 Increase resources to a centralised 'hub' for primary outreach provision, working along side the specialist provision at Headlands CE (VC) JI&N School, to serve the whole of Kirklees for children with SLCN and autism</p>		

What happens next?

This consultation is open between 16 May and 17 June 2016. You have until 17 June to express your views in writing, online or in person at the consultation event.

Once the consultation has finished, all feedback will be reported to Kirklees Council's Cabinet (the council's main decision making body). They will then decide whether to move to the next stage. This would mean the publication of legal notices and another chance to view the proposals and comment on them before a final decision is made.

The following table shows the next steps involved in the process. Dates are subject to change and would be dependent on Cabinet approval to move to each stage.

Activity	Date
Report to Cabinet to approve non-statutory consultation	April 2016
Consultation and engagement	May - June 2016
Outcome report to Cabinet and approval to next stage*	July 2016
Publication of notices and representation period*	September 2016
Decision by Cabinet (within 2 months)*	November 2016
Implementation starts*	1 December 2016

*Subject to scheduling of Cabinet meetings which means dates might change

Consultation event

The following informal 'drop-in' event is open to everybody: families of pupils attending the schools, staff, governors and other members of the community and anyone who would like to hear more and discuss the proposals. Officers from the council will be present to answer questions and hear your views.

Anyone is welcome to attend. Anyone who would like some help in taking part in the consultation will receive it. Please come along and see us any time between the times below.

Kirklees Council wants to know what you think. Your views will be reported back to Kirklees Council Cabinet as part of the decision making process.

Date	Venue	Time
23 May 2016	Ashbrow School	4.30 – 6.00pm

Alternatively, you can complete the response form at the back of this document.

Response form

Please send this form or a letter:

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

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

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

www.kirklees.gov.uk/schoolorganisation

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

Please make sure you respond by **17 June 2016** to ensure that your views are heard.

Consultation response form

Proposal 1 - Do you support or oppose the proposals relating to Ashbrow School – discontinuing the 12 specialist places for children with SLCN?

Please ✓ tick one box.

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

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

Proposal 2 - Do you support or oppose the proposals relating to Thornhill J&I School – discontinuing the 12 specialist places for children with SLCN?

Please ✓ tick one box.

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

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



Proposal 3 - Do you support or oppose the proposals relating to Moldgreen Community Primary School – discontinuing the 10 specialist places for children with autism?

Please ✓ tick one box.

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

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

Proposal 4 - Do you support or oppose the proposals relating to the development and creation of a central 'hub' for primary outreach services for children with SLCN and autism?

Please ✓ tick one box.

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

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

About you

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

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

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

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

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

Please write in your postcode:

(We will not use this information to contact you)

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Q1) Do you support or oppose the proposal relating to Ashbrow School?

Responses - Parents /Carers from Ashbrow School	
Strongly Oppose	<ul style="list-style-type: none"> • My child is in need of SLCN. He has attended Ashbrow from the age of 3. Where he entered through ICAN. Without the support of the resource provision team, he would not have achieved the levels of curriculum he has. I really wouldn't know where my son would be regarding school or development and support. To take away special provision would be detrimental to pupils who need it, and would disturb, confuse children being taken away from routines, friends from school. Early intervention is very important for our children, the ICAN provision in early years helped my child access education and so he began to do better at school with the right support. • This school is super, it is the best in the area. I chose this school over my religious views as it was the best for my child. If this was to go forward, not only my child would suffer but the school and teachers as well. This is best in a school not an external hub and if it has to be a school Ashbrow is the best one because of how much it already gives to children. If this goes through my child will suffer, and that is not acceptable. The cost cutting measures that will in turn affect my child, is not something that we should allow. I couldn't make the consultation as I was at uni, and am saddened by the fact that it was only on one date. • My child has attended Ashbrow in the resourced provision, the setting has helped him so much and having the support throughout school has been outstanding as they know him and his needs, my child would not have achieved well if it was not for the provision. • This proposal contradicts the council's Early Intervention and Prevention agenda. This is a budget cut that hits one of our most vulnerable groups of people. <p>OUTREACH The results of this area of work are apparently not measurable. The progress of children with complex needs currently in mainstream school are not being measured against 1) their peers in their school or 2) the children in the Ashbrow specialist provision. Question: so on what evidence is this proposal being based? At best, outreach is hit and miss, with irregular visits by Outreach, that rely on the goodwill of staff in the child's school (SENCO? ETA? Class teacher?) and them being able to carry out what can be complex speech and language therapy - without the specialist training.</p> <p>CHILDREN WITH COMPLEX NEEDS Children with complex speech and language needs need expert, intense therapy, several times a week, by specialist staff. Children with complex Speech and Language Impairment (SLI) don't just experience severe speech problems but are also generally massively behind in their academic attainment and extreme problems in their social skills, often on a par with Autism Spectrum Disorder. Mainstream schools CAN NOT generally deal with these needs, even with the best will in the world. This leads to the child's problems becoming more entrenched and a real lack of progress.</p> <p>DELETING ALL SPECIALIST PROVISION IN KIRKLEES FOR KS1 AND KS2 Anyone with even the most basic knowledge of SEN knows that early intervention and prevention is the most effective and cheapest way for a child with complex needs to reach their potential. By the time a child with severe SLI reaches KS3 they will never catch up academically, the social damage is permanent and, more importantly, they will probably never make significant progress in speech therapy. Every child should be given the chance to succeed and reach their potential and to deny a child with complex SLI the correct and appropriate support seems to me to be tragic and morally wrong.</p> <p>NOT MAKING BUDGET CUTS Moving that money into another budget area IS a cut to children with severe needs. It's a cut to the most vulnerable in Kirklees.</p> <p>THE LAW Children with severe SLI in their Statements or EHCPs have a legal right to the level of support set out in those legally binding documents. Kirklees will still have a responsibility to provide that level of support. I foresee a time in the near future</p>

	<p>where a parent will sue for that care - paving the way for other parents (of all areas of SEN) to follow suit.</p> <p>THE LAST SET OF SEN REFORMS</p> <p>My son is the ONLY child to get a transitional place at Ashbrow and I had to fight tooth and nail to get that place for him. He has severe verbal dyspraxia and had gone through the ICAN provision at Ashbrow. He is the ideal child, suited for this provision. But it was made as difficult as possible for him to access that provision. Thanks to that high level of care/support, he is now in year 3, now in mainstream at Ashbrow and has caught up academically and can be understood - he will always have residual SLI but thanks to the support he has received (and continues to receive) he has had the chance to show that actually he's pretty bright and has a future ahead of him.</p> <p>Parents are not being told about the provision so they are not accessing it. That is why the provision is now empty. Not because of lack of need.</p> <p>MY VIEW</p> <p>If the provision cannot be supported in the long run I believe it should gradually be transferred over to Royds Hall so that by the time Royds has all year groups in place that they can accommodate KS1-KS3. This, to me, is common sense. Otherwise, when a child at Royds with severe SLI age 5 enrolls, will they be told "sorry we can't help you until you are 11"?</p> <p>I would respectfully ask Cabinet members to ask for evidence of the impact of this directly from the ICAN organisation.</p>
Responses - Parents /Carers from Ashbrow & Royds Hall Schools	
<p>Strongly Oppose</p>	<ul style="list-style-type: none"> • My son was a pupil of Ashbrow. He is now 17 and has turned out to be a lovely, friendly outgoing boy, who owes it all to the amazing start he had at Ashbrow with all the care and dedication. I am horrified that they are considering removing these valuable units, placing all the pressure on mainstream school teachers who are already overstretched and over pressured with high class numbers. The argument that there would be an assistant to help will not help (we all know that assistants are used as an extra set of hands for overworked teachers!) <p>I know that from speaking to the other parents of children who went through the unit that our children all started out in mainstream school. With an assistant, and it seriously let them down. (unable to deal with behaviour learning difficulties etc...). So for our children it was a life line.</p> <p>My son was diagnosed with a specific language impairment when he was about 5 yrs old. It impacted everything he did. He couldn't read or write or follow lessons and socially struggled. We persevered in the local school, he had weekly visits from the speech therapist and educational psychologist but the school couldn't give him what he needed to progress. He spent lessons crying in a corner being ignored, teachers not understanding about the difficulties and how to help. He was midway through year 1 when he was seen by his educational psychologist who reported that he had never seen a more depressed child! The speech therapist also voiced concerns about the schools inability to give him the level of support he needed. It was at this point that we decided to move him to Ashbrow. This was not an easy decision but it was the best decision we ever made.</p> <p>We never looked back. The unit was the support that all the children needed, having such a bad start. They were with kids who were like them and no longer felt alone or different, and the teachers understood them and know how to get the best from them. He had some lessons with the full class, but certain lessons all the children from the specialist provision were taught together. He learnt to read and write (using symbol books) and had frequent speech therapy and had to be taught social skills (which we all take for granted). From a parents point of view I knew that he was safe and looked after and that I could always get to speak to someone from the team (I have 3 other children in our local school and it's almost impossible to get to speak to someone). After very happy and productive years he moved onto Royds Hall (some children didn't require the specialist provision because they made so much progress but he still needed the support). Again another faultless school. A major problem of Specific language impairment is their organisation skills and memory, at Ashbrow and Royds Hall the units were a crutch for them helping them function.</p>

	<p>He sat his GCSE, from a child that couldn't read and write, he got a D in English for GCSE and is resitting this year and is on track for a B!</p> <p>Am important thing to understand is that by closing these units you are bundling all these children as 1; instead of looking at each individual. Not all children with SLI or Autism etc. need extra help and can be effectively looked after at the local school, but some children do need that level of help and support. By closing the units you are implying that these children don't matter and are not worth helping.</p>
Responses - Parents /Carers from Castle Hill School	
Strongly Oppose	<ul style="list-style-type: none"> You have not provided enough information with regards why you are closing them other than they are not required.
Responses - Parents/Carers from Farnley Tyas First	
Strongly Oppose	<ul style="list-style-type: none"> Early intervention is vital. You are planning to create a gap in service that mainstream schools are not skilled to provide, outreach is a limited service, environment is key, you will end up having to pay for expensive out of area placements
Responses - Parent s/Carers from Honley High School	
Strongly Oppose	<ul style="list-style-type: none"> It's essential for children in need of intensive support with speech and language. Their expertise for my son enabled him to speak and he now attends an autism provision. Without the placement at Ashbrow this would not have been possible
Responses - Parent s/Carers from Lindley infant School	
Strongly Oppose	<ul style="list-style-type: none"> My son aged 7 (as described by his speech and language therapist on his last report) has 'A complex speech, language and communication profile. He shows a disordered pattern of language development.' 'Functionally his receptive language levels show a high level of need' 'He continues to demonstrate a complex profile which will require a high level of support and differentiation of the curriculum'. Previously, when assessed in reception, in the spring term, he hadn't progressed since he was last seen in the autumn term, 7 months before. He has been known to speech and language since he was 2. My son is in a mainstream school and requires a lot of support. I only came to hear about the provision at Ashbrow because another parent mentioned it. I then presumed the unit was full, because it has never been mentioned to me despite my son's significant difficulties with speech, language and communication. I am very angry to read 'demand was very low'. If my son could have the opportunity to attend one of these units it could make a big difference. He also, did not receive any help from outreach, until I asked for it. I don't understand why demand is low when there are children like my son who are struggling.
Responses - Parent s/Carers from Royds Hall Community School	
Strongly Oppose	<ul style="list-style-type: none"> Children with SLCN need specialist teachers and support staff on a daily basis in school to enable them to cope. Outreach would not be sufficient - visiting and trying to educate staff into the child's needs is like giving a child in a wheelchair the loan of a wheelchair for a few hours a week. Most mainstream teachers and support staff have not got the skills, knowledge or time to give these children what they need - specialist support from staff who are experienced in looking after them. My son attended Ashbrow and was lucky to have the resources and skilled teachers to help him become a confident and successful student. He was in mainstream and failed - Ashbrow gave him a chance and changed his life.
Responses - Parent s/Carers from Shaw Cross J&I School	
Strongly Oppose	<ul style="list-style-type: none"> Children with slcn need to be supported on an ONGOING basis by specialist slcn staff who can spontaneously and continually tailor make learning to suit the child's individual needs. Tapping into services once a term/half term is not feasible as it is hindering the child's progress!
Responses - Parent s/ Carers from Thornhill J&I School	
Strongly Support	<ul style="list-style-type: none"> If the facilities are there and are not being used, then it is a waste of time and money to continue them.
Responses - Parents / Carers from Not-stated	
Don't know	<ul style="list-style-type: none"> I feel that some spaces should be available who knows what the future holds.

Responses from staff at Ashbrow School	
Strongly Oppose	<ul style="list-style-type: none"> • There is a great need for continuation of places at Ashbrow for children with SLCN. This need has been masked by the council not allowing transitional places to go. Children with SLCN need expert support on a daily basis and this can only be given by a school that fully understands the needs of the children. The Council have caused this 'low level of demand' by refusing to offer transitional places. The ICAN nursery at Ashbrow is full at present with children allocated places already for September this year. How then can there not be a need to continue this support into the child's Reception year and further? Children who were candidates in the past to go through Ashbrow had to take places at their local schools, within the first term they failed miserably and were referred back to the SP team at Ashbrow. The Council is responsible for the long term effects on these already vulnerable children. Outreach can only be good if the staff in local schools take advice on board and stick to it religiously. However staff change, other demands take precedence, strategies are forgotten and the child with SLCN is at best struggling along quietly but not achieving, at worst labelled as disruptive with behaviour problems and his needs are not met. At Ashbrow all staff have a wealth of knowledge and experience, even without a lead teacher in the SP team at the moment, and children with SLCN deserve to benefit from this. • It is wrong to take the support away from our children. They were promised a place with SLCN support until year 6. This is now being taken away from them. Children with the specialist provision will NOT cope in mainstream schooling without the constant support they receive now. Teachers of mainstream children in a mainstream school do not/will not understand how SLCN presents different challenges for different children. It is not always obvious when a child has SLCN needs and therefore not always spotted and supported. If they do understand it, supporting the children will throw more challenges as the full class needs the support too. It is wrong to let down children across the country who need this support. • As a class teacher, with a child supported by the SP unit, I oppose the idea. One member of the SP team (a SP ETA) works with this pupil twice a week during 'English'. The help provided prepares the child to participate fully in the lesson with the rest of the class. The SP ETA supports this child throughout the school day with social issues. This prevents behaviour issues and allows progress to be made. • Having worked at Ashbrow School for the past 20 years and seen the advent of the specialist provision unit here when it moved from Christ Church School, I have witnessed first-hand the tremendous benefits for children and families which has come as a result of children with speech and language impairment being part of the Specialist Provision Unit at Ashbrow. They have been nurtured, helped and supported by dedicated and highly committed staff throughout their primary school phase and have gone on to high school as confident, bright, often very able young people much better equipped to deal with the challenges of high school. A great proportion of the children who have attended the specialist provision unit at Ashbrow have experienced life-changing benefits by being educated within the caring atmosphere of a specialist unit, and it must seem totally incomprehensible, worrying and very stressful to them and their parents to be told that they must re-join a class of mainstream children and do without this vital daily support. The children have enhanced our school and made us so proud of them, and it would seem unimaginable that it will be advantageous to these children, who start off as very vulnerable, to withdraw this vital service. The alternative outreach service which is now being offered, whilst recognising the professionalism of the members of staff who do this work, cannot compare to the daily intensive help, support and encouragement that the children receive in a specialist unit. The children also need to have the benefit of dedicated professionals who are specialists and experts in their particular needs, not ones who simply have a quick fix solution to the children's conditions and difficulties. For many of these children speech and language impairment is a life-long condition, not one which can simply be cured by a couple of terms of speech therapy. As a result of being part of an incredibly close-knit, supportive specialist unit where their every need can be catered for, the children's achievements have known no bounds. Without being

	<p>part of such a unit the children can experience a difficult world which on occasion they struggle to understand, this often leads to these children being labelled as 'naughty' with quite severe behavioural difficulties, just because they cannot process language correctly or do not have the appropriate social skills to overcome this. Parents and extended families have also seen the huge benefits to their precious children by being nurtured and cared for in a specialist unit. It would seem odd that when a child is first diagnosed with speech and language disorder they are able to join the ICAN unit, but then are 'cast adrift' for the rest of their primary school years with only sporadic outreach teaching until they go to high school, when, again, they can become part of a specialist provision unit. This creates a huge gap for the children in their most formative years, when they need it the most. As the high school provision at Royds Hall is currently oversubscribed, with parents desperate for places, it proves without doubt that there must be a need for a primary provision unit if these families are so eager for them to be part of a specialist unit again.</p> <p>The children in the Ashbrow provision unit at the moment are wonderful and are doing so well with the intensive daily support, help, and encouragement of specifically trained staff who know them so well and understand their needs, and it would worry me greatly if I was one of their parents, and indeed as someone who has a lot to do with them on a daily basis in school, to think that this vital support is being withdrawn.</p> <p>I would implore the people who are in the process of making this decision to think again and consider these children and their families. It is an utter disgrace if the over-riding reason for considering this option is a money saving exercise, and it may well be prudent for members of the council to examine their consciences, and be ashamed of a decision which has the power to have a detrimental effect on young lives. There has to be another way, and anyone who has had a child or family member who attends one of the specialist units will confirm that this is the wrong decision for the children, and that the children's needs should ALWAYS come first – not money. The good that is done and the benefits to the children's education and wellbeing must surely be the primary consideration. We are always being told about children's rights, and it is surely their right to the correct sort of education which will enhance their primary school days and make it easier for them to progress into young adulthood without the stigma of being perceived as 'different' just because they have a speech and language impairment. If we have the means to make their life in school happier and more productive, and for them to learn alongside their peers and achieve great results with specialist teaching and support, then surely it is morally wrong not to do so?"</p> <ul style="list-style-type: none"> • "The non-statutory consultation document states....'demand is very low.' A full ICAN provision at Ashbrow (& at Royds school) shows that there is demand and need (& has been historically) for the specialist provision and the provision has shown excellent progress for those children over time. Children that have progressed sufficiently to be able to cope with the demands of mainstream schooling, have transferred and continued to make progress. The proposals indicate no pathway for children with severe & specific speech and language difficulties within the primary sector other than proposed outreach service. Post primary is too late for these children and experience indicates that the children have associated issues with their self-worth and behaviour if transferred too early. No transitional places were ever offered (budget not available) following the SEN review and the model became a light touch outreach one which took highly specialised and trained teaching staff away from the school provisions. Promised training for these staff was never given. SP supporting staff are highly trained. Schools receiving outreach lack the necessary staff expertise to support children effectively. Children leaving ICAN (there is now no direct pathway within reception other than Early Years SEN support - long timescales and gaps in provision) or SP are being referred back at a later date or, in some cases NOT being re-referred by schools receiving outreach (ICAN children) as school believe children have attained SALT targets - This leads to complex difficulties further down the line. Proposals do not take into account the accompanying level of family support needed for children with severe SLCN. Family forum feedback indicates that families are happy for their
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	<p>children to travel to a specialist provision as they recognise that their children's specific needs can be met.</p> <ul style="list-style-type: none"> • SP staff are primary trained and are being offered secondary posts and being asked to consider accepting now, which presumes the proposals are a foregone conclusion? • The proposals indicate no pathway for children with severe & specific speech and language difficulties within the primary sector other than proposed outreach service. Post primary is too late for these children and experience indicates that the children have associated issues with their self-worth and behaviour if transferred too early. No transitional places were ever offered (budget not available) following the SEN review and the model became a light touch outreach one which took highly specialised and trained teaching staff away from the school provisions. Promised training for these staff was never given. SP supporting staff are highly trained. Schools receiving outreach lack the necessary staff expertise to support children effectively. Children leaving ICAN (there is now no direct pathway within reception other than Early Years SEN support - long timescales and gaps in provision) or SP are being referred back at a later date or, in some cases NOT being re-referred by schools receiving outreach (ICAN children) as school believe children have attained SALT targets - This leads to complex difficulties further down the line. Proposals do not take into account the accompanying level of family support needed for children with severe SLCN. Family forum feedback indicates that families are happy for their children to travel to a specialist provision as they recognise that their children's specific needs can be met. • This proposal contradicts the council's Early Intervention and Prevention agenda. This is a budget cut that hits one of our most vulnerable groups of people. <p>OUTREACH</p> <p>The results of this area of work are apparently not measurable. The progress of children with complex needs currently in mainstream school is not being measured against 1) their peers in their school or 2) the children in the Ashbrow specialist provision. Question: so on what evidence is this proposal being based? At best, outreach is hit and miss, with irregular visits by Outreach, that rely on the goodwill of staff in the child's school (SENCO? ETA? Class teacher?) and them being able to carry out what can be complex speech and language therapy - without the specialist training.</p> <p>CHILDREN WITH COMPLEX NEEDS</p> <p>Children with complex speech and language needs need expert, intense therapy, several times a week, by specialist staff. Children with complex Speech and Language Impairment (SLI) don't just experience severe speech problems but are also generally massively behind in their academic attainment and extreme problems in their social skills, often on a par with Autism Spectrum Disorder. Mainstream schools CAN NOT generally deal with these needs, even with the best will in the world. This leads to the child's problems becoming more entrenched and a real lack of progress.</p> <p>DELETING ALL SPECIALIST PROVISION IN KIRKLEES FOR KS1 AND KS2</p> <p>Anyone with even the most basic knowledge of SEN knows that early intervention and prevention is the most effective and cheapest way for a child with complex needs to reach their potential. By the time a child with severe SLI reaches KS3 they will never catch up academically, the social damage is permanent and, more importantly, they will probably never make significant progress in speech therapy. Every child should be given the chance to succeed and reach their potential and to deny a child with complex SLI the correct and appropriate support seems to me to be tragic and morally wrong.</p> <p>NOT MAKING BUDGET CUTS</p> <p>Moving that money into another budget area IS a cut to children with severe needs. It's a cut to the most vulnerable in Kirklees.</p> <p>THE LAW</p> <p>Children with severe SLI in their Statements or EHCPs have a legal right to the level of support set out in those legally binding documents. Kirklees will still have a responsibility to provide that level of support. I foresee a time in the near future where a parent will sue for that care - paving the way for other parents (of all areas</p>
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	<p>of SEN) to follow suit.</p> <p>THE LAST SET OF SEN REFORMS</p> <p>My son is the ONLY child to get a transitional place at Ashbrow and I had to fight tooth and nail to get that place for him. He has severe verbal dyspraxia and had gone through the ICAN provision at Ashbrow. He is the ideal child, suited for this provision. But it was made as difficult as possible for him to access that provision. Thanks to that high level of care/support, he is now in year 3, now in mainstream at Ashbrow and has caught up academically and can be understood - he will always have residual SLI but thanks to the support he has received (and continues to receive) he has had the chance to show that actually he's pretty bright and has a future ahead of him.</p> <p>Parents are not being told about the provision so they are not accessing it. That is why the provision is now empty. Not because of lack of need.</p> <p>MY VIEW</p> <p>If the provision cannot be supported in the long run I believe it should gradually be transferred over to Royds Hall so that by the time Royds has all year groups in place that they can accommodate KS1-KS3. This, to me, is common sense. Otherwise, when a child at Royds with severe SLI age 5 enrolls, will they be told "sorry we can't help you until you are 11"?</p> <p>I would respectfully ask Cabinet members to ask for evidence of the impact of this directly from the ICAN organisation.</p> <ul style="list-style-type: none"> • As a class TA, I feel I will have further responsibilities put on me and the children's needs will not be met due to lack of resources and time constraints. I cannot manage specific needs whilst at the same time doing my usual jobs in class. • I feel that the premise on which this proposal has been made is not strictly correct. Page 1 states that there is a 'lack of demand' for the transitional places at Ashbrow. However it is clear that the places have not been offered or allocated to the school through the administration system. Historically Ashbrow Specialist Provision has been in demand by parents and generally full, yet more recently places (fixed or transitional) have not been allocated by SENACT to Ashbrow; even where parents with children who have been through the ICAN provision have been recommended and have wanted this place as their child had continuing need. Yet these children have a full evidence base from an experienced, qualified, multi-disciplinary team. This is surely a problem with the referral system currently in operation. It would seem unrealistic to have to have a pre-school provision which is thriving and a KS3 provision at Royds Hall High which continues to take high number of pupils into year 7, yet no primary provision. These children do not disappear at primary age. Yet for a child to take a break in the LA provision in that way would surely damage the continuity of good practice which children with SLCN (Speech, language and communication needs) need to reach their full potential. Moreover, from experience, when children have specialist needs which are not met at an age appropriate point, potential problems are stored up which could make entry to a provision at KS3 difficult as staff would need to break down these accumulated barriers. Kirklees LA used to have a policy of supporting early identification of need to prompt actions, has this now disappeared? Your document purports that SLCN children are 'well supported in their local schools by outreach staff'. How has the impact of outreach been measured since it began? No analysis has been published, and anecdotal evidence has, at times, been to the contrary. Outreach staff need a depth of knowledge of working with children with SLCN and a knowledge of how to develop a whole school approach - no easy task. Surely the outreach approach only leads to a light touch approach; yet the children need, at different times, full-time multi-disciplinary support to be available in the school environment which cannot always be timetabled for. For children with SLCN identification of need can be difficult as areas of concern can be masked or disguised as behaviour or dyslexic type difficulties. Research has shown that a 'high proportion' of children with mental health needs have SLCN with 34% being undiagnosed, (RCLST 2009). Moreover 60% of young people within the justice system have SLCN and have learnt strategies to mask their difficulties (RCSLT). Support for the families has always been valued by parents of children attending the specialist provision. If all support is given through outreach parents will not
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	<p>have the opportunity to meet others also managing children with SLCN. Parents can feel as isolated as the children do when they look round and find that other children can communicate well and yet they cannot.</p>
None stated	<ul style="list-style-type: none"> As a school we were unable to recruit teachers to the vacancies within the Specialist Provision at Ashbrow. We recognised that the Specialist Provision for children with Speech, Language and Communication Needs (SLCN) cannot remain at Ashbrow. We were not made aware of the decommissioning of the provision at Thornhill until the Spring Term 2016. Our concern is that there will be no future primary provision for children with SLCN yet ICAN (the provision for children of non-statutory school age) and Royds High School are full. It appears that primary aged children with SLCN will receive light touch outreach support in their local mainstream. This is a huge concern as we know how much support the children with SLCN need. We know from experience that early intervention is the most effective. The ICAN provision provides a much needed service for the pre-school aged children and most are able to return to their mainstream schools and benefit from Outreach. However some children's needs are so complex that they need additional in-school support which allows them to access their right to an education which will bring the brightness out of them and provide them with life chances they deserve. The proposal to move to Outreach only for primary is a worrying concern because there is no Speech and Language Therapist (SALT) involvement with Outreach. Children's complex traits are often masked and it requires Speech and Language Impairment specialists to unpick the needs in order to address them appropriately. Documentation states that children are 'well supported' through Outreach. At the consultation event the LA representative was asked about how this has been measured and what criteria has been used to measure the Outreach and was unable to provide answers. Do Outreach staff have the necessary depth of experience of working with SLI/SLCN children in a school environment which equips them with the level of expertise needed to advise school staff on strategies? Schools who ask for support have usually tried everything they know / use all the resources they have before they ask for help. They need to know they can 'trust' the advice given. Do Outreach staff have the necessary depth of experience of a 'hands on' approach to working with SLCN children? Out of necessity surely the Outreach approach only leads to a light touch approach; yet the children need, at different times, support to be available in the school environment which cannot always be timetabled for. If needs are not properly met we know that they can present as behavioural issues which in turn could impact on mental health long term. The statement about 'lack of demand' is misleading as pre-school and KS3 provisions are full. It cannot be that there is a need for the other age groups but not the middle. KS3 could become heavily oversubscribed. Also children will have stored issues not addressed during their primary years. Has anyone looked at whether the issue of poor 'demand' could lie with the referral service? SENACT have not been allocating transitional places, even when children have a full evidence base. A whole school model cannot be lost. The whole school approach is tangible as all staff are on board and all children benefit. Parents also have the opportunity to benefit from meeting up with other parents who have children with SLCN. The children with SLCN currently at Ashbrow should be allowed to retain their places at the school because this is what the parents were promised. They are supported by staff who know them/their parents well. All the children at Ashbrow came through ICAN. They were parents of a group whose needs were too severe to enable them to go back into mainstream elsewhere. At the consultation event it was humbling to meet past parents and pupils who came to ensure their voices were heard. The young people talked about the positive impact being embraced by a school that recognised their needs had had on them. Parents similarly talked about how life changing their children's education at a provision with expertise in SLCN had been. Having no primary provision is a devastating thought. Strategically it would make sense to create a primary hub at Royds.
Responses from staff at Not-stated	
Strongly Support	<ul style="list-style-type: none"> Have had excellent outreach support from them and seen the impact and improvement children in the RP/SP have made.

Responses from Governors at Ashbrow School	
Strongly Oppose	<ul style="list-style-type: none"> • There are specialist staff at Ashbrow whose future is now uncertain if these changes are implemented. I have heard first-hand accounts of the huge positive different made to children's lives because of the positive impact that the specialist provision has and the children's future would not be as bright as it is. Outreach support is not the answer for children with these types of issues. • I do not believe that there has been adequate assessment of the outcomes for pupils of an outreach model. I have heard from parents and pupils who have benefited from the current school placement model and who are adamant that it is this model that has enabled the best level of development. I have seen no figures to indicate that a comparison has been made between those children supported by an outreach system and those who have been supported by the current provision at Ashbrow and therefore I have seen no evidence that supports a claim that an outreach system will deliver similar levels of progress to the current provision. I have seen no evidence of an assessment having been undertaken to identify how such a change will affect those children with complex special needs. I believe that the claim that the demand for places has reduced is fundamentally flawed. I have seen no evidence of any investigation or assessment of why demand for places appears to have reduced. There is much evidence from those who have used the system that it is difficult and complicated to apply for assessments and subsequent placement. The children currently receiving support at Ashbrow were promised that provision until the end of year six. That promise should be honoured. • This proposal contradicts the council's Early Intervention and Prevention agenda. This is a budget cut that hits one of our most vulnerable groups of people. <p>OUTREACH The results of this area of work are apparently not measurable. The progress of children with complex needs currently in mainstream school is not being measured against 1) their peers in their school or 2) the children in the Ashbrow specialist provision. Question: so on what evidence is this proposal being based? At best, outreach is hit and miss, with irregular visits by Outreach, that rely on the goodwill of staff in the child's school (SENCO? ETA? Class teacher?) and them being able to carry out what can be complex speech and language therapy - without the specialist training.</p> <p>CHILDREN WITH COMPLEX NEEDS Children with complex speech and language needs need expert, intense therapy, several times a week, by specialist staff. Children with complex Speech and Language Impairment (SLI) don't just experience severe speech problems but are also generally massively behind in their academic attainment and extreme problems in their social skills, often on a par with Autism Spectrum Disorder. Mainstream schools CAN NOT generally deal with these needs, even with the best will in the world. This leads to the child's problems becoming more entrenched and a real lack of progress.</p> <p>DELETING ALL SPECIALIST PROVISION IN KIRKLEES FOR KS1 AND KS2 Anyone with even the most basic knowledge of SEN knows that early intervention and prevention is the most effective and cheapest way for a child with complex needs to reach their potential. By the time a child with severe SLI reaches KS3 they will never catch up academically, the social damage is permanent and, more importantly, they will probably never make significant progress in speech therapy. Every child should be given the chance to succeed and reach their potential and to deny a child with complex SLI the correct and appropriate support seems to me to be tragic and morally wrong.</p> <p>NOT MAKING BUDGET CUTS Moving that money into another budget area IS a cut to children with severe needs. It's a cut to the most vulnerable in Kirklees.</p> <p>THE LAW Children with severe SLI in their Statements or EHCPs have a legal right to the level of support set out in those legally binding documents. Kirklees will still have a responsibility to provide that level of support. I foresee a time in the near future where a parent will sue for that care - paving the way for other parents (of all areas of SEN) to follow suit.</p>

	<p>THE LAST SET OF SEN REFORMS</p> <p>My son is the ONLY child to get a transitional place at Ashbrow and I had to fight tooth and nail to get that place for him. He has severe verbal dyspraxia and had gone through the ICAN provision at Ashbrow. He is the ideal child, suited for this provision. But it was made as difficult as possible for him to access that provision. Thanks to that high level of care/support, he is now in year 3, now in mainstream at Ashbrow and has caught up academically and can be understood - he will always have residual SLI but thanks to the support he has received (and continues to receive) he has had the chance to show that actually he's pretty bright and has a future ahead of him.</p> <p>Parents are not being told about the provision so they are not accessing it. That is why the provision is now empty. Not because of lack of need.</p> <p>MY VIEW</p> <p>If the provision cannot be supported in the long run I believe it should gradually be transferred over to Royds Hall so that by the time Royds has all year groups in place that they can accommodate KS1-KS3. This, to me, is common sense. Otherwise, when a child at Royds with severe SLI age 5 enrolls, will they be told "sorry we can't help you until you are 11"?</p> <p>I would respectfully ask Cabinet members to ask for evidence of the impact of this directly from the ICAN organisation.</p>
Responses from Governors at Thornhill J&I School	
Strongly Support	<ul style="list-style-type: none"> This is the sister provision to Thornhill, and I have no reason to believe that this resource is being any better used than the provision at Thornhill
Responses from Governors at Not-stated	
Oppose	<ul style="list-style-type: none"> I think the assumption that there is a lack of need for a specialist provision is incorrect. What research brought you to this conclusion? I know Outreach is an excellent support for a number of children. However some children require more intense and specialist support. This is evident through the work and needs displayed in the I-Can Provision as well as the secondary provision at Royds. What happens to the children in the Primary phase? Hasn't there always been a long belief in Education that children need to be picked up when they are young. Your plans will leave a huge gap that the children will never recover from. Ashbrow supported nearly 60 children very successfully last year through Outreach, who has carried on that level of support this year? This indicates that the provision for children with SLCN at any level will be slashed dramatically. Having been a Head Teacher in Kirklees with a Specialist provision I know how hard it is to employ experienced staff how are you proposing to address this? There are three experienced staff at Ashbrow I feel it to be essential that they are given the chance to support the remaining children from the provision at Ashbrow. I am sure they would also be able to assist in Outreach also. Having been actively involved in the review of Specialist provisions across the LA a number of years ago I am deeply saddened by the use of Outreach to replace intensive provision and hope it isn't just a money saving exercise. Children only get one chance. I was proud to work in Kirklees and felt their commitment to specialist provisions was excellent and had such a dramatic impact on children's lives. I am therefore saddened by your proposals and strongly disagree with your assumption that all children will be better supported through Outreach.
Response from Local Residents	
Strongly oppose	<ul style="list-style-type: none"> My child is in need of SLCN. He has attended Ashbrow from the age of 3. Where he entered through ICAN. Without the support of resource provision team, he would not have achieved the levels of curriculum he has. I really wouldn't know where my son would be regarding school or developmental and support. To take away special provision would be detrimental to pupils who need it, and would disturb, confuse children being taken away from routines, friends from school. Early intervention is very important for our children, the ICAN provision in early years helped my child access education and so he began to do better at school with the right support.

Responses from Other category of respondents (including respondents not stated)	
Strongly Oppose	<ul style="list-style-type: none"> <p>This proposal contradicts the council's Early Intervention and Prevention agenda. This is a budget cut that hits one of our most vulnerable groups of people.</p> <p>OUTREACH</p> <p>The results of this area of work are apparently not measurable. The progress of children with complex needs currently in mainstream school is not being measured against 1) their peers in their school or 2) the children in the Ashbrow specialist provision. Question: so on what evidence is this proposal being based? At best, outreach is hit and miss, with irregular visits by Outreach, that rely on the goodwill of staff in the child's school (SENCO? ETA? Class teacher?) and them being able to carry out what can be complex speech and language therapy - without the specialist training.</p> <p>CHILDREN WITH COMPLEX NEEDS</p> <p>Children with complex speech and language needs need expert, intense therapy, several times a week, by specialist staff. Children with complex Speech and Language Impairment (SLI) don't just experience severe speech problems but are also generally massively behind in their academic attainment and extreme problems in their social skills, often on a par with Autism Spectrum Disorder. Mainstream schools CAN NOT generally deal with these needs, even with the best will in the world. This leads to the child's problems becoming more entrenched and a real lack of progress.</p> <p>DELETING ALL SPECIALIST PROVISION IN KIRKLEES FOR KS1 AND KS2</p> <p>Anyone with even the most basic knowledge of SEN knows that early intervention and prevention is the most effective and cheapest way for a child with complex needs to reach their potential. By the time a child with severe SLI reaches KS3 they will never catch up academically, the social damage is permanent and, more importantly, they will probably never make significant progress in speech therapy. Every child should be given the chance to succeed and reach their potential and to deny a child with complex SLI the correct and appropriate support seems to me to be tragic and morally wrong.</p> <p>NOT MAKING BUDGET CUTS</p> <p>Moving that money into another budget area IS a cut to children with severe needs. It's a cut to the most vulnerable in Kirklees.</p> <p>THE LAW</p> <p>Children with severe SLI in their Statements or EHCPs have a legal right to the level of support set out in those legally binding documents. Kirklees will still have a responsibility to provide that level of support. I foresee a time in the near future where a parent will sue for that care - paving the way for other parents (of all areas of SEN) to follow suit.</p> <p>THE LAST SET OF SEN REFORMS</p> <p>My son is the ONLY child to get a transitional place at Ashbrow and I had to fight tooth and nail to get that place for him. He has severe verbal dyspraxia and had gone through the ICAN provision at Ashbrow. He is the ideal child, suited for this provision. But it was made as difficult as possible for him to access that provision. Thanks to that high level of care/support, he is now in year 3, now in mainstream at Ashbrow and has caught up academically and can be understood - he will always have residual SLI but thanks to the support he has received (and continues to receive) he has had the chance to show that actually he's pretty bright and has a future ahead of him.</p> <p>Parents are not being told about the provision so they are not accessing it. That is why the provision is now empty. Not because of lack of need.</p> <p>MY VIEW</p> <p>If the provision cannot be supported in the long run I believe it should gradually be transferred over to Royds Hall so that by the time Royds has all year groups in place that they can accommodate KS1-KS3. This, to me, is common sense. Otherwise, when a child at Royds with severe SLI age 5 enrolls, will they be told "sorry we can't help you until you are 11</p> <p>"?</p> <p>I would respectfully ask Cabinet members to ask for evidence of the impact of this directly from the ICAN organisation.</p>

	<ul style="list-style-type: none"> • My son went to Ashbrow and without the staff knowledge and years of experience he wouldn't be where he is today. The daily routine of expert staff and speech work. The environment which was adapted for them with different needs. Because of their experience of many years they had a very good idea how best to work with my son and how to draw the best out of himself. Therefore I feel that these many years of experienced staff will be lost! • The prescribed alteration to discontinue the 12 transitional places for children with speech language and communication needs at Ashbrow School would be robbing future children of a sound start in junior education and a very confusing one. Points to be made: First, continuation and maintenance of the status quo in familiar surroundings is paramount to the child's security and thus learning ability. Secondly, familiar places in school buildings and the knowledge that familiar faces and voices are continuing to support is vital to the continuing success of the process and present system. Teachers and Teaching assistants are not trained for children with additional needs. Children understand and are indeed comforted by trained support, they recognise it. All children need to be educated amongst their peers in the mainstream system in order to match their abilities. For outreach support for the Child's educational needs to be adequate, for educational success, on a rather ad hoc basis is naive to say the least. Continuity to a child is something that happens on a daily basis not occasionally on a 'if it is deemed necessary/see how it goes' basis. Schools and nursery schools, in particular, need to be fully aware of the current facility. They need to look out for children with these disabilities. The system of enabling parents to access this present facility is not good enough. The forms need to be dealt with by those making the placements. Those in authority need to be making it easier for parents to access the system. My grandson has made huge improvements not just in his educational awareness but also in understanding what he needs to do to help himself. Consistency in Ashbrow Junior School has given him this. He still has a way to go to catch up to his peers but he is being enabled to get on with it with the constant support and reassurance he has now and has always received from trained personnel at Ashbrow. We are as confident as we can be in the transition process which Ashbrow have in hand for him to progress to middle school in 2017. • I strongly oppose the proposal to change the provision for children with SLCN for the following reasons: Outreach can give a 'light touch' to many children but what about the children with complex SLI/SLCN who need intense support? 'Outreach only' cannot provide consistent support which is required for these children. Surely Outreach staff need a base school not an office to work from so they can make sure strategies suggested have a whole school approach. Nursery provision places are full and so is KS3 - why should there be a gap in the middle? If children are not given the level of support they need at Primary School their difficulties will be much greater when they get to high school. Children with SLCN can appear disruptive and it is not always possible to identify between a child who has behaviour difficulties and a child who has a lack of understanding and is therefore disruptive. In a school based provision these needs can be supported at all times whereas in mainstream there is not always the time and resources to do this. Have outreach staff had enough 'hands on' experience of children with SLI/SLCN to be able to advise and support mainstream teachers with appropriate strategies. Parents and families of children with SLCN also need support. Will mainstream teachers/support staff have the time and knowledge to give them the support they need? • I strongly oppose the proposal to discontinue the primary SLCN provision at Ashbrow School. On a personal note, I am passionate about a school based provision being available for children with SLCN as my daughter attended the specialist provision during her infant years and she benefitted greatly from the specialist teaching and support she was given. Without the specialist intense early intervention including on-site speech therapy which she so desperately needed, she would not have made the progress she did with her speech, language and social skills. Because the level of support she required was available in a provision based in a mainstream school, she was able to learn and socialise alongside her peers, and then be able to move out of the provision to go onto her local mainstream
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	<p>Junior and High School. It was the hardest decision I ever had to make when professionals suggested my three year old needed specialist help in a school away from my local area, but it was right for her and the best decision I ever made. Now on a professional note, I have worked in the Specialist Provision for many years and have hands-on experience with the many differing difficulties children with SLCN face. No two profiles present as the same and it needs specialist training, resources and experience to be able to identify and support children with these specific needs effectively. It can be particularly difficult for instance to identify a child who has comprehension difficulties by confusing his lack of response and inappropriate actions as behaviour issues. However, a child with articulation difficulties is far easier to notice, but the support that child will need now and in the future with literacy for instance, can be underestimated. Over the years some children who have been through the provision had already found a mainstream primary school a very challenging and confusing experience. Some indeed, were on the verge of exclusion when they arrived and when given the level of specialist support they required, have gone on to achieve well in the later stages of their education, developing into very sociable happy young people. If they had not been able to access this specialist support who knows what might have happened? - permanent exclusion, mental health issues, in trouble with the Police? - it doesn't bear thinking about! In the provision we are able to resource specific support for individual children who present with challenging behaviour due to their SLCN. This support is needed throughout the whole school day with specific approaches necessary to support them not only with their lessons but also at playtimes, lunchtime and other social occasions and to help them cope with any changes in the routine of school life. Parents and families of children with SLCN also need a great deal of support and the specialist staff in the provision are always available to support families in this way. Mainstream class teachers don't have this time or the resources to do this. I find it quite extraordinary that there is no plan to have a primary provision anywhere across Kirklees. I agree that an Outreach Team could reach more children across the Authority but this could only be a 'light touch' for many children as the need is so great. There is however no mention of SALT involvement in the 'outreach only' approach. Are there specialists in Speech and Language Impairment/SLCN available to advise on complex cases when a child's difficulties/traits may have been hidden over time by other behaviours? The consultation report says demand is very low for specialist places currently at Ashbrow - "the reason for the lack of demand is that children with SLCN are being very well supported in their local schools by 'outreach' staff, who work wherever they are needed most". I do not believe this is the case. The need is still obviously there as places at nursery level are being taken up and so too are the places in the Provision at Secondary School so why have this gap in the middle? So children's difficulties disappear during their primary years and then re-appear when they are teenagers? - I don't think so! Some young children at the end of their time in the nursery provision have had to move onto their mainstream setting even though the professionals involved knew they would not be able to cope, only to be re-referred straight away by their mainstream school's SENCO for specialist help! Surely it is clearly unsettling for a young child with SLCN to move from one setting to another when they could have been offered a place in the primary provision they were already familiar with! Is there a problem with the referral process? SENACT have not been allocating transitional places to children even though the evidence has been there that a child needs more than their local mainstream setting. I believe changing the permanent places in the provision to transitional places was a very short-sighted decision. Even if SENACT had allocated these transitional places, parents would probably be reluctant to 'uproot' their child with very specific speech and language needs and who is already finding school life very difficult, for just a few terms! I'm sure there are many children out there who need more than an occasional visit once a term (if they're lucky) for an Outreach Team. Some children need specialist support to be available all the time in the school environment which is not always possible to be adhered to with all the pressures of mainstream timetabling of lessons. An outreach team need a 'base school' not to solely work from an office, in order to support other staff in outreach schools. This school is</p>
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	<p>then a role model of the 'whole school approach' for SLCN which includes all staff in the school whether they are the Head Teacher, gardener, caretaker or the person who serves the children their lunches. An 'outreach only' model would be to work with teachers and support staff to better equip and inform them of how to cope with children with very specific Speech and Language needs rather than the Team actually working directly with a child. How can the success of this be measured? Do the outreach staff actually have the depth of knowledge and experience of working closely 'hands-on' with children with SLI/SLCN to be able to advise mainstream staff of appropriate strategies? Identification of a Speech and language impairment can often get confused with dyslexia or autism particularly if staff are working alongside the autism team. Class teachers have so much to do these days, they can't cope with more pressure of work/planning for individual children who find it very difficult or even impossible to access the mainstream curriculum without specialist support. How will the Outreach Team know if the school have been able to carry out the suggestions correctly or even at all? I also believe that some teachers will not take kindly to support staff or other teachers coming into their school telling them what to do. I strongly suggest you reconsider the proposals to change from a school based provision at Ashbrow to an outreach only provision.</p> <ul style="list-style-type: none"> • I strongly oppose the proposals for the decommissioning of the Specialist provisions for primary SLCN pupils. There is a huge number of children, across the Authority, that are missing out on specialist support and specific input, which includes input from specialist Speech and Language Therapists (SALT), on this very important issue. This is evident with the need for provision in Early Years and High School (KS3 and KS4). At present both these provisions are full so how can there be a lack of demand for places in primary? If no provision is made for primary children they could arrive at High School with unaddressed issues which could make transition even more difficult for them. Pupils with SLCN/SLI retain these difficulties in primary, and therefore retain the need for specialist support. In my opinion there must be an issue with the referral system and several questions need to be asked. When there is firm evidence provided that a child has SLCN/SLI needs, as I know has happened, why have SENACT not been allocating transitional places to primary provisions when the need is obvious for them? Is there anyone on the panel who is Specialist SALT to give advice on the possible disguise of SLCN/SLI within the referred children? The Specialist SALT's input is both needed and significant at this time in the education of children with SLCN/SLI. In my experience of working with children with SLCN/SLI, the structure, consistent approach to school work, behaviour issues, playtime/lunchtime support, attainment, support and reassurance needed when daily routines are changed cannot be supported without permanent specialist support within the school setting. One child I have worked with was being labelled as naughty and causing disruptions in lessons, was upset at playtimes with her peers and confused when daily routines changed. Her lack of understanding of tasks set and difficulty in asking for help contributed to the assumption that she was disruptive. Her need to use filler words such as 'no' when being asked a question gave the impression that she was being rude and answering the teacher back/ when all she was trying to do was buy herself time to think of an appropriate response. Disruption occurred when the child did not understand the task set. She would start laughing, calling out and making silly noises during the input of a lesson. This would continue until she was on task and having continual, gentle reminders of appropriate behaviour. Strategies to support this child included visual cues that promoted independent learning, symbolised reminders to alleviate stress and confusion during the lesson and support secure structure, differentiated work, continual checking of understanding, a weekly social group, pre-teaching of unfamiliar vocabulary and regular intervention of reading and IEP support. On one occasion the child was unsupported in the classroom and when I entered she looked visibly distressed. Removing her from the class, I asked what was wrong and she said "I don't know what to do." I asked why she hadn't asked the teacher and she replied, "She will think I wasn't listening." Reassurance had to be continually given that this wasn't the case and with appropriate support she managed to complete the task. The problem was specific to her SLCN/SLI
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	<p>needs and confirms my opinion that specialist support should be available within the school setting for more complex children. Another child I have worked with would throw equipment, hide under the table, spit, kick and climb up onto outbuildings and spiky fences, shout abuse and need regular restraint. This child had so much to give but because of difficulties often attempted to avoid work which he found difficult and hard to understand. Without consistent, specialist support in how to cope with not just understanding but also not being able to express himself without violence, how to cope with the workload and his social understanding, he would have been on the verge of being excluded from mainstream school. Again, the difficulties were specific to his diagnosis of SLCN/SLI and the need for placement in a primary provision. These types of scenarios apply to all children I have worked with, but at different levels. Not only do we work intensively with these children but also with their families. Support is given to the families by holding regular meetings to discuss IEPs, home issues related to the children's need and social events with parents of children with similar needs who can get together and discuss their concerns, these include both past and present parents. Social events are so important to the children and families. It makes them feel supported by the people who know the children best, people that work with them on a day to day basis and who can relate to the expectations and anxieties they may be feeling. As we all know all children are different, and the complexity of these needs require a variety of approaches. One size doesn't fit all. This can only happen when a specific member of a team is working alongside a child and not dipping in and out, as would happen on outreach. I agree that some outreach support, for children with less complex needs, would be of benefit to both the staff and the identified children in schools. This would still need to come from both a Specialist Teacher and a Specialist Speech and language Therapist, who both have specific knowledge and experience in dealing with the needs of these children. It would also need to be, in my opinion, a school base. Doing this would create a whole school approach which in turn would help the outreach staff model how strategies can be applied from the cook serving lunch to the head teacher leading assembly. Questions need to be asked in relation to the outreach work, such as: How is Outreach measured and what criteria has been used to implement it? Is there a depth of experience required for the staff carrying out the outreach for children with SLCN/SLI and the advice they are giving to the school? Do the outreach staff have or have they had the necessary depth of 'hands on' experience of working with children with SLCN/SLI on a daily basis? Surely an outreach approach is only a light touch and not the daily support, which is often a necessity, and is available within the provision and cannot be timetabled for? What do the outreach team do to gain full knowledge of the child? Are they reliant on the knowledge of the class teacher who will have had to do a full observation that includes background information? What would be used to identify comprehension difficulties opposed to behaviour concerns which can be masked for children with SLCN/SLI? Would working alongside the Autism team, on a day to day basis, muddle the identification of SLCN/SLI with Autism, as traits can be similar? The skills of SLCN/SLI trained staff have improved the progression of the children I have worked with over the years. This includes strategies such as the use of Communicate in Print (CIP) resources both in class and across school, the understanding of how to rephrase, provide a consistent approach, gentle reminders of appropriate behaviour, social groups, intense IEP support, effective input into the planning of a lesson and offers of how to model teaching to other staff members. With specific support these children can, will and do overcome some of the difficulties they experience in day to day life and learn how to cope within social situations that they feel anxious about and are unable to do at present. For some of these children, the primary years at school are the cement needed for High School and later life when, in some cases, the misunderstanding of language could lead to them becoming in trouble with the police and mental illness. Would you want to be responsible for the input into any of these things happening to innocent children who have had an important layer taken away from their education?</p> <ul style="list-style-type: none"> • 1.SEND REFORMS – disproportionately impacting on SLCN: The stated driver for closure of the SLCN provision is: 'very low demand for places,
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	<p>due to the level of support offered to mainstream schools by the outreach staff.' I feel that the perceived lack of demand is more complicated than has been presented in the consultation document. From my perspective as a Speech and Language Therapist, the SEND reforms seem to have disproportionately impacted children with complex SLCN, in particular those children who have the capacity to achieve significant positive outcomes with intensive specialist support in a Specialist provision.</p> <p>I feel that fewer of these children are being issued with EHC Plans with a consequent reduction in the demand for specialist provision places. There is a potential unmet need here.</p> <p>2.Specialist Provision is proven to have significant impact on children's outcomes: We have evidence that children with complex SLCN do benefit from access to Specialist units in the Kirklees area. Provisions have the specialist training and capacity to implement specialist interventions and adaptations to the curriculum to support these children to progress. My statistical evidence using Therapy Outcome Measures (TOMs) as shown in the graph over the period of September 2013 to April 2016 indicates that of all the children entering the ICAN unit 80% of them have severe or severe & complex levels of need. On leaving the ICAN unit after two or three terms of highly specialised input only 28% of pupils continue to present with severe or severe and complex needs. In addition 42% of these children leave the unit having made significant amounts of progress in that they present with mild or no SLCN needs. I am concerned that children whose SLCN have not been identified in the Early Years will not have access to specialist provision during their primary education. In addition that the 28% of pupils who continue to present severe levels of need do not have the option to take up a transitional place at Ashbrow for another 3-6terms to extend and increase their potential for progress. If the above results could be extrapolated to Primary aged children, they would suggest primary aged children with complex SLCN will miss out.</p> <p>3.Concerns about capacity to deliver the required amount of specialised intervention in mainstream:</p> <p>I am concerned that the children who have complex SLCN (specifically those who have the capacity to make significant progress with intensive specialist intervention) may not be receiving the required level of intensive support in mainstream school settings. This is a particular concern when children do not have an EHC in place as schools often do not have the resources, or capacity to support these children at the required level of intensity.</p> <p>4.Concerns about the skill set within mainstream schools to deliver specialist intervention:</p> <p>I often find that the ability of mainstream education staff to meet these children's needs and understand them varies dramatically across schools, despite support from Specialist education and health staff. School staff often attempt to implement recommendations but do not have the necessary specialist knowledge to achieve the best possible outcomes or to identify when they need further specialist advice or support to meet these children's needs.</p> <p>Without transitional specialist places, children will not have access to the skills of specialist professionals on a regular/intensive basis which may impact on their ability to access their mainstream curriculum and ultimately their outcomes. Furthermore, transitional places would afford the opportunity for specialist professionals to complete a period of detailed, intensive assessment for the more complex cases in order to ascertain a fully child-centred intervention plan.</p> <p>5.Inequality of Service Provision for Primary School Aged Children with Complex SLCN I am concerned that there is demand for specialist places for children with complex SLCN at nursery age (ICAN), and at Secondary Level (Royds Hall Specialist Provision) but there is perceived low demand at Primary level (Ashbrow Primary & Thornhill School). The perceived lack of demand at Primary level is inconsistent with the pattern of need at Nursery and Secondary level</p>
Don't know	<ul style="list-style-type: none"> Contribution to Non-Statutory Consultation Proposals for changes to specialist Provision our views are expressed from experience and expertise in Specific Language Impairment and also our experience of the wider perspective of Speech, Language and Communication Needs (SLCN) and as past members of the

	<p>Ashbrow Team.</p> <p>We would like to pose some questions and make some comments for consideration; Low demand for places in Ashbrow Provision – As SLCN needs considerable skill and expertise to both assess and plan for, does the authority have that expertise to recognise children with SLCN and therefore fill the places? Could the lack of this expertise be the reason for low demand?</p> <p>Does the authority have sufficient Speech and Language Therapy input to help with the assessment and intervention of children with SLCN? SLI for example is complex and often a hidden impairment and requires a thorough understanding and knowledge of speech and language development and understanding of its distinction from other similar communication problems such as Autistic Spectrum Condition.</p> <p>Will outreach provide a multidisciplinary team which must include parents whose joint planning and exchange of views and ideas will enhance the meeting of needs? And will the outreach model support the family of a child with SLCN or SLI? (The Ashbrow Model).</p> <p>Has any consideration been given to the consequences of inadequately meeting the needs of children with SLCN? SLCN if left unrecognised and unaddressed results in poor life outcomes for children and young people – many studies show links between poor speech, language and communication skills and youth offending, low literacy levels, social difficulties, rejection and isolation (listed in The Cost to the Nation of Children's Poor Communication, I Can Talk Series – Issue 2, I Can, 2006).</p> <p>Do schools have the expertise and time to address issues in which SLCN can impact on other areas of development such as self-worth, behaviour, socialisation etc.? The Ashbrow model provides the supportive environment and this experience of dealing with these issues.</p> <p>Outreach provision – Is there any evidence, feedback that this improves children's opportunities?</p> <p>And is this what schools need and want?</p>
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Q2) Do you support or oppose the proposal relating to Thornhill Junior and Infant School?

Responses- Parents / Carers from Ashbrow School	
Strongly Support	<ul style="list-style-type: none"> It's not needed then thats fine.
Neither Support nor Oppose	<ul style="list-style-type: none"> If the school have decided they wish to close the provision then nothing can change that.
Strongly Oppose	<ul style="list-style-type: none"> This provision has already closed. Every area should have access to provision. Outreach wouldn't work, needing access to SP staff at all times gives security, without feeling secure affects behaviour.
Responses- Parents / Carers from Farnley Tyas First School	
Strongly Oppose	<ul style="list-style-type: none"> Early intervention is vital. You are planning to create a gap in service that mainstream schools are not skilled to provide , outreach is a limited service , environment is key, you will end up having to pay for expensive out of area placements
Response- Parents / Carers from Royds Hall Community School	
Strongly Oppose	<ul style="list-style-type: none"> Children with SLCN need specialist teachers and support staff on a daily basis in school to enable them to cope. Outreach would not be sufficient - visiting and trying to educate staff in the child's needs is like giving a child in a wheelchair the loan of a wheelchair for a few hours a week. Most mainstream teachers and support staff have not got the skills, knowledge or time to give these children what they need - specialist support from staff who are experienced in looking after them. My son attended Ashbrow and was lucky to have the resources and skilled teachers to help him become a confident and successful student. He was in mainstream and failed -

	Ashbrow gave him a chance and changed his life. All the above points, plus: In your statement you say 'most children with SLCN do not need to access the specialist provision...'. It's true some children's needs could be met in mainstream school but as you say, not all. What happens to the children with more severe communication needs who need specialist provision? The answer is they will fail in school; their behaviour will become a problem - eventually they will be excluded. Not the best start in life! I would also question why referrals are low - are they not getting SALT assessments in the first place! Or is there insufficient speech therapy in the resource provision that parents decide not to send them.
Response- Parents / Carers from Shaw Cross J&I School	
Strongly Oppose	<ul style="list-style-type: none"> Children with SLCN need to be supported on an ONGOING basis by specialist SLCN staff who can spontaneously and continually tailor-make learning to suit the child's individual needs. Tapping into services once a term/half a term is not feasible as it is hindering the child's progress!
Response- Parents / Carers from Thornhill J&I School	
Strongly Support	<ul style="list-style-type: none"> Yes, again if there are no reasons to continue this facility then close it and use the funding for another use
Response- Parents / Carers from Not-stated School	
Don't know	<ul style="list-style-type: none"> I feel that some spaces should be available who knows what the future holds.

Responses from staff at Ashbrow School	
Neither support nor oppose	<ul style="list-style-type: none"> If the school have decided they wish to close the provision then nothing can change that.
Strongly Oppose	<ul style="list-style-type: none"> There is a great need for continuation of places at Ashbrow for children with SLCN. This need has been masked by the council not allowing transitional places to go to children with SLCN, children with SLCN need expert support on a daily basis and this can only be given by a school that fully understands the needs of the children. The Council have caused this 'low level of demand' by refusing to offer transitional places. The ICAN nursery at Ashbrow is full at present with children allocated places already for September this year. How then can there not be a need to continue this support into the child's Reception year and further? Children who were candidates in the past to go through Ashbrow had to take places at their local schools, within the first term they failed miserably and were referred back to the SP team at Ashbrow. The Council is responsible for the long term effects on these already vulnerable children. Outreach can only be good if the staff in local schools take advice on board and stick to it religiously. However staff change, other demands take precedence, strategies are forgotten and the child with SLCN is at best struggling along quietly but not achieving, at worst labelled as disruptive with behaviour problems and his needs are not met. At Ashbrow all staff have a wealth of knowledge and experience, even without a lead teacher in the SP team at the moment, and children with SLCN deserve to benefit from this. The comments above also refer to Thornhill children. The same things have happened with the same results. Surely the Council does not expect children with SLCN to live on only one side of Kirklees? In relation to my experience, I am sure that others use this service to its full potential. This supports children in their own setting and prepares them for the next steps - regardless of their school. The non-statutory consultation document states....'demand is very low.' A full ICAN provision at Ashbrow (& at Royds school) shows that there is demand and need (& has been historically) for the specialist provision and the provision has shown excellent progress for those children over time. Children that have progressed sufficiently to be able to cope with the demands of mainstream schooling, have transferred and continued to make progress. The proposals indicate no pathway for children with severe & specific speech and language difficulties within the primary sector other than proposed outreach service. Post primary is too late for these children and experience indicates that the children

	<p>have associated issues with their self-worth and behaviour if transferred too early. No transitional places were ever offered (budget not available) following the SEN review and the model became a light touch outreach one which took highly specialised and trained teaching staff away from the school provisions. Promised training for these staff was never given. SP supporting staff are highly trained. Schools receiving outreach lack the necessary staff expertise to support children effectively. Children leaving ICAN (there is now no direct pathway within reception other than Early Years SEN support - long timescales and gaps in provision) or SP are being referred back at a later date or, in some cases NOT being re-referred by schools receiving outreach (ICAN children) as school believe children have attained SALT targets - This leads to complex difficulties further down the line. Proposals do not take into account the accompanying level of family support needed for children with severe SLCN. Family forum feedback indicates that families are happy for their children to travel to a specialist provision as they recognise that their children's specific needs can be met. SP staff are primary trained are being offered secondary posts and being asked to consider accepting now, which presumes the proposals are a foregone conclusion?</p>
Don't know	<ul style="list-style-type: none"> We need SLCN provision across the country. I don't work at the school neither do I know the children who go to the school but if they currently have a place it is because they need it and should not be taken away from them.
Responses from staff at Thornhill J&I School	
Strongly Support	<ul style="list-style-type: none"> It has been a complete disaster from the start and has been very badly managed by senior managers in Kirklees. A complete waste of tax payers money. SEN support/provision within Kirklees is a complete joke and the money could've been far better used.
Responses from staff at Not-stated school	
Support	<ul style="list-style-type: none"> The support from them as outreach has not been great. The Grade 8s are nowhere near as skilled from Thornhill and have at times been rude to staff in school and little impact has been seen in the children worked with.
Response from Governors at Ashbrow School	
Neither support nor oppose	<ul style="list-style-type: none"> If the school have decided they wish to close the provision then nothing can change that.
Strongly Oppose	<ul style="list-style-type: none"> I do not believe that there has been adequate assessment of the outcomes for pupils of an outreach model. I have heard from parents and pupils who have benefited from the current school placement model and who are adamant that it is this model that has enabled the best level of development. I have seen no figures to indicate that a comparison has been made between those children supported by an outreach system and those who have been supported by the current provision at Thornhill and therefore I have seen no evidence that supports a claim that an outreach system will deliver similar levels of progress to the current provision. I have seen no evidence of an assessment having been undertaken to identify how such a change will affect those children with complex special needs. I believe that the claim that the demand for places has reduced is fundamentally flawed. I have seen no evidence of any investigation or assessment of why demand for places appears to have reduced. There is much evidence from those who have used the system that it is difficult and complicated to apply for assessments and subsequent placement.
Response from Governors at Thornhill J&I School	
Strongly Support	<ul style="list-style-type: none"> The provision facility within the school is not being used effectively, and the current arrangements are a waste of money which could be used to better effect by providing an Outreach only service
Responses from Local Residents	
Strongly Oppose	<ul style="list-style-type: none"> This provision has already closed. Every area should have access to provision. Outreach wouldn't work, needing access to SP staff at all times gives security, without feeling secure affects behaviour.

Responses from Other category of respondents (including respondents not stated)	
Neither Support nor Oppose	<ul style="list-style-type: none"> If the school have decided they wish to close the provision then nothing can change that. I cannot comment in detail as this is out of my working area – other than it being a reduced option for families within the Kirklees area and my conviction that a Specialist Provision is the best option for some children.

Q3) Do you support or oppose the proposal relating to Moldgreen Community Primary School?

Responses - Parents / Carers from Ashbrow School	
Strongly Support	<ul style="list-style-type: none"> There is special school for autism and these children would benefit more from that than support in setting.
Oppose	<ul style="list-style-type: none"> When an academy or future academy chooses to rid themselves of vulnerable children with SEN then the reasons are very clear? Results Results Results.
Strongly Oppose	<ul style="list-style-type: none"> Specialist provision is important I know this as my child goes to Ashbrow and it works!!
Responses - Parents / Carers from Farnley Tyas First School	
Support	<ul style="list-style-type: none"> The head doesn't want those children, she told me that herself ...open a provision in a school that believes in the future of these kids. Outreach cannot offer enough support. I have been told by outreach that they can only advise mainstream , it's up to the school to offer support advised or not ..you will cause harm to more children causing a knock on effect of increased costs in key stage 3 provisions and health
Responses - Parents / Carers from Royds Hall Community School	
Strongly Oppose	<ul style="list-style-type: none"> Children with SLCN need specialist teachers and support staff on a daily basis in school to enable them to cope. Outreach would not be sufficient - visiting and trying to educate staff into the child's needs is like giving a child in a wheelchair the loan of a wheelchair for a few hours a week. Most mainstream teachers and support staff have not got the skills, knowledge or time to give these children what they need - specialist support from staff who are experienced in looking after them. My son attended Ashbrow and was lucky to have the resources and skilled teachers to help him become a confident and successful student. He was in mainstream and failed - Ashbrow gave him a chance and changed his life. All the above points, plus: In your statement you say 'most children with SLCN do not need to access the specialist provision...'. It's true some children's needs could be met in mainstream school but as you say, not all. What happens to the children with more severe communication needs who need specialist provision? The answer is they will fail in school; their behaviour will become a problem - eventually they will be excluded. Not the best start in life! I would also question why referrals are low - are they not getting SALT assessments in the first place! Or is there insufficient speech therapy in the resource provision that parents decide not to send them.
Responses - Parents / Carers from Shaw Cross J&I School	
Strongly oppose	<ul style="list-style-type: none"> These children need hands on specialist support on a daily basis. My child's eta (etas do a brilliant job given the limited resources/knowledge/understanding) is not Makaton trained. I've observed some OCD type behaviour which my child's PEAD observed within 20 minute of an appointment which the school did not observe in the 8 months they have spent within close proximity of him, nor are they trained to spot these behaviours let alone deal with these behaviours!!! I will be getting my MP involved!
Responses - Parents / Carers from Thornhill J&I School	
Strongly Support	<ul style="list-style-type: none"> Yes not needed, no good wasting money in this climate.
Responses - Parents / Carers from Not-stated School	
Don't know	<ul style="list-style-type: none"> I feel that some spaces should be available who knows what the future holds.

Responses from staff at Ashbrow School	
Oppose	<ul style="list-style-type: none"> When an academy or future academy chooses to rid themselves of vulnerable children with SEN then the reasons are very clear? Results Results Results.
Strongly Oppose	<ul style="list-style-type: none"> This 'consultation proposal' is ridiculous, the closure of Moldgreen is already a done deal and it is to the detriment of the children. Staff expertise has been lost and again vulnerable children put at risk. It's already been closed! In relation to my experience, I am sure that others use this service to its full potential. This supports children in their own setting and prepares them for the next steps - regardless of their school. The provision has already been closed!
Responses from staff at Non-stated school	
Oppose	<ul style="list-style-type: none"> It's a long way for children in South Kirklees to travel to Headlands if they do need a specialist placement. Some children with autism are very complex and special schools are only accepting children on P levels or just above. Mainstream school cannot cope with the more and more complex SEN coming into school. Children with autism need plainer environments where they are not over stimulated and things don't change and mainstream schools cannot offer this all the time.

Response from Governors at Ashbrow School	
Neither support nor oppose	<ul style="list-style-type: none"> I have insufficient information to make comment in this area
Oppose	<ul style="list-style-type: none"> When an academy or future academy chooses to rid themselves of vulnerable children with SEN then the reasons are very clear? Results Results Results.
Response from Governors at Thornhill J&I School	
Strongly Support	<ul style="list-style-type: none"> Based on the use of resources in my own school I have no reason to believe the situation will be any different at this school

Responses from Local Residents	
Strongly oppose	<ul style="list-style-type: none"> Specialist provision is important I know this as my child goes to Ashbrow and it works!!

Responses from Other category of respondents (including respondents not stated)	
Strongly oppose	<ol style="list-style-type: none"> As far as I am aware these specialist places have not been available since the closure of the unit in 2014. I was under the impression that there would be a new location for the primary provision in South Kirklees. As far as I am aware this has not happened. The permanent closure of this provision removes parental choice for those children who would benefit from a Specialist Provision within a mainstream school. Children who have been identified and who have a diagnosis of Autistic Spectrum Disorder and an EHC plan have not been offered a place, for example: a parent has reported to me that her child, who has a diagnosis of ASD, cannot have a place at Headlands Primary School Autism Specialist Provision as there is no space, as well as being informed that there is no Specialist provision available in South Kirklees. There seems to be an inequality in provision across North and South Kirklees.
Oppose	<ul style="list-style-type: none"> When an academy or future academy chooses to rid themselves of vulnerable children with SEN then the reasons are very clear? Results Results Results.

Q4) Do you support or oppose the proposal relating to the provision of a centralised primary outreach hub?

Responses - Parents / Carers from Ashbrow School

Neither Support nor Oppose	<ul style="list-style-type: none"> A hub is a good idea but should be school based, being out of school is not productive.
Don't know	<ul style="list-style-type: none"> I don't think the outreach would be able to do it - our children 'need the 24/7 provision' so more specialist provision supporting their needs is better. Also the child's 'social and emotional' needs are met/understood & supported in a holistic way. Security of my child is very important - outreach would not be able to do this. Yes, in ADDITION to specialist provision.
Responses - Parents / Carers from Farnley Tyas First School	
Support	<ul style="list-style-type: none"> Outreach is still useful at a lower level of need, but not as a replacement for specialist provisions. The closure of these units is not about lack of uptake, because you don't tell parents about the provisions and you make it extremely hard to get a place, thus creating a lack of uptake...stop lying to us, we know you have another agenda
Responses - Parents / Carers from Honley High School	
Neither support nor oppose	<ul style="list-style-type: none"> There needs to be more support, not less, more input not less. Currently support from outreach is non-existent.
Responses - Parents / Carers from Lindley Infants School	
Neither Support nor Oppose	<ul style="list-style-type: none"> If it means closing the specialist units then I oppose it.
Responses - Parents / Carers from Meltham Moor Primary School	
Strongly Support	<ul style="list-style-type: none"> Children should be able to attend their local school and that school receive the appropriate support, training and advice.
Responses - Parents / Carers from Royds Hall community School	
Strongly oppose	<ul style="list-style-type: none"> SLCN and autism are different - centralising them is wrong. Outreach will not work with children with complex needs. The staff need to be with that child all day every day. Mainstream teachers do not have the same skills, knowledge or time to enable them to give the child what they need. Over time the Outreach staff will also become de-skilled as they need to work in a specialist provision to get their knowledge and learn from their colleagues. They will become isolated working in several schools a week. This is a recipe for disaster!
Responses - Parents / Carers from Shaw Cross J&I School	
Strongly Oppose	<ul style="list-style-type: none"> Tapping into services is not the 'intensive support' that a child with disability needs.
Responses - Parents / Carers from Not-stated School	
Don't know	<ul style="list-style-type: none"> Unsure of what this is. It doesn't affect me but it may affect others. Maybe get a proper report from people to which this will/does affect.

Responses from staff at Ashbrow School	
Oppose	<ul style="list-style-type: none"> We need regular specialists in school, not staff popping in and out whenever they feel necessary. Support needs to be consistent, regular and familiar. These children need key workers who are within their environment all the time.
Strongly Oppose	<ul style="list-style-type: none"> Staff working from a central hub is not in the best interests of the children. Children with SEN need experienced staff at all times. If a child with SLCN or ASD has a problem in school which school staff are unfamiliar with should the child then wait for the next possible appointment with a member of staff from the 'Hub'? This again would be failing the child and our SEN/vulnerable children deserve the best we can give them. SLCN and autism are two very separate things. They should not be banded together. The children in specialist provision have a speech and language impairment that is not linked to autism. They need constant/consistent support. Outreach will not provide them with this. In my opinion, the children build relationships with staff with experience and

	<p>knowledge within the SP area. To create a 'hub' would detach from this and the children would not be able to form those trusting relationships. The signs of SLCN and autism need to be recognised and this will only happen from a strong relationship, internally - not an outreach system.</p> <ul style="list-style-type: none"> Proposals aim: 'to ensure that the right support is in place...' '....to strengthen our arrangements so the children are better supported.' Children with an ASD diagnosis have different SLCN needs to those with severe and specific communication needs (i.e. specific speech and language impairment, in absence of other conditions) and those with SLCN related to e.g. medical needs. Costs of proposed outreach, specifically travel and specific training. Light touch aspect of outreach compared to specialist and intensive, specifically differentiated support within SP. Family support issues. The proposal to base the outreach at Headlands School is a real concern. Surely outreach staff for SLCN need to have a primary base in a school with SLCN children. The approach to autism, as is the Headlands specialism, and children with SLCN is different. Staff in schools receiving outreach need to have a school base to visit to see how the environment is configured, how the whole school approach is planned for, and specialist programmes at work. This necessitates a primary school base for children with SLCN, here you should see staff rephrasing effortlessly, repeating frequently, signing and symbol support, but most of all happy relaxed children who are learning alongside their peers gaining vocabulary and social skills as well as English and mathematics.
Don't know	<ul style="list-style-type: none"> Yes, in ADDITION to specialist provision.
Responses from staff at Not-stated School	
Oppose	<ul style="list-style-type: none"> They are extremely different needs and whilst a few strategies work across both (quality first teaching), it's important there's very skilled staff working effectively to give specific advice. Visits to SPs to see advice working in practise with real children has been really important for support staff to understand how to work with complex children
Response from Governors at Ashbrow School	
Strongly Oppose	<ul style="list-style-type: none"> Outreach services for this type of provision is not practical or in the best interests of the children. This proposed change seems short sighted and goes against the grain of new council. Early Intervention and Prevention? I do not believe that there has been adequate assessment of the outcomes for pupils of an outreach model. I have heard from parents and pupils who have benefited from the current school placement model and who are adamant that it is this model that has enabled the best level of development. I have seen no figures to indicate that a comparison has been made between those children supported by an outreach system and those who have been supported by the current provision at Ashbrow and therefore I have seen no evidence that supports a claim that an outreach system will deliver similar levels of progress to the current provision. I have seen no evidence of an assessment having been undertaken to identify how such a change will affect those children with complex special needs.
Don't know	<ul style="list-style-type: none"> Yes, in ADDITION to specialist provision.
Response from Governors at Thornhill J&I School	
Strongly Support	<ul style="list-style-type: none"> Because the children needing to access these services will find an outreach service less disruptive than having to move school for a transitional place than moving back when the transitional period ends. In my opinion this option also provides better value for money to the council.
Responses from Local Residents	
Don't know	<ul style="list-style-type: none"> I don't think the outreach would be able to do it - our children 'need the 24/7 provision' so more specialist provision supporting their needs is better. Also the child's 'social and emotional' needs are met/understood & supported in a holistic way. Security of my child is very important - outreach would not be able to do this.

Responses from Other category of respondents (including respondents not stated)	
Strongly Oppose	<ul style="list-style-type: none"> The well experienced staff will not make bonds with the children and therefore will not be able to assess their needs and skills correctly, which will lead to bigger problems as they get older. I cannot stress strongly enough that the experience of the staff is key. I find it hard to believe that no referrals are coming through for SLCN.
Oppose	<ul style="list-style-type: none"> If the consultation process proceeds with the decision to close the specialist provision places at Ashbrow, Thornhill and Moldgreen then the following are aspects that I would indicate as being appropriate during consideration of creating the new proposal of a specialist unit at Headlands with a plan to create a central outreach team: <ol style="list-style-type: none"> 1.Joint working: In the report commissioned by the government entitled 'What is Good Practice in Autism Education' (2011) by Autism Education Trust it was identified that one of the core principals of good practice in Autism education is the need for joint planning and working with health and educational professionals to support Language and Communication. I genuinely believe that cross discipline combined working ensures the best possible outcomes for children across specialist teaching experience combined with specialist language and communication recommendations via therapy services. 2.Specialist Provision Placement at Headlands: It is unclear if the Specialist Provision places at Headlands will be offered to children with complex SLCN and ASD across North and South Kirklees. As these are two very different clinical areas I would express concerns about the pressure to develop skills in specialist staff in these two widely different clinical presentations which often require completely different specialist interventions and educational support.
Don't know	<ul style="list-style-type: none"> Yes, in ADDITION to specialist provision.

Note- Some stakeholder responses may have been included in more than one category of responses, if they have identified themselves in more than one category of respondents.

SENCO Champions session re Specialist Provision proposals
Tuesday 20th September, 11am
Grange Moor Primary School

Notes from the session

Jayne explained that the purpose of the discussion was to get a better understanding of SENCOs knowledge and use of specialist provision along with some feedback of support provided. Jayne explained that this would be useful in relation to the consultation regarding proposed changes to primary SLCN provision.

Jayne posed the following topics to the group as part of an open discussion:-

1) What do you know about support available from specialist provision?

- 4 strands of support; ASD, SLCN, Physical, Sensory
- Royds Hall – Secondary SLCN
- Understanding is that Ashbrow provision has closed
- Outreach provision has moved from Thornhill, central hub with ASD team
- Autism places @ Headlands, nothing @ Moldgreen and no places replaced in South Kirklees.
- ASD and SLCN comments included “very good”, “excellent”, brilliant support” in relation to support received (specific support cited: practical approaches, school development audits, practical strategies, very efficient, time limited and longer interventions offered as needed, good advice and resources provided, quick assessment and offer of effective strategies.
- positive experiences noted primary and secondary level
- good HI support

2) Have you made referrals to SLCN SP, i.e., teams based at Thornhill and Ashbrow?

4 of the 5 SENCOs had made referrals and all 4 commented positively on involvement with reference to:

- good resources provided, supported by implementing strategies to support transition, simplified things, visual timetables etc.
- provide reassurance to SENCO that school are on the right track, pointing out what is working effectively but also adding other ideas onto this.
- may suggest MSP or EHCP request if all support possible is being put into place and there is little or no progress
- ratifies what you are doing is right but also identifies gaps
- used Outreach to explore next steps for child at transition and how best to support parents with decision making ring and check how things are going.
- timely response
- SLCN referrals have positive feedback

1 SENCO felt parents like medical link via SALT involvement so tended to refer to SALT rather than specialist provision outreach as thought it would be quicker but said that would refer to primary outreach team now aware of quick take up after listening to colleagues' experience

3) Speech & Language therapy service/SLCN SP team – what is your understanding of the two?

- Specific speech & language impairment should be referred to SALT (added comment that this was less of an assessment outcome than it had been in the past, i.e., not as many children being diagnosed with SLI).
- SLCN SP outreach; more practical advice and strategies, whole school programmes for SLCN whereas more theoretical from SALT with specific programmes suggested if language skills not regarded as commensurate with cognitive abilities by SALT (which SENCOs felt affected the quality of the SALT service on offer)
- may get information about a child's difficulties from SALT but don't always tell us what to do about it
- some inconsistencies in SALT offer noted by SENCOs, e.g., written reports
- SLCN outreach is used on occasion due to capacity to support teaching staff rather than the SENCO. Supports the SENCO with advice, puts weight behind what they are advising teachers to do.
- SLCN outreach enhances what SENCOs already have in place, confirming existing support plans and making suggestions of additional help.

4) What is your experience of language needs in schools as there seems to be a suggestion that there is a lot of need? If so, why do you think this isn't reflected in very high referral numbers??

- massive increase in SLCN acknowledged so SENCOs have skilled themselves up in this area and SENCOs who are experienced often deal with these in house (e.g., make good use of IDP).
- whilst some SENCOs have skills and expertise it is still useful to have the outreach team come in and model and provide support- this enhances capacity and reinforces good practice
- don't refer all SLCN cases because use learning from previous outreach involvement for children with similar difficulties
- possibility that new SENCOs may not be aware of the support on offer or the referral process even though SP teams have outlined at SENCONET and covered in training for new SENCOs
- SLCN outreach only been around for 2 years, still quite new, may be taking time to filter through and for people to hear about positive experiences?
- some SENCOs maybe avoid completing the forms? Could they be made aware it's just 2 pages one being the child's details? Easy referral system.
- 1 SENCO added she first came into contact with SLCN SP when a referral for ASD outreach was passed on to SLCN team to respond because of ASD team had too many referrals, which in the SENCOs view the support received was appropriate

to the need. SENCOs liked idea that ASD SP and SLCN SP were working together to ensure cover and getting it right, don't have to worry too much about what box ticked when referring

- lack of training for teachers to recognise needs and therefore opportunities missed for early intervention and referral
- perhaps the term 'speech, language and communication needs' is not clear enough, spell out the impact of communication? Not just about 'speech' but also communication. Children being mis-diagnosed with ADHD by other professionals where behaviours from SLCN have become an issue when not addressed – this undermines work done by schools when ADHD
- suggestion that Head teachers sometimes refer without having tried any strategies. Could this be an opportunity to highlight what can be done prior to referral? (reference to C&I graduated approach document)
-

JW asked if SENCOs saying that if we identify SLCN needs early on we can prevent problems down the line and that SLCN SP outreach can support with this?

- Yes, this would prevent problems escalating and also provide staff training.
- SENCOs agreed the Communication and Interaction graduated approach document would support with that as well

5) What about your views on the lack of take-up of primary SLCN transitional places?

- some children have very complex needs, can't be pigeon-holed into SLCN or ASD only
- one child doesn't always fit in 'one place' and therefore ends up staying in mainstream which is also unsuitable.
- some reluctance from parents to uproot children and move them to a school out of their area and away from established friendship groups, it's not what every parents wants
- are some SENCOs unaware of places actually being available?
- very little 'out there' in the media about SLCN whereas ASD is always at the forefront
- are SENACT officers leading conversations towards transitional places?
- SALTs never mention transitional places so are they aware?

On a more general note SENCOs commented on the level of complexity of need some children in their schools have which goes wider than 'slcn':

- SENCOs felt that they have children on roll currently whose needs were not being met in mainstream school and that they deal with more complex cases than some specialist provision schools.
- no provision other than special school for complex needs where children can't specifically be diagnosed as either ASD or SLCN.

- different use of language - graduated approach document uses 'Communication and Interaction' then we use 'SLCN' when it comes to provision. 'Communication and interaction' is much clearer

Are you saying that a provision for wider needs under 'Communication and Interaction' would be more appropriate in being able to meet the needs of the more complex children you have described?

- SENCOs positive about a joint communication and interaction support provision - this would cover some of the more complex children who have wider needs.
- View that SENCOs are dealing with complex children where no alternative place available. In order for SENCOs to take on children who would have been previously placed in special schools, they need the training and resources. Often labelled with behavioural problems. Lack of time to deal with the most complex cases in an effective way.

-

General comments re SENCO role

- *General shared acknowledgement of challenges of SENCO role; whole school audits were a popular idea to flag up where schools don't have the resources/capacity to meet children's needs / potential to 'join up' smaller schools to share support and provide nurture groups etc. / Can't just be on SENCOs shoulders, has to involve the management structure and head teachers*

Kirklees Specialist Provisions

Westtown Family Centre, Boothroyd Green,
Dewsbury, WF13 2RQ
Tel: 01924 483744

Email: specialist.provisions@kirklees.gov.uk

Did you receive support from ASD SLCN Both

School Name:
How did you find the service as a whole?
What impact has the service had for the referred student?
What impact has the service had for key staff?
What impact has the service had for the whole school development?
What else would have been helpful/useful?

In the last year your school made a referral for support from Specialist Provision Outreach Team. We are currently evaluating our outreach service and value your feedback.

Your prompt response is appreciated and the evaluation of this form will help us to improve our future service.

Please return to the above email address by Friday 16th September 2016.

Thank you

Esther Marper
Strand Lead ASD

Jo Sayles
Strand Lead SLCN

The Effectiveness of Primary SLCN Outreach

An evaluation sheet was sent to all the Primary Schools that have requested SLCN outreach last year. 22 were returned by the closing date.

The feedback about the effectiveness of the outreach from the evaluations returned was positive.

Staff were asked to reflect and give feedback in the following four areas:

1. What impact has the service had for the referred student?

- Improved outcomes
- Reduced anxieties
- Child happier to come to school
- Improved behaviour
- Increased engagement in class
- Adaptation to the environment
- Positive impact on student development.

2. What impact has the service had on key staff?

- Increased confidence
- Staff are re-assured by advice
- Increased knowledge
- Support in trying out new strategies
- Confidence to speak to parents about their child
- Training and staff development
- Staff awareness about more complex needs
- Confidence in planning for more complex needs
- Positive impact on staff
- Supported with new resources

3. What impact has the service had on the whole school?

- General and specific training for all staff
- Knowledge and confidence in meeting needs of the children
- Sharing good practise
- Using advice to cascade to other staff
- Improvement in the school environment
- Supported children to meet and exceed their expected progress
- Support with writing reports and My Support Plans
- Support and training for new staff
- Consistency of practise across school.

4. How we improve the service?

- More training opportunities
- More frequent outreach
- Better communication with other Specialist Services.

In response to the cabinet summary report:

“There is a general concern regarding the lack of evidence of the effectiveness of an external outreach provision.....”

- The evaluation of the Specialist Provision Primary Outreach indicates clearly that there has been impact for pupils, staff and in whole school improvement.

“There are concerns that the move to outreach provision would heavily impact on teaching standards”

- The positive relationships formed with mainstream colleagues allow outreach staff to develop their own professional development within the teaching standards. This is evidenced by the coaching and mentoring of mainstream staff to build the capacity of their own school and to have the confidence to use new skills within the classroom; thus supporting Quality First Teaching.
- Empowering mainstream staff to support children within their own settings and facilitate staff to meet the needs of their children with their existing resources effectively.

“Children with the most complex SLCN require intense therapy and support on a one-to-one basis several times per week; many respondents are concerned that outreach does not address the needs of these children.”

- The response indicated that the outreach staff are skilled and knowledgeable in their field and raise the confidence of their mainstream colleagues. They can use their skills to show how children with more complex needs can be supported within a mainstream setting using the advice and recommendations from other professionals including the Speech and Language Therapists.
- The SLCN outreach staff would consult with staff and parents to assess the level of support needed depending on the individual child and their needs.

“Many respondents made points about the ability of mainstream school teaching staff to follow through on advice and guidance from outreach support, and whether they have the time and skills required to effectively support the child.”

- The new SEN guidelines require teaching staff to differentiate within the classroom through Quality First Teaching to meet the needs of all children. Schools value the support and advice from outreach staff bringing new ideas, strategies and resources to their schools.

“A lack of early intervention and prevention could potentially mean that it is too late to deal with SLCN at high school age if this has not been addressed at primary level.”

- There is an accessible referral process and response to need is made quickly. There are good communication links between the Early Years outreach team and the Primary SLCN outreach team to make early identification of children’s needs clear. The teams can then work closely to continue the support that is given to these children.

How did you find this service as a whole?

- "Staff have been non-critical and offered valuable advice?"
- "The whole provision service is a great support for school and being able to talk to staff who have a wealth of information is great!"
- "Excellent, efficient, support and professional".
- "I found the service very efficient and helpful. I was provided with lots of practical ideas and the reviews were useful to focus on everyone on outcomes".

What impact has the service had for the referred student?

- " Positive impact for the student as the visits confirmed the validity of our strategies and suggested how these might be developed."
- " The impact for the pupil has been the small adaptation of the curriculum, environment and raising staff awareness. Obviously this has had a positive effect on their achievement helping them to make small steps forward."
- "Support provided has seen improvement in self-esteem, social skills, confidence in talking to adults and ability to access learning in the classroom.
- "Parents have reported the child is happier coming in to school!".

What impact has the service had for key staff?

- "Staff are more skilled and well informed to support all students within the school."
"re-assurance and confidence for staff that they are doing the correct thing and making improvements to the provision we offer".
- "Staff have the confidence in what they are doing day to day".
- "The specialist advice and guidance has enabled the provision of specific activities and strategies to promote progression and learning".
- "Staff are developing greater confidence to plan for and meet very specific needs".

What impact has the service had for whole school development?

- "The advice and strategies provided will enable school to benefit other children with similar needs in the future".
- "The support provided is being used to develop the whole school staff , in particular with the writing of My Support Plans."
- "Looking at our learning environments to make adjustments to support our pupil".
- It has extended the range of interventions we can provide to our pupils and upskilled staff."



Name of meeting: Cabinet
Date: 15th November 2016
Title of report: Dewsbury Education Village - Pioneer House and land at Bradford Road, Dewsbury

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 Council's Forward Plan?	Yes
Is it eligible for "call in" by Scrutiny?	Yes
Date signed off by Director & name	Jacqui Gedman – 03/11/16
Is it signed off by the Assistant Director - Financial Management, Risk, IT & Performance?	Debbie Hogg – 04/11/16
Is it signed off by the Assistant Director - Legal, Governance & Monitoring?	Julie Muscroft – 02/11/16
Cabinet member portfolio	Councillor P McBride – Place (Economy, Skills, Transportation and Planning)

Electoral wards affected: Dewsbury East and Dewsbury West

Ward councillors consulted: Dewsbury East - Cllrs Scott, Firth and Kane and Dewsbury West – Cllrs O'Donovan, Pervaiz and Hussain.

Public or private: Public with private appendices

Appendix two is recommended to be taken in Private because the information contained in them are 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

This report seeks:-

- 1.1 Approval for the Council to support Kirklees College in the creation of a new education facility in Dewsbury through the disposal of Council owned property at Bradford Road, Dewsbury, commonly known as “the former Safeway site”.
- 1.2 To update members on progress regarding the refurbishment of Pioneer House as part of the wider Dewsbury Learning Quarter project (DLQ)

2. Key points

Cabinet on 08th March 2016 endorsed the Council's commitment to work with Kirklees College to progress DLQ. Cabinet also requested further reports outlining the detailed terms of the disposal of Pioneer House and the land at Bradford Road (the former Safeway site) are brought to a future Cabinet meeting for consideration.

The current College premises, comprising of the main campus and the Wheelwright building, occupy 18,000m² of floor space on Halifax Road. The relocation of the College campus closer to Dewsbury town centre will reduce the accommodation requirement to c.8,100m². Comprising of 3,600m² in Pioneer House, and c.4,500m² in a new building to be developed on Bradford Road to create the DLQ. The relocation will see the consolidation of approximately 1,600 daytime students on Bradford Road and a further 1,000 students in Pioneer House.

The project seeks to rationalise the College's existing Dewsbury campus with a reduction of 52% of existing floor-space. The new facility will enhance education provision in North Kirklees and provide a driver for the regeneration of the area.

Kirklees College has submitted an application to the LEP for Skills Capital Fund. The application sought a capital grant to undertake a fit-out programme to Pioneer House and development of the DLQ. The application was endorsed by the Local Enterprise Partnership (LEP) on 07th June 2016 and approved by the West Yorkshire Combined Authority on 23rd June. The College have been awarded approximately £11.1m of Skills Capital Grant and a loan facility of £4m (total £15.1m) to support the delivery of the proposal subject to completion of formal paperwork.

2.1 Pioneer House

To facilitate the occupation of Pioneer House by the College, the Council will undertake a programme of landlord's works. This will provide a platform level for subsequent fit-out for the College. The college will be undertaking fit-out works to Pioneer House following the completion of the council's landlord's works. It is anticipated the fit-out works will commence in Autumn 2017 and be

completed in Summer 2018 allowing operational use of the building by the college from Autumn 2018.

A further report will be submitted to Cabinet for consideration providing an update on works to Pioneer House at a later date.

2.2 Former Safeway site, Bradford Road, Dewsbury

Cabinet approved the acquisition of the former Safeway site on 05th March 2008 and the acquisition was completed on 25 September 2008. Cabinet on 25th August 2015 authorised officers to undertake a marketing exercise in respect of the site. The Council, via Walker Singleton, marketed the site receiving offers on 29th January 2016. The site boundary is noted in appendix one. These were duly reported to Cabinet on 08th March. The unrestricted market value has been established for the site. The details of the offers received are contained in private appendix two.

The College have appointed a contractor for the new build element of the DLQ. The detailed planning application for the proposal was approved 06th October 2016 (application number - 2016/92420).

It is anticipated that enabling works, to prepare the site for construction works, will commence in January 2017, with the main construction works following on in March and completion in late January 2018. To allow these timescales to be met requires the disposal of the Bradford Road site to the College to be completed as soon as possible.

The Council is under a statutory duty to obtain the *best consideration* that can reasonably be obtained when disposing of land and property. Circular 06/03: Local Government Act 1972 General Disposal Consent (England) 2003, issued by the Department for Communities and local Government, states that best consideration is generally the unrestricted Market Value and is the best price reasonably obtainable for the disposal where the principal aim was to maximise the value of the receipt. The unrestricted value should take account of whatever uses might be permitted by the local planning authority. The College have confirmed they will acquire the site, at best consideration, in accordance with the Council's statutory duty.

The terms of the disposal would be the gross value of the site less any reasonable adjustments for abnormal site costs associated with the specific College Development the details of which to be agreed by the Assistant Director (Place) in consultation with the Assistant Director (Legal, Governance and Monitoring).

3. Implications for the Council

Delivering the transformational new education based will be undertaken in three distinct stages. The first stage is the acquisition and subsequent development of Bradford Road for DLQ by the College. This will be followed by the landlord's programme at Pioneer House and then stage three, the College undertaking the occupation fit-out programme at Pioneer House.

The disposal of the land at Bradford Road is an essential element of the overall project and is needed in order to allow the works to start, thus securing

a large capital receipt for the Council and allowing the wider project to progress and subsequently the LEP grant to be spent.

3.1 Legal Implications

The Council will be required to enter into relevant legal documentation to achieve the disposal.

3.2 Financial Implications

On 23rd June 2016 the West Yorkshire Combined Authority approved a capital envelope of £11.1m grant and £4m capital loan towards the redevelopment of Pioneer House and creation of Dewsbury Learning Quarter.

The Council is under a statutory duty to obtain *best consideration* that can reasonably be obtained when disposing of land and property. The land on Bradford Road, Dewsbury, has been exposed to the open market and it is considered the unrestricted market value of the site has been established. It is proposed that Kirklees College will acquire the site, at best consideration, in accordance with the Council's statutory duty.

3.3 Human Resources Implications

None.

3.4 IT Implications

None.

3.5 Strategy and Partnership Implications:

The Kirklees Economic Strategy identifies the transformation of Dewsbury town centre as a major priority. The redevelopment of Pioneer House and the creation of the DLQ will start this transformation journey.

The working LEP Strategic Economic Plan (2016 - 2036) identifies the North Kirklees Housing and Enterprise Growth Zone (NKGZ) as a priority (see Cabinet 17th November 2015 for background report).

The relocation and creation of the DLQ is expected to generate directly and indirectly an estimated £82.4 million Net Value Added contribution over the first ten years of the project on Dewsbury town centre.

4. Consultees and their opinions

Local ward councillors and Dewsbury and Mirfield District Committee expressed support on 30th June 2016 to the redevelopment of Pioneer House and delivering DLQ with the resultant transformational impact on Dewsbury town centre.

The Portfolio holder has been consulted and is supportive of working with Kirklees College to redevelop Pioneer House and the delivery of DLQ.

5. Next steps

- Officers will support Kirklees College with the delivery of the DLQ proposal.
- Further Cabinet reports will be presented for consideration in respect of the redevelopment of Pioneer House.

6. Officer recommendations and reasons

It is recommended that Cabinet:

- a) Approves the disposal of the land at Bradford Road, Dewsbury, as illustrated in the site plan at appendix one, to Kirklees College for provision of the Dewsbury Learning Quarter, as outlined in the report. The value as set out in 1.3 in appendix two (private).
- b) Delegates authority to the Assistant Director (Legal, Governance and Monitoring), in consultation with the Assistant Director (Place) to enter into all appropriate contracts, deeds and documents in relation to the sale of the land at Bradford Road, Dewsbury with the Kirklees College.
- c) Delegates authority to the Assistant Director (Place) in consultation with the Assistant Director (Legal, Governance and Monitoring) to agree any reasonable adjustments in relation to abnormal site costs associated with the specific College Development.

7. Cabinet portfolio holder recommendation

The portfolio holder, Cllr Peter McBride, agrees with the officer proposals and recommendations and would ask Cabinet to do the same.

“The transformation of Dewsbury is not only a priority for the Council but it is for the City Region. The Combined Authority has provided a capital envelope which will support the creation of a new educational village in Dewsbury and stimulate the reoccupation of Pioneer House. This approval is the first step in delivering the Council’s collective commitment to regenerate North Kirklees in partnership with key stakeholders including Kirklees College.”

8. Contact officer and relevant papers

Andrew Jackson, Principal Regeneration Manager

Email: andrew.jackson@kirklees.gov.uk

Tel: 01484 221000

Papers:

Appendix one (public) – site plan

Appendix two (private) – details of marketing

9. Background Papers and History of Decisions

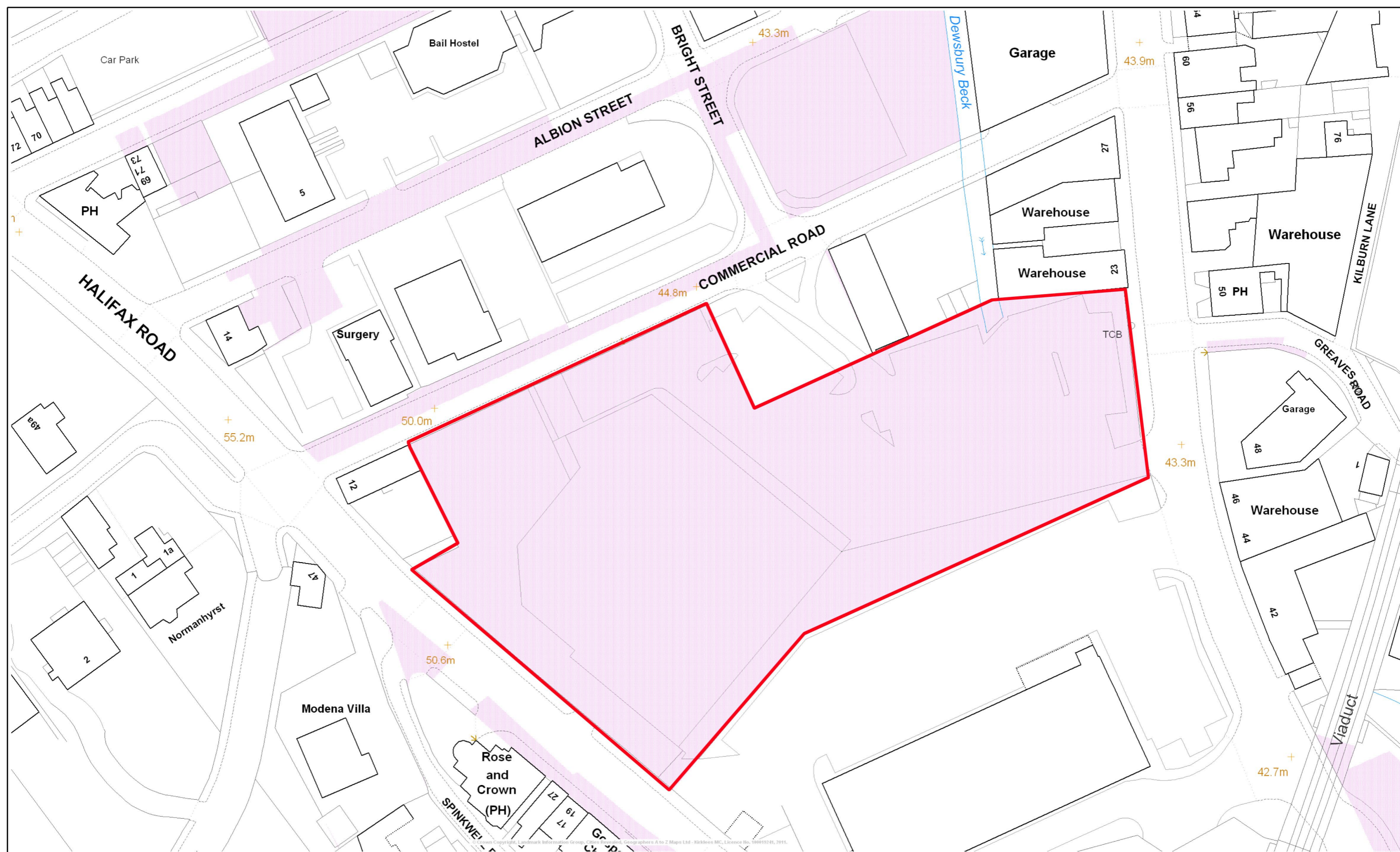
- Cabinet 08th March 2016 – Pioneer House and land at Bradford Road, Dewsbury
- Cabinet 17th November 2015 – North Kirklees Housing and Enterprise Growth Zone
- Cabinet 25th August 2015 – Land at Bradford Road, Dewsbury – former Safeway site
- Cabinet 05th March 2008 – Strategic land acquisition in Dewsbury
- Cabinet 25th July 2007 – Dewsbury Master-planning

9. Assistant director responsible

Paul Kemp, Assistant Director – Place

Email: Paul.kemp@kirklees.gov.uk

Tel: 01484 221000



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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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