

Kirklees Council



Council Chamber - Town Hall, Huddersfield

Tuesday 21 June 2016

Dear Councillor

The Council will meet on Wednesday 29 June 2016 at 6.00 pm at Huddersfield Town Hall Council Chamber - Town Hall, Huddersfield.

The following matters will be debated:

Pages

1: Announcements by the Mayor and Chief Executive

To receive any announcements.

2: Apologies for absence

Group Business Managers to submit any apologies for absence.

3: Minutes of Previous Meeting

To agree and authorise the Mayor to sign as a correct record.

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4: Declaration of Interests

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

5: Petitions

Council will receive Petitions from Elected Members and Members of the Public in accordance with Council Procedure Rule 9.

6: Deputations

Council will receive Deputations with accordance with Council Procedure Rule 10.

7: Questions by Members of the Public

Council will receive Questions from Members of the Public in accordance with Council Procedure Rule 11.

8: Election of Leader of the Council

To elect the Leader of the Council, in accordance with Article 7 of the Constitution.

9: Notification of Deputy Leader, Cabinet Membership and Delegation of Executive Functions

The Leader will advise Council on the appointment of (i) the Deputy Leader and (ii) Cabinet portfolios and delegation of Executive functions.

10: Appointment of Chair of Licensing and Safety Committee

To appoint the Chair of Licensing and Safety Committee for the 2016-2017 Municipal Year.

- 10.1** Appointment of Chair of Strategic Planning Committee (additional urgent item)
To appoint the Chair of Strategic Planning Committee for the 2016-17 Municipal Year.

11: Corporate Plan

11 - 36

To approve the Council Corporate Plan 2016-2017

Contact: John Heneghan, Head of Policy and Strategy

12: Council financial outturn & rollover report 2015-16; incorporating General Fund Revenue, Housing Revenue Account, Capital & Treasury Management

37 - 88

To receive information on the Council's 2015-16 financial outturn position for General Fund revenue, Housing Revenue Account (HRA) and Capital Plan, including proposals for revenue and capital rollover from 2015-16 to 2016-17.

Contact: Eamonn Croston, Strategic Finance Manager

13: Annual Report on Treasury Management 2015-2016 (Reference from Corporate Governance and Audit Committee) 89 - 102

To receive the Annual Report on Treasury Management 2015-16.

Contact: Tim Mitchell, Finance Manager.

14: Regulation of Cosmetic Piercing and Skin Colouring Businesses (Reference from Licensing & Safety Committee) 103 - 152

To consider the adoption of Model Byelaws.

Contact: Chi-Nghi Manford, Environmental Health Officer.

15: Overview and Scrutiny Annual Report 153 - 184

To receive the Overview and Scrutiny annual report 2015-16, and the report of the Ad-Hoc Scrutiny Panel – CAMHS.

Contact: Penny Bunker, Governance and Democratic Engagement Officer

16: West Yorkshire Combined Authority Minutes 185 - 196

To receive the minutes of the West Yorkshire Combined from 4 February 2016.

17: Minutes of Other Committees

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286

- a) Appeals Panel
- b) Corporate Governance and Audit Committee
- c) Corporate Parenting Board
- d) District Committee – Batley and Spen
- e) District Committee – Huddersfield
- f) District Committee – Kirklees Rural
- g) Health and Well Being Board
- h) Licensing and Safety Committee
- i) Overview and Scrutiny Management Committee
- j) Personnel Committee
- k) Policy Committee
- l) Strategic Planning Committee

(Council Procedure Rule 13 applies)

18: Oral Questions to Committee Chairs and Nominated Spokespersons of Joint Committee/External Bodies

- a) Appeals Panel (Councillor Armer)
- b) Corporate Governance and Audit Committee (Councillor Richards)
- c) Corporate Parenting Panel (-)
- d) District Committee – Batley and Spen (Councillor Lowe)
- e) District Committee – Dewsbury and Mirfield (Councillor Dad)
- f) District Committee – Huddersfield (Councillor Ullah)
- g) District Committee – Kirklees Rural (Councillor Watson)
- h) Employee Relations Sub Committee (Councillor Pandor)

- i) Health and Wellbeing Board (-)
 - j) Licensing and Safety Committee – including Licensing Panel and Regulatory Panel (-)
 - k) Overview and Scrutiny Management Committee (Councillor Stewart-Turner)
 - l) Personnel Committee (Councillor Pandor)
 - m) Planning Sub Committee – Heavy Woollen Area (Councillor Kane)
 - n) Planning Sub Committee – Huddersfield Area (Councillor Lyons)
 - o) Policy Committee (Councillor Walker)
 - p) Strategic Planning Committee (Councillor Sokhal)
 - q) Kirklees Neighbourhood Housing (Councillor Smaje)
 - r) Kirklees Active Leisure (Councillor Sokhal)
 - s) West Yorkshire Combined Authority (Councillor Pandor)
 - t) West Yorkshire Combined Authority Transport Committee (-)
 - u) West Yorkshire Fire and Rescue Authority (-)
 - v) West Yorkshire Joint Service Committee (-)
 - w) West Yorkshire Police and Crime Panel (Councillor Hussain)
-

19: Motion submitted in accordance with Council Procedure Rule 14 as to the Transatlantic Trade and Investment Partnership

To consider the following Motion in the names of Councillors G Turner and Cooper.

This Council notes:

1. That the EU and USA launched negotiations in July 2013 on a Transatlantic Trade and Investment Partnership (TTIP).

2. That negotiations are underway to determine which goods and services TTIP will apply to and if new rules can be agreed to protect investors, harmonise standards, reduce tariffs and open new markets throughout the EU and USA.

3. That there has been no impact assessment about the potential impact on local authorities.

4. That there has been no scrutiny of the negotiating texts by local government and no consultation with local government representatives

5. That MPs are also unable to scrutinise the negotiating documents.

This Council believes that:

1. TTIP could have a detrimental impact on local services, employment, suppliers and decision-making.

2. A thorough impact assessment of TTIP on local authorities must be undertaken before the negotiations can be concluded.

3. The proposed Investor State Dispute Settlement (ISDS) mechanism has been used by corporations to overturn democratic decisions by all levels of governments at significant public cost. Local decision-making must be protected from ISDS.

4. The EU's food, environmental and labour standards are better than those in the US and TTIP negotiations must raise and not lower these standards across the EU and USA.

5. Sourcing supplies and employment locally is important to strengthening local economies and meeting local needs. TTIP must not impact on local authorities' ability to act in the best interests its communities.

This Council resolves:

1. To write to the secretary of state for communities and local government, Kirklees MPs, Yorkshire and Humber MEPs raising our serious concerns about the impact of TTIP on local authorities and the secrecy of the negotiating process.

2. To write to the Local Government Association to raise our serious concerns about the impact of TTIP upon Kirklees and ask them to raise these with government on our behalf.

3. To call for an impact assessment on the impact of TTIP on local authorities.

4. To publicise the council's concerns about TTIP; join with other local authorities which are opposed to TTIP across Europe and work

with local campaigners to raise awareness about the problems of TTIP.

5. To contact the local authorities of municipalities twinned with Kirklees asking them to consider passing a similar motion on TTIP.

By Order of the Council

A handwritten signature in black ink, appearing to read 'A S Lytle', written in a cursive style.

Chief Executive

Contact Officer: Andrea Woodside

COUNCIL

KIRKLEES COUNCIL

At the Annual Meeting of the Council of the Borough of Kirklees held at Council Chamber - Town Hall, Huddersfield on Wednesday 25 May 2016

PRESENT

The Mayor (Councillor Jim Dodds) in the Chair

COUNCILLORS

Councillor Masood Ahmed	Councillor Mahmood Akhtar
Councillor Karen Allison	Councillor Bill Armer
Councillor Donna Bellamy	Councillor Martyn Bolt
Councillor Cahal Burke	Councillor Jean Calvert
Councillor Andrew Cooper	Councillor Nosheen Dad
Councillor Donald Firth	Councillor Eric Firth
Councillor Charles Greaves	Councillor David Hall
Councillor Steve Hall	Councillor Erin Hill
Councillor Lisa Holmes	Councillor Edgar Holroyd-Doveton
Councillor Mumtaz Hussain	Councillor Christine Iredale
Councillor Paul Kane	Councillor Viv Kendrick
Councillor Musarrat Khan	Councillor John Lawson
Councillor Vivien Lees-Hamilton	Councillor Robert Light
Councillor Gwen Lowe	Councillor Terry Lyons
Councillor Andrew Marchington	Councillor Naheed Mather
Councillor Peter McBride	Councillor Darren O'Donovan
Councillor Marielle O'Neill	Councillor Shabir Pandor
Councillor Nigel Patrick	Councillor Carole Pattison
Councillor Amanda Pinnock	Councillor Andrew Pinnock
Councillor Kath Pinnock	Councillor Hilary Richards
Councillor Mohammad Sarwar	Councillor Ken Sims
Councillor Elizabeth Smaje	Councillor Mohan Sokhal
Councillor Julie Stewart-Turner	Councillor John Taylor
Councillor Kath Taylor	Councillor Nicola Turner
Councillor Sheikh Ullah	Councillor Michael Watson
Councillor Linda Wilkinson	Councillor Gemma Wilson
Councillor Bernard William McGuin	Councillor Fazila Fadia
Councillor James Richard Homewood	Councillor Michelle Lisa Grainger-Mead
Councillor Gulfam Asif	Councillor Richard Anthony Eastwood
Councillor Manisha Roma Kaushik	Councillor Mussarat Pervaiz
Councillor Richard Smith	Councillor Rob Walker
Councillor Amanda Stublely	

1 To elect the Mayor for the ensuing year

It was moved by Councillor Light and seconded by Councillor D Hall;

That Councillor Jim Dodds is hereby elected Mayor of the Council of the Metropolitan Borough of Kirklees for the municipal year from now until his successor accepts office and signs the required declaration.

The Motion on being put to the meeting was CARRIED.

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Councillor Jim Dodds then made the declaration of Acceptance of Office required by law, took the Chair and returned thanks for his election and named Mrs Carol Dodds as his Mayoress for the coming year.

The Mayor (Councillor Jim Dodds) in the Chair.

Vote of Thanks to Retiring Mayor

It was moved by Councillor E Firth, seconded by Councillor Richards and

RESOLVED -

(1) That the best thanks of the Council are due and are hereby tendered to Councillor Paul Kane for the efficient and dignified manner in which he has performed the important and varied duties of the Office of Mayor during the period May 2015 to May 2016.

(2) That the hearty thanks of the Council be tendered to Mrs Susan Bedford for her services as Mayoress.

Councillor Paul Kane then returned his thanks.

2 To appoint a Deputy Mayor for the ensuing year

It was moved by Councillor N Turner and seconded by Councillor Marchington:

That Councillor Christine Iredale is hereby appointed Deputy Mayor of the Council of the Metropolitan Borough of Kirklees for the ensuing year.

The Motion on being put to the meeting was CARRIED.

Councillor Christine Iredale then made the declaration of Acceptance of Office as required by law and returned thanks for her appointment and named Mr Robert Iredale as her Consort for the coming year.

3 To approve as a correct record and authorise the signing of the Minutes of the Ordinary Meeting of the Council held on 23 March 2016

It was moved by The Mayor (Councillor Dodds), seconded by the Deputy Mayor (Councillor Iredale) and

RESOLVED - That the Minutes of the Ordinary Meeting of the Council held on 23 March 2016 be approved and signed as a correct record.

ADJOURNMENT

At this point the meeting adjourned for a short period of time.

(Upon resumption)

4 Interests

No declarations of interest were made.

5 Announcements by the Mayor and Chief Executive

The Chief Executive advised of the official return of the election of Councillors held on 5 May 2016, as detailed within the considered report.

The Mayor conveyed congratulations to all newly elected and re-elected Councillors.

The Chief Executive advised that Councillor David Sheard had submitted his resignation of the Leader of the Council and outlined the consequential implications upon the Council's executive arrangements.

Tributes were paid to Councillor Sheard in his capacity as former Council Leader by the Mayor and Councillors Pandor, Light, N Turner and Cooper.

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6 To receive any apologies for absence from Elected Members

Apologies for absence were received on behalf of Councillors Hughes, C Scott, Sheard, G Turner and Palfreeman.

7 Election of Leader of the Council

It was moved by Councillor Calvert and seconded by Councillor Sokhal that Councillor Shabir Pandor be elected as Leader of the Council, in accordance with Article 7 of the Constitution.

On being put to the vote, the motion was LOST.

There were no further nominations.

ADJOURNMENT

The meeting adjourned for a short period of time.

(Upon resumption)

8 Notification of Deputy Leader, Cabinet Membership and Delegation of Executive Functions

(This item was not considered as a consequence of no Leader being appointed at the previous agenda item)

9 Proposed Amendments to Council Procedure Rules (Reference from Corporate Governance and Audit Committee)

It was moved by Councillor Richards and seconded by Councillor J Taylor;

‘That the proposed amendments to Council Procedure Rules, as set out within the considered report, be approved.’

Whereupon it was moved by Councillor D Hall, and seconded by Councillor Bolt by way of AMENDMENT;

“That the revisions to Council Procedure Rules, as set out in the considered report be approved, subject to the following amendments, and that authority be delegated to the Assistant Director – Legal, Governance and Monitoring, to make any consequential drafting changes;

(i) Remove paragraphs 9A and 9B.

(ii) Insert in Paragraph 5 (1) after (e):

(f) To consider any petitions and deputations on which the Council has powers or duties or which affect the area of Kirklees in accordance with Rules 9 and 10;

(g) To consider any questions from the public in accordance with Rule 11; and

(h) To consider any questions by Members to the Leader or Cabinet Members in accordance with Rule 12

(and re-number subsequent paragraphs)

(iii) Insert after paragraph 5;

5B Petition Scheme Debates

In accordance with the Council's Petition Scheme, the Petition Organiser will be permitted five minutes to present their petition. The subject matter will then be debated by Council for a maximum of 15 minutes.

(iv) Paragraph 9

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Delete "the HEA Cabinet meeting referred to in Rule 9A before".

(v) Paragraph 10

Delete "a HEA Cabinet meeting referred to in Rule 9A" and insert: "Council (except the Annual Meeting and Budget Meeting)"

The AMENDMENT, on being put to the vote was carried.

There being no further amendment, the motion was put to the vote and it was;

RESOLVED

"That the revisions to Council Procedure Rules, as set out in the considered report be approved, subject to the following amendments, and that authority be delegated to the Assistant Director – Legal, Governance and Monitoring, to make any consequential drafting changes;

(i) Remove paragraphs 9A and 9B.

(ii) Insert in Paragraph 5 (1) after (e):

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(v) Paragraph 10

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10 Proposed Amendments to the Terms of Reference of Health and Wellbeing Board (Reference from Corporate and Audit Committee)

It was moved by Councillor Richards, seconded by Councillor J Taylor and;

RESOLVED -

That approval be given to the revised the Terms of Reference of Health and Wellbeing Board as detailed within the considered report, subject to the amendment of 'Purpose and Functions of the Board; Para 2' to read 'To develop, publish and own the Joint Strategic Needs Assessment for Kirklees (JSNA) (which is known locally as the Kirklees Joint Strategic Assessment(KJSA)) to inform local planning, commissioning and delivery of services and meet the legal responsibilities of Kirklees Council and the Clinical Commissioning Groups.'

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- 11 Proposed Amendments to Council Financial Procedure Rules (Reference from Corporate Governance and Audit Committee)**
It was moved by Councillor Richards, seconded by Councillor J Taylor and;
- RESOLVED -**
That the amendments to Council Financial Procedure Rules, as set out within the considered report, be approved.
- 12 Proposed Amendments to Council Contract Procedure Rules (Reference from Corporate Governance and Audit Committee)**
It was moved by Councillor Richards, seconded by Councillor J Taylor and;
- RESOLVED -**
That the amendments to Council Contract Procedure Rules, as set out within the considered report, be approved.
- 13 Meetings of Council - 2016/2017 (Reference from Corporate Governance and Audit Committee)**
It was moved by Councillor Richards, seconded by Councillor J Taylor and;
- RESOLVED -**
That the Schedule of Council Meetings for the 2016-2017 municipal year, as listed within the considered report, be approved.
- 14 Committees of the Council**
It was moved by Councillor Sokhal, seconded by Councillor Patrick and;
- RESOLVED -**
That approval be given to the establishment of the Committees/Panel/Boards for the ensuing year, as detailed within the considered report.
- 15 Corporate Parenting Board**
It was moved by Councillor Sokhal, seconded by Councillor Patrick and;
- RESOLVED -**
(1) That approval be given to the re-establishment of the Corporate Parenting Board for the 2016-2017 municipal year.
(2) That approval be given to the membership of the Board on a 1:1:1:1 ratio.
(3) That the Terms of Reference of the Board be unchanged from those previously approved on 24 June 2015, and as set out within the considered report.
- 16 Allocation of Seats**
It was moved by Councillor Sokhal, seconded by Councillor Patrick and;
- RESOLVED –**
(1) That the requirements of Section 15 and 16 of the Local Government and Housing Act 1989 shall not apply to the Corporate Governance and Audit Committee, Overview and Management Scrutiny Committee and Health and Wellbeing Board, for the ensuing Municipal Year.
(2) That the number and proportion of Members of Committees, Boards and Panels be in accordance with the schedule as set out in the considered report.
- 17 Dates/Times of Committees, Boards and Panels**
It was moved by Councillor Sokhal, seconded by Councillor Patrick and;
- RESOLVED -**

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That the dates and times of Committee, Boards and Panels be in accordance with the schedule as set out at Item 17 of the Council Summons.

18 **Membership of Committees, Boards and Panels and Ratio of Substitutes Panel**

It was moved by Councillor Sokhal, seconded by Councillor Patrick and;

RESOLVED -

(1) That the Membership of Committees, Boards and Panels be determined in accordance with the schedule circulated to each Member and that the appointment of two Elected Parent Governors and the two denominational representatives to the Overview and Scrutiny Management Committee be agreed.

(2) That a panel of substitute Members for each Group be established on a 6:6:4:4 ratio; that any Member from such panel be authorised to substitute for Member(s) provided that details of substitutions, if any, are reported to the meeting, and that any such substitution shall be effective for the whole of that meeting only.

(3) That the provision of a 'Substitute Member' shall not apply to the Overview and Scrutiny Management Committee, Health and Social Care Scrutiny Panel, District Committees, Standards Committee, Standards Sub-Committee and Health and Wellbeing Board.

(4) That the Business Manager to each Group be empowered to forward to the Assistant Director, Legal, Governance and Monitoring, no later than six clear working days prior to a meeting of a Committee or Panel, any changes in the membership of a Committee or Panel which do not involve a Member of the Substitutes Panel and any change(s) to the names of those Members included on the panel of substitutes approved by the Annual Council meeting.

19 **Appointment of Members to Joint Authorities**

It was moved by Councillor Sokhal, seconded by Councillor Patrick and;

RESOLVED -

(1) That, in regard to West Yorkshire Combined Authority, (i) the Leader of the Council be appointed as a Member, and (ii) that authority be delegated to the Chief Executive in consultation with political group leaders to jointly agree with the other constituent Councils the appointment of the three additional members of the Combined Authority for political balance in accordance with paragraph 1 (3) of Schedule 1 of the 2014 West Yorkshire Combined Authority Order, together with a substitute for each of the three members.

(2) That, in the event that a Leader of the Council is not appointed at the Annual Meeting, the Leader of the largest political group shall be appointed as the Member of West Yorkshire Combined Authority.

(3) That it be noted that, pursuant to (1) above, in the absence of any agreement between the West Yorkshire Councils, no additional West Yorkshire Combined Authority Members will be appointed for political balance.

(4) That the Council's appointments to (i) West Yorkshire Fire and Rescue Authority, (ii) West Yorkshire Combined Authority Transport Committee, (iii) West Yorkshire Combined Authority Overview and Scrutiny Committee and (iv) Substitute for Leader at West Yorkshire Combined Authority be referred to Group Business Managers for determination.

(5) That the Council's appointments to West Yorkshire Police and Crime Panel be referred to the Chief Executive, in consultation with Group Business Managers, to determine.

20 **Appointment to Outside Bodies/Other Committees**

It was moved by Councillor Sokhal, seconded by Councillor Patrick and;

RESOLVED -

(1) That the allocation of places/ratios, as appropriate, in the report at item 20 of the Council Summons, be confirmed; that Group Business Managers put forward nominations to the Director of

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Resources to fill any vacancies or make any adjustments to nominees previously put forward, as appropriate, subject to (4) below.

(2) That those bodies with executive functions be referred to The Leader of the Council to put forward nominees.

(3) That in relation to the Yorkshire Purchasing Organisation Joint Committee, the Council agrees to waive political balance rules which apply in accordance with Section 17 of the Local Government and Housing Act 1989 and that the Leader of the Council, in determining the nominees, resolves which Member will have the one vote on behalf of the Council.

(4) That one of the Council Trustees on Kirklees Active Leisure, to be nominated by Group Business Managers, be authorised to represent the Council for the purposes of Member meetings, pursuant to Section 323 of the Companies Act 2006, to exercise a vote, and that Council notes that David Smith, Director of Resources, will continue as Company Secretary, with no director status or voting rights.

(5) Further, Council notes that Julie Muscroft, Assistant Director (Legal, Governance and Monitoring) and Paul Kemp, Acting Assistant Director (Investment and Regeneration) are respectively Company Secretaries for Kirklees Theatre Trust, and Kirklees Stadium Development Limited.

21 **Spokespersons of Joint Committees and External Bodies**

It was moved by Councillor Sokhal, seconded by Councillor Patrick and;

RESOLVED -

(1) That the nomination of Councillors to reply to oral questions at Council Meetings on behalf of (i) Kirklees Neighbourhood Housing (ii) Kirklees Active Leisure and (iii) West Yorkshire Police and Crime Panel, be referred to Group Business Managers for determination.

(2) That Council notes that spokespersons for the:-

West Yorkshire Combined Authority
West Yorkshire Fire and Rescue Authority
West Yorkshire Joint Services Committee; will be notified by those bodies

22 **To appoint the Chairs of the following Committees etc for the Municipal Year 2016/17, if considered appropriate**

It was moved by Councillor Sokhal, seconded by Councillor Patrick and;

RESOLVED -

That the appointment of Chairs of Committees and Panels be approved as listed below

Committee/Board/Panel	Appointed Chair
Appeals Panel	Cllr Armer
Corporate Governance & Audit Committee	Cllr Richards
Health and Wellbeing Board (dependent upon appointment of Cabinet)	Position not appointed
Licensing & Safety Committee	Cllr A U Pinnock
Overview & Scrutiny Management Committee	Cllr Stewart-Turner
Personnel Committee	Cllr Pandor
Policy Committee	Cllr Walker

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Scrutiny Panel – Health	Cllr Smaje
Standards Committee	Cllr Patrick
Strategic Planning Committee	Cllr Sokhal
District Committee – Batley & Spen	Cllr Lowe
District Committee – Dewsbury & Mirfield	Cllr Dad
District Committee – Huddersfield	Cllr Ullah
District Committee – Kirklees Rural	Cllr Watson
Planning Sub Committee – Heavy Woollen	Cllr Kane
Planning Sub Committee – Huddersfield	Cllr Lyons

KIRKLEES COUNCIL				
COUNCIL/CABINET/COMMITTEE MEETINGS ETC				
DECLARATION OF INTERESTS				
Council				
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: Council
Date: 29 June 2016

Title of report: Corporate Plan 2016-17

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 <u>Director</u> & name	
Is it signed off by the Director of Resources?	
Is it signed off by the Assistant Director - Legal & Governance?	
Cabinet member portfolio	Resources

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

Public or private: Public

1. Purpose of report

- The 'Corporate Plan 2016-17' is provided for approval by Council.

2. Key points

- The Corporate Plan, alongside the corporate budget, establishes a structure that links the Council's Vision (including the Joint Health and Wellbeing Strategy and Kirklees Economic Strategy) to the Council's activities and performance management framework.
- The Corporate Plan is a public document, which is used to communicate the Council's priorities and objectives for the year ahead.
- Internally, the plan is the key document in the Council's performance management framework. It informs the production of robust Directorate Delivery Plans, team plans and individual performance objectives.

- Externally, the Corporate Plan helps to signal our approach and ambition and can be an important tool in leveraging support. The 2015/16 Corporate Plan has been very well received and cited as an exemplar by other councils and international commentators.
- The 2015/16 Corporate Plan focused on the approach that will be taken to develop 'New Council'. This included the mission, the vision for our New Council, the goals and behaviours needed to make it successful and the key principles that will be followed.
- The 2016/17 Corporate Plan reflects what progress we have made in this last year, including practical examples of where we are changing, and examples of what we expect to achieve next year.

3. Implications for the Council

- As noted above, the Corporate Plan provides a stated connection between the Council Vision, budget and strategic priorities.

4. Consultees and their opinions

- The draft Corporate Plan has been discussed by Executive Team and approved by Cabinet for reference to Council.

5. Next steps

- Council is asked to approve the Corporate Plan
- If approved, the plan will be released on the Council's web site and used to inform internal communication.

6. Officer recommendations and reasons

- That the Corporate Plan for 2016-17 is approved.

7. Contact officer and relevant papers

- Ruth Redfern, Director for Communities, Transformation and Change
- John Heneghan, Head of Policy & Strategy
- Michelle Nuttall, Head of Transformation.



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Foreword

In our last Corporate Plan, we recognised the need to change in order to tackle the unprecedented financial challenge in a way that remains faithful to our vision for Kirklees – a Kirklees with a strong, sustainable economy that offers a great quality of life to its residents. This remains our vision, and for that reason, this year's plan is a refresh rather than a rewrite. It highlights some of the progress we have made in transforming the council through our New Council Programme, and reaffirms our commitment to enabling individuals and communities to do more for themselves, to keeping vulnerable people safe and in control of their own lives and focussing resources on things that only the council can do.

As well as being a document for the general public and our partners, this Corporate Plan is also a key internal document. It provides our workforce with a thread that connects the outcomes in our key strategies – the Joint Health and Well Being Strategy (JHWS) and the Kirklees Economic Strategy (KES) – with our frontline service delivery. Delivering the outcomes in these strategies is our primary focus, and they are fully embedded in our vision and plans for New Council, particularly through the key themes of early intervention and prevention and economic resilience.

Our journey to become a New Council is well underway. Since 2010, we have reduced our spending by £106m. We are proud that we have managed to achieve this in ways that have largely avoided reductions in frontline services, and focussed instead on reducing our back office costs and doing things differently. For example, we have cut central services by 49% whilst increasing social care for vulnerable people by 3%.

However, continuing budget reductions mean that we have little choice but to make changes that will, unavoidably, be noticed by the people and communities of Kirklees.

The cut in our main grant from Government over the next 4 years is £52m – this is equivalent to the entire combined budget for libraries, children's centres, youth work, refuse collection and disposal, sports and physical activity and day to day spending on street cleaning and highways. We will have to make some unavoidable reductions to services, but will continue to make these difficult decisions based on what is valued most by local people and we will continue to explore new and innovative ways of doing things. Some services will go but everything will change.

Throughout this plan, you will see examples of how we are doing things differently and helping people to do more for themselves and each other. Changing the way that we do things isn't always easy, but we are pleased with the overall direction of travel the council is making. We want to thank our residents, partners and local businesses for the support you have shown in introducing and developing new ways of doing things. We remain convinced that by working together, and utilising all of our resources and talents, we can deliver the best outcomes possible for the people and communities of Kirklees.

Adrian Lythgo
Chief Executive

Our mission

Our mission is to be a modern, flexible and emotionally intelligent organisation able to work with our diverse communities to sustain the services they need, the outcomes we choose, the opportunities they want.

Our vision and desired outcomes for Kirklees

Our vision for the residents and communities of Kirklees is clear. We want Kirklees to be:

“ a district which combines a strong, sustainable economy with a great quality of life – leading to thriving communities, growing businesses, high prosperity and low inequality where people enjoy better health throughout their lives ”

This is a Kirklees which innovates and creates new solutions through creative collaboration locally, regionally, nationally and internationally, to maximise the welfare of our residents. A Kirklees which is positive and ambitious, confident in what we can achieve by connecting all of our strengths and harnessing all of our energies.

Achieving this vision will require the council, and its partners, to deliver the outcomes in our two key strategies: the [Joint Health and Wellbeing Strategy](#) and the [Kirklees Economic Strategy](#). The key outcomes from these strategies, and examples of what they mean in practice, are shown on the next page

To achieve this vision we will need to use all the resources available in our communities and to build positive, resilient communities that are able to do more for themselves and each other. This is recognised in 'Our Street', the image that we use to communicate our vision for Kirklees. See illustration on page 6.

Our vision for a New Council

To deliver this vision for the communities of Kirklees, we are clear about the type of council we need to be.

Being a New Council means:

- enabling individuals and communities to do more for themselves and each other
- keeping vulnerable people safe and in control of their own lives
- focussing resources on things that only the council can do

Over the last year we have started on our journey to become a New Council. To achieve this within available resources, we are fundamentally changing what we do and how we do it. Although the council will continue to provide a consistent level of basic services, we will target limited resources as appropriate to meet community needs and strive to maximise the impact of our services through collaboration with others.

The changes we are making recognise that we need to connect ideas, people and resources across boundaries of all kinds, support communities to harness and build on their strengths and create trust and synergy between the institutions, businesses and citizens in Kirklees.

We are proud of what we have achieved to date. There is further to go.

To achieve our vision we will need to use all the resources available in our communities and to build positive, resilient communities that are able to do more for themselves and each other.

JOINT HEALTH AND WELLBEING STRATEGY

People in Kirklees are as well as possible, for as long as possible, both physically and psychologically

For example:

- Improving the life chances of disabled children
- Ensuring vulnerable people can maintain their independence by taking approaches which focus on early intervention and enablement
- Ensuring stable, secure, safe and effective care for all children and young people
- Improving the life chances of looked after children and care leavers

Local people can control and manage life challenges

For example:

- Supporting self-care approaches for vulnerable groups and people who are living with long term conditions
- Helping people relearn daily living skills and regain the ability and confidence to live in their own home following discharge from hospital
- Enabling people to choose their own packages of care to remain independent for as long as is possible
- Helping residents move off benefits and into the workplace

People have a safe, warm, affordable home in a decent physical environment within a supportive community

For example:

- Supporting the development of new and affordable homes
- Supporting communities to be more resilient through a range of initiatives focussed on increasing the capacity within communities for people to do more for themselves and each other
- Supporting 'Friends of' groups and volunteers to ensure the vitality of our open spaces and the physical environment

People take-up opportunities that have a positive impact on their health and wellbeing

For example:

- Promoting healthy eating, physical activity, food growing and cooking
- Providing access to state of the art fitness and leisure facilities
- Supporting a wide range of physical activity and sporting opportunities, encouraging more people to become physically active to support their health and wellbeing
- Connecting people to activities in their communities to tackle loneliness and isolation

KIRKLEES ECONOMIC STRATEGY

Improved resilience, competitiveness and profitability for business

For example:

- Providing support to help business to develop
- Supporting and promoting young entrepreneurs
- Maximising contract opportunities for local businesses
- Encouraging growth in the local economy by engaging and promoting business and funding opportunities locally and regionally
- Facilitating the physical and digital infrastructure that is needed to ensure a growing, competitive local economy

Enhanced employment prospects, skills and incomes

For example:

- Supporting looked after children into education, employment and training
- Increasing skill levels and enabling employers in key sectors to recruit talented staff
- Providing neighbourhood based employment and learning support

A great quality of life and environment where all people are connected to economic opportunity and live in strong and thriving communities

For example:

- Ensuring community safety through effective partnership approaches to tackling crime and anti-social behaviour
- Enabling creative, arts and cultural opportunities
- Taking practical actions to tackling poverty



Our cross party principles

Kirklees Council is a balanced council with no overall control and a leading Labour Administration. All political parties on the council have agreed the following 12 cross party principles to lead the council's approach to the further budget reductions necessary to balance the books over the next two years.

1. Sustainable jobs and homes are crucial to the economic and social wellbeing of local people. We will create conditions where business and wealth grow naturally and is retained in the district. We will deliver new homes through a mix of social and private developments.
2. The council should be a facilitator for communities, and with respect to all services, local people will need to do more for themselves and each other. This will help to sustain services for local people.
3. People are more important than buildings. We will sell, transfer or exchange assets, dependent on sound and practicable business cases, taking into account financial and social value. We will use any cash value to sustain future investments in our priorities.
4. We must provide a safety net for the most vulnerable, as well as seeking to close long standing economic and health and wellbeing inequalities within the district.
5. A consistent level of basic services will be available to residents across the district, but at a lower level than now.
6. The working poor, the frail elderly and children at risk of abuse are high priority groups.
7. We will raise income from services where we can make a direct contribution to the funding of other services. We will be mindful of the market and the local mixed economy. We will establish partnerships with appropriate private companies and community organisations to maximise income from the council estate.
8. We will share services with our neighbours where they adopt principles consistent with those set out here.
9. We will seek to work with partners and devolved bodies, including schools, to improve the life chances for young people across the district.
10. We recognise that partners have access to funds that the council does not and that the council's role may not be to lead but to work in genuine partnerships to achieve shared objectives.
11. The council should encourage locally owned and managed businesses to ensure money remains within the local economy.
12. Devolution should be, as far as possible, to communities. We will ensure governance arrangements are in place and local councillors are actively involved and clearly accountable.

The way we do things around here

Becoming a New Council is about doing things differently, thinking differently and acting differently. By changing the way we do things around here, we are best placed to meet the challenges ahead.

The role of your councillors

An important part of our journey to a New Council is developing a different relationship with our communities and partners. The role of ward councillors, with their local knowledge and insight is increasingly vital in maximising the use of community skills, assets and resources so that people can do more for themselves and each other.

To support this changing role, councillors are being equipped with the confidence, skills, tools, technology, support and local intelligence to lead the changing relationship between the council and local communities. In partnership with the Local Government Association (LGA), the Council's Member's Commission will oversee and co-ordinate the work that will form an 18 month 'New Councillor' Programme, which will build the redesigned ward councillor role.

Implicit within this programme will be continued emphasis on the importance of strong and effective working between councillors and officers. Over the next twelve months focussed work will take place to embed our new approach which is set out in our *Working Together Effectively* protocol.

Democracy Commission

Our council is a democratically accountable organisation. This must continue to be a strength and something we should all value. It is therefore crucial over the next twelve months to embark on work to determine what democracy will look like in a New Council. The Kirklees Democracy Commission will be responsible for leading this strategic debate.

The starting premise for this work is that healthy and vibrant local democracy must be at the heart of effective local government. Democratically elected councillors, representing citizens, continue to play an important role in leading the relationship between the council and its communities. That said, the council and its relationship with local people is changing. In the context of diminishing resources, the devolution agenda, reduced voter turnout and the opportunities of greater participation in a digital age, it is timely to revisit what democracy should look and feel like in a changing Kirklees.

In tackling this question the Commission will carry out a series of themed public inquiries. Those inquiries will involve public engagement and consultation, research, sharing best practice and evidence from expert witnesses.

The findings of the public inquiries will be pulled together into a report setting out proposals and recommendations for a discussion at Full Council. The outcomes of which will provide the basis for reshaping and refreshing how we will do democracy in our New Council.



Your council's staff – building a modern, flexible and emotionally intelligent workforce

We know that our workforce will be smaller and that we need to work smarter. Our staff must be able to make the decisions that best meet customer needs. We need to make the best use of staff talent and expertise. We need an environment where councillors and officers are clear about each other's roles and responsibilities and the expectations they should have of each other.

Our workforce is our most valuable resource. To deliver our vision for Kirklees it needs to be modern, flexible and emotionally intelligent. We will ensure that our workforce has the skills it needs to successfully do this and to operate within the New Council framework. We will do this through a co-ordinated and planned approach to organisational development and training, tailored to meet the requirements of staff at all levels of the organisation.



Our 'Wildly Important Goals'

The way we do things around here is to be robustly focused on the outcomes we achieve and the impact we make. We expect all our staff to be able to honestly say:

"I know exactly the difference my work makes for local people!"

"I spend every council pound as if it were my own, including my time and other peoples' time!"

The way we do things around here is to constantly question whether there are new or better ways of working. We challenge our assumptions, we innovate and we seek out new opportunities. Knowing that innovation happens best when different people come together we embrace diversity and collaborate with whoever we need to in order to make the biggest difference. We expect all our staff to be able to honestly say:

"I work with whoever I need to, across the council and outside of it, to make a real difference!"

"I'm a 'can do' person – I don't avoid challenges or taking risks!"

The way we do things around here is to always seek to understand the people we serve and to recognise, build on and harness the diverse strengths in the individuals and communities across Kirklees. We expect all our staff to be able to honestly say:

"I am creative and I empower people to do more things for themselves and each other!"

These are our 'Wildly Important Goals' which apply to every employee, every service and every function of our council.

Our 'Wildly Important Goals'

"I know exactly the difference my work makes for local people!"

"I spend every council pound as if it were my own, including my time and other peoples' time!"

"I work with whoever I need to, across the council and outside of it, to make a real difference!"

"I'm a 'can do' person – I don't avoid challenges or taking risks!"

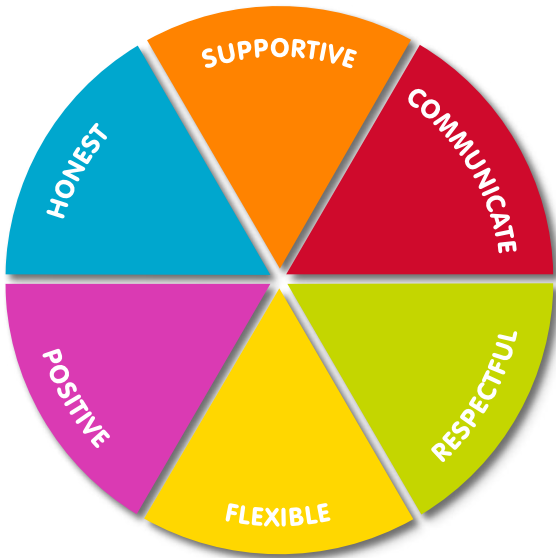
"I am creative and I empower people to do more things for themselves and each other!"

Our behaviours

We want the people of Kirklees and from other organisations that we work with to know exactly what to expect when dealing with Kirklees Council. For this reason, we have worked alongside staff to develop the behaviours which shape the approach we take to our work. The core behaviours are:

- Honesty
- Respect
- Positive
- Communicative
- Flexible
- Supportive

Our behaviours demonstrate the attitudes and approach we take to our work and are the bedrock for how we will work in the future.



What we have achieved so far:

Embedded our New Council behaviours

Throughout 2015-16 we worked hard to embed our behaviours at every level in the organisation and staff routinely refer to the behaviours when talking about the council's organisational culture. We have introduced an employee nominations scheme for colleagues who truly demonstrate a particular behaviour and a communications campaign to spotlight each behaviour on a monthly basis. Each Director has been given the responsibility for being a role model to the organisation for a specific behaviour.

Developed our management capacity

We know that we will need highly effective managers in the future who can manage much more with less resource. To support this we've trained 450 managers in coaching as a leadership style as well as building up a large pool of internal coaches. Developing our capacity in this way is vital to our ability to deliver New Council.

Next year, we will:

Continue to focus on improving our internal culture

For example, we will trial measuring how well we perform against the culture we want to develop for New Council. This will give us a baseline against which we can monitor future progress.

Continue to improve our management and leadership capacity

This will include a continued focus on coaching as a leadership style and supporting a culture of ongoing learning and development, as part of an overall leadership programme for our senior managers.



Greater collaboration with our public sector partners, businesses and community organisations

Collaborating with public sector partners, businesses and community organisations

Collaboration is at the heart of our vision for a New Council. We recognise the need to work closely with colleagues in the NHS, police, the voluntary and community sector and the private sector to provide services that are genuinely integrated. This is crucial to supporting better outcomes for health and wellbeing, early intervention and prevention and economic resilience. As our resources and capacity in the council shrink it becomes even more imperative to collaborate effectively.

We want to achieve more effective collaboration at both strategic and operational levels. From a strategic perspective, greater progress can be made in tackling many of the most serious and complex social problems that drive up demand for council services, when partners come together around a common agenda. At an operational level, collaboration can achieve cost savings by reducing duplication and making the best use of resources by jointly commissioning outcomes for the benefit of the community.

Our behaviours, attitudes and leadership approaches are key here, as true collaboration requires a mind-set of trust, openness, respect, curiosity, imagination and ambition.

Doing things differently: Our commitment to keep talking

This year, we continued our commitment to public engagement and dialogue with the latest phase of 'It's time to talk,' known as 'Our Community Challenge.'

'Our Community Challenge' focussed on activities highlighted on 'Our Street' – Our vision for Kirklees (see illustration on page 6). We gave people twelve different examples and asked them which they would commit to doing to make a difference to the street where they live.

The results of the Community Challenge showed us that many people are already doing many of the things that are included on 'Our Street' - for example recycling, spending money with local businesses, taking responsibility for their health and wellbeing, being a good neighbour. The results also showed that many people are prepared to do something more to help out in their community.

On our journey to New Council, we will continue to engage with local people through our 'It's Time to Talk' programme. We will feed back the outcome of these conversations to councillors and senior managers to help them make future plans. This way, we put community priorities at the heart of everything we do and every decision we make.

To support this alignment and collaboration, we have a coordinated governance framework overseeing the implementation of the Economic Strategy and Joint Health and Wellbeing Strategy:

Health and Wellbeing Board

Economy and Skills Board

Children's Safeguarding Board

Adult's Safeguarding Board

Safer Stronger Communities Partnership Board

Our journey to New Council

In March 2015, we launched our New Council Programme. We know that to deliver our vision in the face of the budget challenge means that the council must work in a different, more ambitious way. All political parties and leaders in Kirklees agreed that this requires us to deliver our vision for a New Council:

- enabling individuals and communities to do more for themselves
- keeping vulnerable people safe and in control of their own lives
- focussing resources on things that only the council can do

This year we have made progress in bringing this about by fundamentally reviewing everything we do and challenging ourselves to do it differently. We have developed detailed plans for how we will change and have already begun to implement new ways of working and service changes. This section of the plan sets out what this means, provides examples of practical changes we have made so far and sets out what we still need to do.

Developing our two key themes:

The hallmarks of our New Council programme are our two key themes: early intervention and prevention and economic resilience.

Early intervention and prevention

Early intervention and prevention means tackling issues early so we can delay or prevent bigger problems occurring. This includes - for example, how we can prevent family breakdown and how we can ensure that people are healthier for longer so that social care interventions are required later or, ideally, not at all.

It's also about how we can work together more effectively as communities so that we become more resilient and less dependent on services from the council and its partners – for example, by being good neighbours, taking part in the local community and volunteering our skills and time.

We can all play our part in helping to reduce the demand and costs for council services – for example, by reducing the amount of waste we produce as households, recycling more and by not littering. These positive changes all help ensure that resources can be focused on providing more effective services and supporting the most vulnerable members of our communities.

Economic resilience

Building economic resilience is about working with the business community and partners to create more jobs and better jobs and supporting local people to have the skills and qualifications needed to be successful. It's also about maintaining a positive environment, where people want to live, work and invest – creating the conditions where business can grow and thrive.

This year we have critically reviewed everything we do. This provides challenge about how we can have the most impact on these two themes within the resources we have available.

This has provided the groundwork and planning needed to be able to reshape what we do in ways which will have the most impact. This will mean new ways of delivering these outcomes and reducing our spending on approaches which are less effective.



Enabling individuals and communities to do more for themselves and each other

A different relationship with our communities

Creating a different and more positive relationship with communities is central to the vision for our New Council.

Being a New Council means we must understand what outcomes are important to the people and communities we work with. We need to ask people this question rather than assume we know the answer. It means recognising that council services alone will not be able to deliver the outcomes we need. This will only be achieved by working together with communities, local businesses and partners. This means the way we approach delivering services will change, from providing services to or for people to also focussing on how we can support and enable people to do more for themselves and each other. Our scarce resources must be concentrated, where they make most difference.

As a local authority we are learning how to work with the strengths of communities, their wealth of skills and willingness to make a difference. We also need to learn how we can be a valuable part of this whole system of help and support that exists in our communities.

What we have achieved so far:

Built capacity in our communities

In 2014, Kirklees Council was one of the first councils in the UK to develop a Cities of Service programme: looking at ways of involving and supporting volunteers to achieve key outcomes for Kirklees.

Imported from the United States, the movement has spread to some 207 cities since it began in 2009. It is funded in the UK by the national innovation charity Nesta and Kirklees is one of seven local authorities trialling the approach.

Our emphasis is on 'impact volunteering': making sure everyone knows what difference we are looking to make, why we want to make it, and how we know we are achieving it. An example of this is one of our pilot projects: Out and About. We know that loneliness in our older population is reaching disturbing proportions and this has a huge impact on people's health and happiness. Our Out and About volunteers, have worked with people who are isolated and supported them to develop the strong social connections that will keep them fit, healthy and 'out and about' for as long as possible.

We are learning that our role is to make it as easy as possible to get involved in a way that suits individual's skills, passions and time constraints. An example of this is how we are developing microvolunteering opportunities – things people can do in under an hour, or from the comfort of their own home. We have been learning how to work alongside volunteers and participants as well as how to embed tracking and monitoring that works for everyone – and not just the bureaucrats. We are learning how to bring together a wide coalition of partners from the private sector, tapping into their skills and expertise, as well as across the public and voluntary sectors and learning how to get the best out of what each sector can offer.

Provided tools and resources to connect people

We are sharing our collective stuff, space and skills through the Comoodle project, encouraging all council services and community organisations to lend and borrow to each other – making more of what we have.

Comoodle is funded by the Bloomberg Philanthropies Mayor's Challenge, an international ideas competition that encourages cities to generate innovative ideas that solve major challenges and improve people's lives.

In 2015-16, Comoodle focused on small scale pilots and completed twenty 'trades' with community groups across the district. Examples of sharing activities that have been enabled this year via Comoodle include:

- The arts and health organisation 'Hoo!' borrowed a van from Fleet Services to kit out their new Oak Tree music studios in Dewsbury, enabling them to provide musical therapy for people with a range of health conditions.
- Building Services lent some portable heaters to Fartown Methodist Church when their heating broke down, helping them to run adult learning sessions in the winter.
- University of the Third Age (U3A) asked for help finding display boards for an art exhibition at Moldgreen Church. We connected them with North Huddersfield Learning Community, who were able to help.

We need to build a new relationship between our council and you; our communities

Supported People Powered Change

Our People Powered Change Programme helps communities run, and sometimes own, community buildings. Assets have been successfully transferred in Denby Dale, Golcar, Meltham, Holmfirth and Soothill. The programme has supported our councillors to involve communities in developing local actions. It has done this by creating opportunities for people to take positive action on the things that are important to them. This has led to communities doing more for themselves and not relying on the council to get things done, and has encouraged more people to become actively involved in their communities.

Explored innovative ways to redesign and deliver services with communities

We have begun to develop new ways of working with the community. For example, our councillors had to take difficult decisions in 2015 on the future of the library service. We needed to save £1.8million in the library service yet wanted to retain as many sites as possible. By working differently, with 'Friends of' groups and nearly 500 volunteers, we have been able to retain 24 out of 26 libraries across the district.

Enabled people to stay healthier for longer

In July 2015, we opened the award-winning Huddersfield Leisure Centre, a fantastic, state of the art facility which helps people to keep fit and healthy as well as attracting visitors to the town. The facilities at the centre include three swimming pools, squash courts, a climbing centre and a fully equipped fitness suite. In the first six months of opening it attracted nearly 600,000 people. Owned by the council and managed by KAL (Kirklees Active Leisure), the success of the leisure centre highlights just what can be achieved through vision, determination, team work and partnership working.

In 2016-17, we will continue to enable individuals and communities to do more for themselves and each other by:

Seeking to reduce avoidable spending by changing behaviours

We will work with our communities to tackle areas of high cost for the council. Our focus on early intervention and prevention will include work with communities to embrace positive lifestyle changes that keep people healthier for longer. With the help of our communities we can also avoid costs in other ways. For example, we can save money by moving transactions online and by avoiding the cost of fly tipping, litter collection and graffiti removal.

Continuing to develop the Comoodle project

Sharing the council's stuff, space and skills with community groups means that they can do more for themselves and each other. We aim to scale-up the project and launch Comoodle's digital service to community groups in September 2016.

Continuing to work with 'Friends of' groups and volunteers

We will support the work of libraries, museums and parks right across the borough and contribute to making our neighbourhoods better places to live and work. By doing this, we will draw on the skills and talents of residents to retain community libraries, run a vibrant programme of events from our museums and support the use and vitality of our parks.

Recognising that community groups have access to funds that the council does not

We will collaborate to increase the availability of funds to the district, especially for areas where public funding is now very limited. Where appropriate we will work with community groups and partners to submit applications, accepting that the council's role may not be to lead, but to work in genuine partnership.



Keeping vulnerable people safe and in control of their own lives

Making sure our most vulnerable adults, children and young people are as safe as possible will always be an absolute priority for Kirklees Council. This includes the effectiveness of our specialist services and interventions to protect those at risk. Being aware of any weakness in our systems and processes, and taking appropriate action to remedy it, is a key part of this.

Our goal is to place the child at the centre of our practice and to design and provide services that reflect the child's voice and are appropriate and proportionate to the child's level of need.

As with many other authorities, the context in which we operate is changing. There are more children with complex disability and health needs and child protection concerns, while the number of children who need to be looked after in care is growing.

Where a child needs to be looked after in care, our commitment is that all staff and elected members approach the role of corporate parent with passion and purpose, treating looked after children and young people as they would treat their own family.

To address variability in practice emerging from an externally commissioned review of services to support our most vulnerable children, and to further enhance those areas which are recognised as strengths, a range of activity has been put in place.

A new Children's Services Development Board is in place, chaired by the Chief Executive, to oversee a programme of improvement – supported by the Director for Children and Young People Services. The Development Board is supported by an Operational Group, a cycle of improvement and clear governance arrangements. This ensures that the Development Board is a forum for robust scrutiny and challenge.

We are seeking to create an environment which seeks to ensure abuse is prevented, alongside a broader objective which promotes the understanding that safeguarding is a responsibility for everyone.

Effective safeguarding of vulnerable people requires organisations to work closely together. We will do this by ensuring our partnership working is based on a clear, shared vision and goals with an agreed policy and strategy that has common definitions and a good understanding of each other's roles and responsibilities.

Increasingly, we are also supporting vulnerable people to stay in control of their own lives. Through our key theme of early intervention and prevention, we are focusing on the strengths that individuals and families have and supporting people to remain independent and in control of their own lives.

What we have achieved so far:

Worked together across health and social care

Helping vulnerable adults stay in control of their own lives is crucial from both a health and wellbeing and financial perspective.

Over recent years we have placed greater emphasis on prevention, advice and information to help people stay as independent as possible. These have clearly reaped rewards for both the individuals and local services. We now need to build on our success and find more imaginative ways to enable vulnerable people to take more control of their own health and care and build their resilience to complement the role of formal statutory support.

However, setting up care and support to enable people with complex needs to stay at home and safe can be very complicated. This is when arrangements between local authority teams, health professionals and others must come together to see the whole person, with the needs of the person and their family addressed together rather than as a collection of symptoms and problems. Collaborating with a range of partners in ways that empower individuals and their carers is often complex, but if we collaborate effectively, it will save money and also help people to feel more in control and live as independently as possible.

For this reason, we will continue to collaborate with our partners to join up health services with social care. This sort of joint working can lead to the introduction of some very real innovation. It means we can exploit new technology to help people with very complex needs to stay in their own homes – but we must ensure continuing and further collaboration to reap these benefits.

Worked with our partners to build stronger families

Through our participation in the national Stronger Families Programme, we have turned around the lives of more than 1000 families in Kirklees. These are families struggling with problems such as domestic violence, crime, abuse, drugs and poor school attendance. The success of this scheme in Kirklees was recognised by national government in 2015, when Kirklees reached the final of the Children and Young People Now award in the category of early intervention.

Supported third sector organisations who support people with health and social care needs

In 2015-16, we worked with more than 200 groups who supported people with health and social care needs. This included development work with at least 90 groups and investment in at least 140.

We also carried out much more targeted investment to ensure that more community investment supports activities where there are known needs and gaps, or newly-identified needs – for example, falls prevention, men's mental health, dementia support and end of life care.

This means communities are now involved more often and more directly in helping to meet our most urgent health and social care priorities, as well as in running general early intervention and prevention activities.

We always ensure community projects can show measurable impacts and outcomes, good value and sustainability. The average cost of supporting this community activity last year was £2.10 per person per hour, and for every pound we invested, the community contributed £2.29 in cash or kind.

Next year we will:

Continue to work with partners

We will work with our NHS partners and others to set out our plans for closer integration of health and social care by 2020, and our wider aspirations for improving health and care outcomes as part of the Kirklees 'sustainability and transformation plan.' This will be published in summer 2016.

Expand our Stronger Families Programme

Building on our success to date, we will continue to support thousands more families with complex needs. This will increase personal resilience and families' abilities to remain in control of their own lives. The second phase of the scheme, which runs to 2020, will see a further 4000 families helped to deal with the issues they face. The programme will form a key part of our early intervention and prevention offer, targeting intensive support at families who may otherwise require complex, social care intervention.

Introduce additional support for care leavers

Young people who have spent time in care tend to have much poorer outcomes than young people from the general population. Care leavers are more likely to have poorer health and be vulnerable to homelessness and unemployment. For most young people in the general population, continuing support from their families and associated networks can be relied upon and is potentially as important to their progress in early adult life as it was in childhood.

This is not necessarily the case for care leavers who are very likely to have had poor or disrupted family relationships and may have experienced rejection or emotional, physical or sexual abuse and lack confidence in forming wider relationships. We will enhance the existing professional support offered to care leavers by introducing a volunteer peer support network, matching adults, with care experience, to care leavers and providing access to a wide range of practical support from across various council services.

Launching an All Age Disability Service

Another key part of our early intervention and prevention offer is an All Age Disability Service. We have listened to feedback from parent carers, disabled young people and adults. They said delivering integrated services across all ages would help to ensure consistency, clarity and ultimately better quality services and support to people living in Kirklees with a disability.

It is well known that there are two key issues in transition: firstly, becoming an adult and achieving independence and secondly changes in the actual services used. It is vital that our transition planning is focussed on the views, wishes and aspirations for the future of the young person. Services and support provided at the time of transition must be seamless and enable the young person to achieve greater independence.

Continue to change the way that we support children and their families.

Although work is still underway, we envisage that our early intervention and prevention approach will include the development of a locality working model. Through this approach, we anticipate that specialists from different council teams, and our partners, will come together in a locality 'hub' to deliver much more integrated services at a local level. This new approach will also include the development of a key worker approach, with the aim of reducing complexity and the number of 'hand offs' that families need to manage. We will also continue to recognise the importance of schools and community groups in supporting better outcomes for families, and work with them to build a clear community offer as part of our wider early intervention and prevention approach.

Redesign service pathways and work towards a single point of assessment

We recognise that, over time, our social care systems have become complex and can be difficult for people to navigate. We plan to tackle this by redesigning and improving our processes, reducing unnecessary complexity and duplication, and integrating services where appropriate between children and adults teams within the council, and with other partner organisations. We also understand the importance of understanding the needs of the whole family, and will take further steps to develop a single point of access for children and adults requiring support.

Focussing resources on things that only the council can do

A key part of our vision for New Council is focusing resources towards things that only the council can do. To do this, we need to continue targeting our more limited resources on areas where the council can really make a difference, and where the council's strategic lead is required to make things happen. It also means that we need to look at ways to further reduce our costs and maximise our income.

What we have achieved so far:

Exploring innovative ways to redesign and deliver services

For New Council to be successful, we know that it will require a culture of creativity and innovation. We need to modernise the way that we work, focussing on the needs of our citizens and reducing unnecessary costs and duplication. Where cost effective, we will embrace new technologies to support new ways of working.

In the last twelve months we have:

Supported more people to do things online

We have continued to modernise our customer contact centres and online presence in order to make it easier to complete simple transactions. In 2015, 100% of applications for school admissions were made online and almost half of all calls to the council are now automated. This has increased from just 24% two years ago. The net effect of this means that people spend less time in a queue and that we can prioritise staff time for people with complex enquiries.

Designed services that allow people to be self-managing

In 2015, we launched the 'Better Off in Kirklees' website in conjunction with the Citizens Advice Bureau. This website not only helps local people move off benefits and into work but also ensures local people claim the full range of benefits they are entitled to. From the launch of 'Better Off' on the 15 October up to 13 December, the monetary gains to the district totalled £618,934.

Adopted new technology in service delivery

We have invested in new technology to support more efficient waste collection. Using on-board technology has improved operational knowledge and delivery and has enabled collection rounds to be reorganised to improve productivity.

Taking a truly collaborative approach

Collaboration is at the heart of our vision for a New Council and is fundamental to making the best use of the resources available to the council and other partners. In order to achieve this, the council recognises the need to work closely with colleagues in the NHS, police, voluntary sector and private sector.

Over the last twelve months we have:

Started to develop a new relationship with schools

We want to deliver good outcomes for our children, families and communities in an entirely different way, maximising the use of skills, resources and assets, including buildings, across the district. Schools have a unique and hugely valuable position within our communities - opening their doors to over 60,000 children and their families in Kirklees every day. Together with our school leaders we are building strong partnerships of schools as the vehicle for commissioning and delivering a range of services for children, families and the wider community.

Launched the Kirklees Business Hub

The Hub is a free on-line business support package for all Kirklees businesses. The Hub became live in 2015 and can be used by businesses for:

- the latest information on grants and funding opportunities
- notifications about tender opportunities with Kirklees Council, other public sector organisations and also from other Hub member businesses
- free specialist support and on-line chats with local experts in marketing, finance, legal and business planning
- finding new premises
- the latest news, events and opportunities
- introductions to and networking with other businesses

Every time a business uses the Hub, they earn Hub Credits which they can use to promote their business, attend Hub-promoted events, or to receive business advice from local experts.

Developed other collaborative partnerships with the private sector

Another example of closer working with private sector partners can be seen in our Museums and Galleries service. Staff have been working with Johnstone's Paint, who are based in Birstall and part of the global PPG Industries group.



Johnstone's have generously provided funding for community programmes, as well as funding and volunteers for some much-needed maintenance work in the Grade I Listed hall. They recognise the wellbeing benefits for their employees of having a resource like Oakwell Hall on their doorstep plus providing opportunities for skill development through volunteering. Johnstone's have also enabled Museums staff to tap into some of their business and commercial expertise. This is a valuable skillset which in the past has been difficult to acquire for people working in the cultural sector.

Next year, we will continue to focus the use of our resources by:

Continuing to apply the principle of self-management internally

We will support our managers to expand the number of functions that they can do themselves to manage their budgets and staff, using new computer systems. This will allow the council to further reduce the cost of its support functions to prioritise spending on frontline services.

Reducing our estate costs

We will continue to review our buildings across the district and look to reduce estate costs by combining multiple services at fewer sites. Examples could include the provision of children's centre services from schools or community centres, or locating multiple services in our library buildings.

The council will also consolidate its office buildings in the centre of Huddersfield.

Continuing to improve and better integrate our IT systems

This will include evaluating options for more joined up

and integrated business intelligence allowing us to make better use of our collective data and intelligence to improve the way we currently do things and plan for future needs.

Expanding our digital offer

As far as possible, the council wants to support people to help themselves. To support this we launched a new website in February 2016, which is mobile and tablet friendly. This means residents and businesses can do more online.

The next phase of this work will see the website's digital capability being expanded further, so that more transactions are available online, and can be managed digitally from end-to-end.

Launching the Strategy Lab

We will roll out a new, collaborative approach to strategy which brings together the public sector, academia and the voluntary and private sectors to help create new solutions to some of our most pressing challenges.

Convening an annual partnership summit

We will bring key strategic partners together from across Kirklees to discuss our shared vision to ensure we have a shared understanding of our priority outcomes and challenges and where collaborating more effectively can have most impact.

Every pound we spend and every minute of our time must be made to count

Our finances

Between 2011 and 2016 Kirklees Council has had to make savings totalling £106 million and we still need to find a further £59 million over the 2016 – 20 period. We also expect that during this period our revenue support grant will be heavily reduced. To put this into context, the annual council spend on services in 2010 was about £950 million. The equivalent spend by 2019 will be nearer £800 million.

We've achieved our budget reductions by making lots of changes already so you may have begun to notice that some of our services are different – for example we have changed the way we empty your bins.

Our progress towards our vision and New Council means we will need to carry on making changes to save money, so you will start to notice more of a difference. We know that this won't be easy. We know that we must apply strong financial rigour alongside ambition and innovation and we know that we will need your help to deliver the services that really count for our communities.

Measuring our progress and impact on outcomes

Our transformation to New Council will see a radical departure from how the council has operated in previous years. Our approach to how we measure our performance and how we are held accountable for our performance is also changing.

New Council will use evidence, insight, business intelligence and performance data, through analysis, to drive service improvement. We will:

- know what difference we make and why it matters
- implement new processes and ways of working to provide managers with the business intelligence needed to drive service improvement
- measure what matters, with a focus on the outcomes we are making for our communities and the progress we are making towards achieving our vision

We plan how we intend to meet our ambitions for New Council and we also evidence our progress along the way. Appropriate governance arrangements are in place to oversee the change.

Service provision

The council provides a range of services, some in partnership. We have a performance management framework in place which ensures that both our planning and our delivery are consistent with our vision and can demonstrate significant contributions to the Joint Health & Wellbeing Strategy and the Kirklees Economic Strategy. This ensures our services are planned, focused and delivered to meet community needs.

To achieve this, directorates produce their own delivery plans which are directly connected to our Corporate Plan. Directorates are held to account throughout the year as to the progress they are making towards their delivery plans. This emphasises the importance of the connection between the council's highest level objectives and front line delivery.

How do we ensure a focus on quality?

The principles and checks that we apply in our commitment to quality are explicit in our approach to planning and performance management. This is set out in our Performance Management Framework on page 20.

- When we plan or commission services we state what we expect to achieve by when. Supporting performance measures are assigned challenging targets. Our budgeting process, which helps us to decide which services to fund, is designed to challenge the cost of any service we deliver and to allocate money according to the agreed strategic priorities.
- We deliver or commission our services in the most efficient ways ensuring a good standard of provision within available resources.
- We regularly monitor and review the delivery of our plans to confirm they are on target and on budget. We consider any mitigating and remedial action where they are off target or at risk. This is reported alongside overviews of financial monitoring, the council's risk register and progress towards New Council.
- Significant parts of our services are inspected by other agencies. Ofsted inspect our schools and childcare services. The Quality Care Commission inspects elements of adult social care. We respond to any external inspection positively by learning from what they tell us.
- We revise our plans regularly based on current and forecast performance.
- Each year, the collective sum total of progress made across all services is summarised in an Annual Performance Report.

Our Performance Management Framework

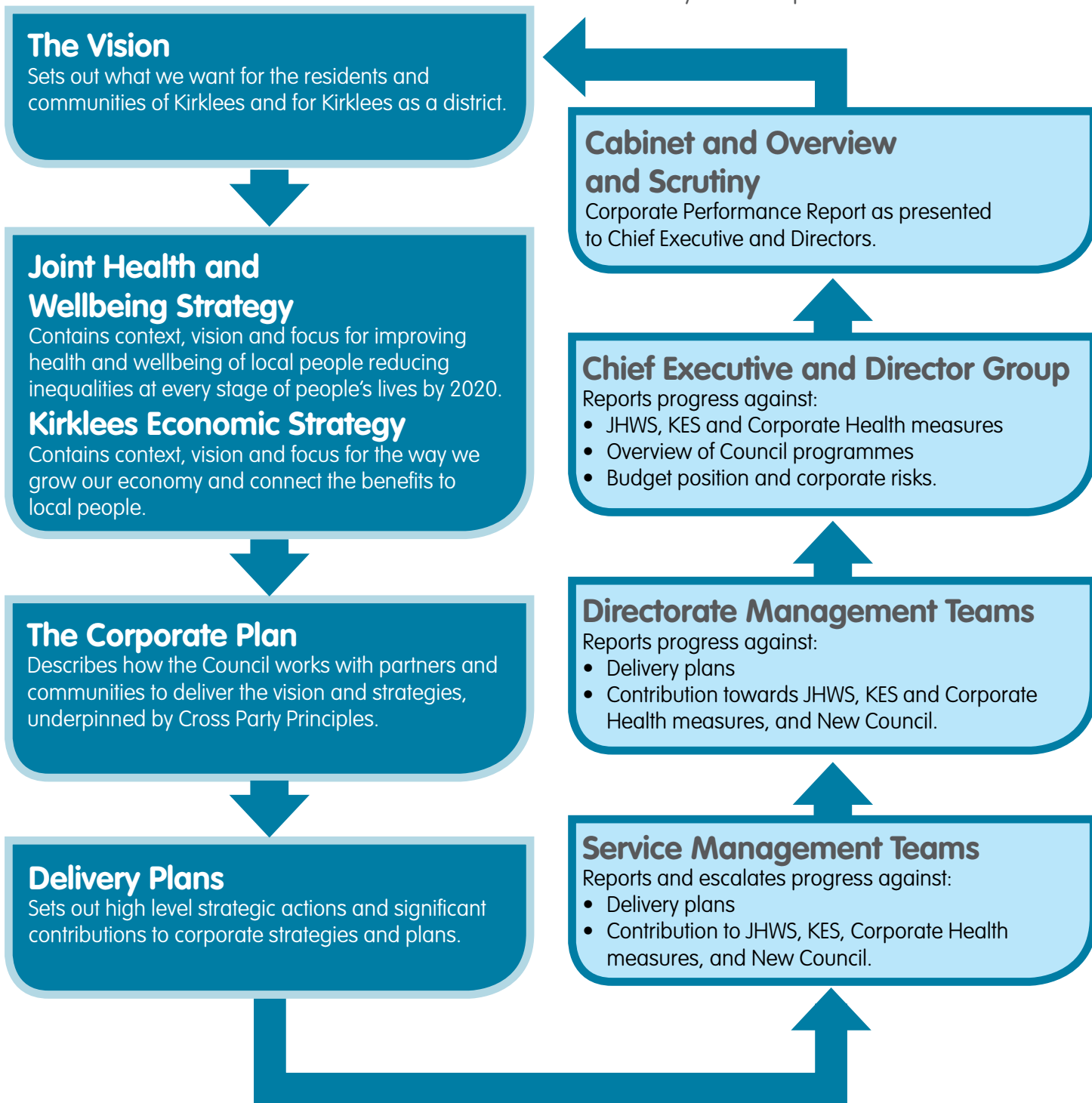
Our approach to performance management will continue to improve. We will focus more on our strategic intentions with a more analytical model and increased challenge. This is being done to ensure that we can provide robust evidence of achievement against our significant strategic intentions and measure the progress of transformational change.

Corporate Planning Framework

Our plans set out what we expect to achieve.

Corporate Reporting Framework

Our quarterly performance reports monitor the delivery of these plans.




Team plans and individual objectives

Services may also use these to show their contributions to the corporate planning framework.

Value for money

We are committed to ensuring a continued focus on cost efficiency and that the services we provide represent value for money. We use a variety of sources to benchmark our activities. As an example, the latest verified data from the Audit Commission is presented below. This is an overview of the authority's spend on its services expressed per head of total population (or sub-sections of the population for adult social care and children's services). In overview, it shows that, by comparison, Kirklees is a low spend per head authority.

Indicator	Period	Value	% Change	DoT*	Rank	Average
Total net spend per head	2014/15	£1,641.64 per head	-4%	↓	 In the lowest 20%	£1,956.26 per head
Spend on adult social care per adult	2013/14	£343.47 per head 18+	-4%	↓	 In the lowest 5%	£425.74 per head 18+
Spend on council tax benefits and housing benefits administration per head	2014/15	£12.24 per head	-2%	↓	 average	£15.30 per head
Spend on all children and young people services per head 0-17 yrs	2013/14	£3,839.06 per head 0-17	-14%	↓	 In the lowest third	£4,066.49 per head 0-17
Spend on culture and sport per head	2014/15	£75.78 per head	-3%	↑	 average	£74.78 per head
Spend on environmental services per head	2014/15	£60.87 per head	-6%	↓	 average	£65.44 per head
Spend on housing services per head	2014/15	£28.74 per head	-15%	↓	 average	£26.53 per head
Spend on sustainable economy per head	2014/15	£100.79 per head	-11%	↓	 average	£104.03 per head
Spend on public health services per head	2014/15	£54.00 per head	0%	↓	 In the lowest 25%	£67.78 per head
Planned net current expenditure per head of population	2015/16	£1,659.13 per head	0%	↓	 In the lowest 20%	£1,950.34 per head

DoT* (Direction of Travel)





Name of meeting: Council
Date: 29 June 2016

Title of report: Council financial outturn & rollover report 2015-16; incorporating General Fund Revenue, Housing Revenue Account, Capital & 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 The report includes proposals to roll forward revenue and capital underspend from 2015-16 into 2016-17, to spend against specific activities.
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	David Smith, 8 June 2016
Is it signed off by Director of Resources?	Yes (see above)
Is it signed off by the Assistant Director (Legal, Governance & Monitoring)?	Julie Muscroft, 8 June 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 2015-16 financial outturn position for General Fund revenue, Housing Revenue Account (HRA) and Capital Plan, including proposals for revenue and capital rollover from 2015-16 to 2016-17. This report also includes an annual review of Council Treasury Management activity.

RESTRICTIONS ON VOTING

Members should be aware of the provisions of Section 106 of the Local Government Finance Act 1992, which applies to members where –

- (a) they are present at a meeting of the Council, the Cabinet or a Committee and at the time of the meeting an amount of council tax is payable by them and has remained unpaid for at least two months, and
- (b) any budget or council tax calculation, or recommendation or decision which might affect the making of any such calculation, is the subject of consideration at the meeting.

In these circumstances, any such members shall at the meeting and as soon as practicable after its commencement disclose the fact that Section 106 applies to them and shall not vote on any question concerning the matter in (b) above. It should be noted that such members are not debarred from speaking on these matters.

Failure to comply with these requirements constitutes a criminal offence, unless any such members can prove they did not know that Section 106 applied to them at the time of the meeting or that the matter in question was the subject of consideration at the meeting.

2. Summary

- 2.1 The Council's General Fund (net) revenue budget for 2015-16 was set at **£314.1m**. The Council spent **£308.3m** in 2015-16, resulting in an underspend of **£5.8m**, equivalent to just 1.9%, against budget. The revenue outturn position is summarised in Table 1 below.

Table 1 – Overview of 2015-16 general fund revenue outturn position

Description	Net revenue Budget	Revenue Outturn	Variance
	£m	£m	£m
Directorates	230.6	234.8	4.2
Cross-Directorate activity (themes)	33.6	29.5	(4.1)
Central Budgets	48.8	48.8	nil
District Committee managed budgets	1.1	0.2	(0.9)
Sub-Total	314.1	313.3	(0.8)
Corporate Reserves applied in-year	-	(5.0)	(5.0)
total	314.1	308.3	(5.8)

- 2.2 The revenue outturn position set out in Table 1 above includes Cabinet approved drawdown of “one-off” revenue funding (Corporate Reserves) during 2015-16 totalling £5.0m, to offset Directorate budget pressures relating to vulnerable adults and looked after children; mainly demand led volume pressures.
- 2.3 Overall movements in general fund balances and earmarked reserves in-year, including those referred to in paragraph 2.2 above, totalled £18.2m, reducing overall general fund corporate reserves from £111.5m as at April 2015, to £93.3m as at 31 March 2016. 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 £19.9m.

- 2.4 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 had a bottom line surplus of £6.2m against an annual turnover of £95.8m in 2015-16; equivalent to 6.5%. HRA reserves at 31 March 2016 were £42.8m; an increase of £7.0m in the year (made up of the £6.2m HRA surplus transferred to reserves at year end, plus other approved transfers to reserves in-year).
- 2.5 Revenue rollover proposals from 2015-16 to 2016-17 are; £1.127m general fund revenue rollover, and the remaining £4.718m underspend available in general balances; £234k HRA revenue rollover, and the remaining £5.982m underspend available in HRA reserves.
- 2.6 The Council's capital budget for 2015-16 was £116.1m, and actual year-end spend was £73.4m, resulting in an underspend of £42.7m (36.8% variance compared to budget). This is summarised in Table 2 below.

Table 2 – Summary Capital Outturn 2015-16

Description	Budget	Outturn	Variance
	£m	£m	£m
Strategic Priorities	25.1	11.1	(14.0)
Baseline	61.4	39.1	(22.3)
Risks & Pressures	2.5	0	(2.5)
One-Off Initiatives	0.6	0.5	(0.1)
General Fund	89.6	50.7	(38.9)
Housing Revenue Account	26.5	22.7	(3.8)
Total	116.1	73.4	(42.7)

- 2.7 Of the General Fund capital underspend, the proposal is to roll-forward all existing commitments but to remove £1.1m of 'uncommitted' resources from the Plan. It is proposed to roll forward £1.7m, of the HRA capital underspend, to 2016-17. The allocated resources are considered sufficient to meet service objectives.
- 2.8 Council Financial Procedure Rules require that the Council receives an annual report on Treasury Management borrowing and investment activity during the financial year, and a review of treasury management activity for 2015-16 is incorporated into this report, for information.

3. Information required to make a decision

- 3.1 Appendix A, Sections 1-4 attached, set out in more detail the financial outturn position of the Council in 2015-16 in relation to the Council's general fund revenue, HRA revenue, Council capital budgets, and performance on treasury management activity.

- 3.2 Annual revenue rollover proposals are informed by Council Financial Procedure Rules, which set out the following principles to annual revenue rollover considerations :
- i) total rollover proposals cannot exceed the overall net underspend position of the Council, and
 - ii) rollover proposals by Directorate should not exceed the net underspend position by Directorate
- 3.3 The £5.8m general fund revenue underspend in 2015-16 reverts to general balances as at 31 March 2016. Revenue rollover proposals total £1.126m and are summarised at Appendix D. The main rollover proposal is £876k rollover in respect of District Committee underspend.
- 3.4 The Council continues to face considerable financial challenges at least to 2020 (see also, Implications section 4 below), and the remaining underspend, at £4.718m, will remain in general balances in 2016-17, and can be considered as part of the wider medium term budget strategy update to be reported to Cabinet and Council in September and October 2016.
- 3.5 The £6.216m HRA surplus in 2015-16 reverts to HRA reserves as at 31 March 2016. HRA revenue rollover proposals totalling £234k are also summarised at Appendix D. Like the general fund, the Council's HRA faces significant financial challenges to 2020. The balance of HRA surplus, at £5.982m, which will remain in HRA general reserves in 2016-17, and can also be considered as part of the wider HRA business plan re-fresh that will inform future medium term budget proposals.
- 3.6 Capital rollover proposals total £39.4m; 92% of the total £42.7m year-end underspend. The £1.1m of 'uncommitted' General Fund capital recommended for removal from the Plan (Appendix G) generates £76k of ongoing treasury management revenue savings through reduced borrowing requirement. Revisions to grant assumptions and proposals for re-profiling the current approved 2016-21 Capital Plan, are set out in more detail at Appendix A, section 3.

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; much of which reflects the Council's journey to a New Council, including Cross-Directorate service re-design informed by key themes of economic resilience and early intervention and prevention. To achieve an overall balanced budget in 2016-17 has also required the approved drawdown of £15m general balances, which is one-off funding.
- 4.3 This still leaves current approved budget plans with a budget gap of £16m from 2017-18, increasing to £38m by 2019-20, and further savings options will need to be considered through the forthcoming budget round to balance the books over the period.
- 4.4 Given the scale of the financial challenges continuing to face the Council to 2020, prudent revenue rollover proposals means the majority of the 2015-16

underspend, at £4.7m, will be available in general balances to support updated budget strategies and plans to be considered by members in Autumn 2016.

- 4.5 The Council's updated budget plans will include consideration of Government's offer for a multi-year (4 year) financial settlement, conditional on Councils publishing an efficiency plan, by 14 October 2016. The efficiency plan can be combined with Council updated budget plans and strategies. Councils who do not produce a plan it may receive a lower grant settlement on an annual basis. A plan is also likely to require a balanced budget over 4 years. The Government 'offer' letter and conditions are set out at Appendix N attached, and we plan to report to October Council for approval of our efficiency plan.
- 4.6 The impact on the HRA of an annual 1% rent reduction for social housing tenants over the next 4 years is a forecast reduction in annual rental income of £10.5m by 2020, against an annual turnover of £95m (equivalent to about 11%) The financial impact of this will be factored into HRA business plan re-fresh, and options considered to inform future HRA budget proposals.
- 4.7 Similar to the general fund, prudent HRA revenue rollover proposals means the balance of the 2015-16 surplus, at £6m, is available to support the HRA business plan re-fresh in preparation for the forthcoming budget round.
- 4.8 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. The actual prudential indicator (PI) rate for 2015-16 is 10.61% and after taking account of rollover, the re-phasing of schemes and changes to grant assumptions, the PI is now estimated at a lower figure of 11.86% by 2020-21. 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.

5. Consultees and their opinions

This report has been prepared by the Director of Resources in consultation with the Executive Team.

6. Next Steps

Subject to member approval, revenue and capital rollover proposals, and the update of the 5 year capital plan, to be incorporated into in-year financial monitoring in 2016-17, and reported quarterly to Cabinet, from Quarter 1 onwards.

7. Officer recommendations and reasons

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

General Fund Revenue

- 7.1 note the revenue outturn position for 2015-16 (Appendix A, Section 1 & Appendices B-C)

- 7.2 approve proposals for £1.126m revenue rollover;£0.876m represents the District Committee underspend carried forward and £250k resources for Local Plan preparation (Appendix D)
- 7.3 note the use of corporate reserves, including general balances (Appendix A, Section 1, paras 1.21 to 1.28)

Housing Revenue Account (HRA)

- 7.4 note the revenue outturn position for 2015-16 (Appendix A, Section 2)
- 7.5 approve proposals for £234k revenue rollover (Appendix D)
- 7.6 note the use of HRA reserves (Appendix A, Section 2 paras 2.12 to 2.17)

Capital

- 7.7 note the Council capital outturn position for 2015-16 and the proposed review during the summer of 2016 of all capital baseline allocations which will feed into the next capital budget round (Appendix E)
- 7.8 approve proposals to remove £1.1m uncommitted rollover from the capital Investment plan (Appendix G);
- 7.9 increase Disabled Facilities Grant baseline budget from £2.4m to £2.6m. (Appendix A, Section 3, para 3.19.ii)
- 7.10 approve the application of additional (DFG) grant allocation received as part of the Better Care Fund, against the Disabled Facilities Grant capital baseline and the previous borrowing commitment it replaces is removed from the Plan. (Appendix A, Section 3, para 3.19.iii)
- 7.11 approve £1.7m HRA capital rollover from 2015-16 to 2016-17. (Appendix A, section 3, paras 3.20 & 3.22)
- 7.12 approve the revised Capital Plan for the 5 year period 2016-17 to 2020-21, after taking into account rollover, the re-phasing of schemes, changes to grant assumptions, and the removal of the PV programme within HRA strategic priorities. (Appendix A, section 3, paras 3.12 – 3.33, & Appendix H)

Treasury Management

- 7.13 To note the review of treasury management activity for 2015-16 (Appendix A, Section 4)

8. Cabinet Portfolio Holder recommendation

Pending the full Council appointment of a strong leader and Cabinet, the Chief Executive endorses the proposals in this report.

9. Contact Officer

Eamonn Croston	Strategic Council Finance Manager	01484 221000
Philip Deighton	Strategic Council Finance Manager	01484 221000

10. Background papers and History of Decisions

- Annual revenue budget report 2015-18 web link item
- Annual capital budget report 2015-20
- Annual budget report 2016-19
- Early review of Closedown report 2015-16
- CIPFA's code of Practice on Treasury Management in the Public Services
- CIPFA's Prudential Code for Capital Finance in Local Authorities
- Public Works Loan Board website

11. Assistant Director responsible

Debbie Hogg

Assistant Director

01484 221000

SECTION 1 – GENERAL FUND REVENUE OUTTURN 2015-16

1. Summary revenue outturn position

- 1.1 The Council's general fund net revenue budget for 2015-16 was **£314.1million (m)**. The outturn spend was **£308.3m**, resulting in an overall **underspend of £5.8m**; equivalent to 1.9% against net revenue budget.
- 1.2 The overall revenue outturn position is summarised by Directorate, at Appendix B, and the more significant variances against Directorate activity, reported at Appendix C.
- 1.3 Headline Directorate pressures included demand led pressures regarding activity relating to vulnerable adults at £1.7m (net of £2.2m additional funding allocation – see also paragraph 1.6 below), looked after Children at £3.5m, and Waste Services at £0.9m.
- 1.4 The Council administers a current annual £29.8m pooled funding arrangement, also referred to as 'Better Care Fund' or BCF, with North Kirklees and Greater Huddersfield Clinical Commissioning Groups.
- 1.5 The BCF was implemented nationally by government, from 2014-15 onwards. It is intended to promote more joined up or integrated service commissioning and delivery, between the council and key health partner organisations.
- 1.6 Most of the BCF pooled funding allocation for 2015-16 relates to pre-existing spend commitments other than £2.2m funding allocation, which has been applied in-year against Adult Social Care services; £0.9m Older People, £1m Learning Disabilities, £0.3m Contracts and Commissioning.
- 1.7 It is anticipated that the £2.2m will be recurrent for future years, and has been factored accordingly into the Council's approved budget plans for 2016-19.
- 1.8 The Council's budget strategy includes the prudent set aside of some one-off revenue funding in corporate earmarked reserves to offset known budget risks. In 2015-16, Cabinet approved the drawdown of £5.0m corporate earmarked reserves in-year to offset Directorate budget pressures; mainly relating to vulnerable adults and looked after children activity demand led activities.
- 1.9 There was a £4.1m underspend on Cross-Directorate theme activity; Economic Resilience at £1.6m and Early Intervention and Prevention at £2.5m. This largely reflects savings made earlier than anticipated in preparation for 2016-17 planned saving requirement.
- 1.10 Central Budgets reported a nil variance against revenue budget in 2015-16. However, there was an underlying underspend of £6.8m. This includes treasury management at £2.5m; largely reflecting a lower borrowing

requirement than anticipated. The Treasury Management underspend is sustainable and had already been factored into the approved 2016-19 budget plans. Elsewhere, there were a number of one-off savings in contingency budgets and Joint Services.

- 1.11 An early closedown review report 2015-16 was approved by Cabinet on 24 May. The link to this report is set out below ;

[Early closedown review report 2015-16 \(Item 7\)](#)

- 1.12 The report included proposals to use the £6.8m underspend in-year to fund existing capital expenditure instead of planned borrowing. This in turn will reduce future year financing costs with an estimated medium term financial plan (MTFP) annual saving of £320k against Treasury Management revenue budget, from 2016-17 onwards.

Collection Fund

- 1.13 The Collection Fund is a ring-fenced revenue account. It is administered by the Council (the billing authority).
- 1.14 Responsibilities include council tax and business rates annual billing, income collection, and annual planned payments from the Collection Fund to the billing authority's own general fund, relevant precepting bodies (fire, police and parishes), and central government.
- 1.15 Planned payments to the relevant bodies are set in advance of each financial year as part of the formal budget approval process, based on estimated income. Actual income collected during the year can vary from estimated, and any such differences are retained within the Collection Fund as surpluses or deficits.
- 1.16 The intention is that any (surpluses)/deficits built up are 'smoothed out' over time, through adjusting annual re-payments to/from the Council's general fund. Due to timing issues and emerging income trends, it often takes a number of financial years to achieve smoothing out of surpluses/deficits accumulated, in practice.
- 1.17 Table 1 below reflects the change in the Council share of the Collection Fund (surplus)/deficit, between 2014-15 and 2015-16, including income performance in-year:

Table 1- Collection fund (Council share); 2015-16 outturn

Collection Fund	Council Tax	Business Rates	Total
	£000	£000	£000
Actual (surplus)/deficit at 1 April 2015	(4,562)	5,234	672
Re-payment to/from general fund in 2015-16	2,827	(3,021)	(194)
In-year (surplus)/deficit	(2,910)	2,819	(91)
Actual (surplus)/deficit at 1 April 2015	(4,562)	5,234	387
Re-payment to/from general fund in 2016-17	3,900	(4,200)	(300)
Estimated (surplus)/deficit at 31 March 2017	(662)	1,034	372

- 1.18 The in-year surplus of £2.5m on Council tax is equivalent to 1.8% against planned income of £141m, and is mainly due to council tax income collection performance in excess of targeted.
- 1.19 The in-year deficit of £2.8m on business rates income is equivalent to 5.4% against planned income of £51.4m, and is due mainly to continued volatility on outstanding backdated rating valuation appeals.
- 1.20 Council approved budget plans for 2016-19 had anticipated the in-year Collection fund income performance trends noted above, in setting 2016-17 council tax base and business rates estimates. However, the position with regard to rating valuation appeals remains volatile.

Reserves and Balances

- 1.21 Reserves here means accumulated “one-off” resources built up over time, and are categorised under a number of broad categories, and these are summarised below at Table 2 below:

Table 2 – Current Reserves position

General Fund Reserves	31 st March 2015	In-Year Movements 2015-16	31 st March 2016	Budget Approved Commitments 2016-17	Adjusted Total
	£m	£m	£m	£m	£m
Earmarked	(63.5)	6.1	(57.4)	1.4*	(56.0)
Risk Based	(10.0)	-	(10.0)	-	(10.0)
General Balances	(38.0)	12.1	(25.9)	16.2*	(9.7)
Sub-Total	(111.5)	18.2	(93.3)	17.6	(75.7)
Plus Statutory	(24.0)	4.1	(19.9)	-	(19.9)
Total	(135.5)	22.3	(113.2)	17.6	(95.6)

**assumes £1.1m rollover approval & subsequent transfer of this amount from general balances to earmarked rollover reserve, in-year*

- 1.22 There was a net drawdown of £6.1m earmarked reserves during 2015-16, which includes £5.0m to offset Directorate budget pressures in-year (see also paragraph 1.8 earlier), while the general balances drawdown at £12.1m was part of the 2015-16 approved Council budget plans, to achieve a balanced budget.
- 1.23 Statutory reserves movements in-year total £4.1m and these relate to school based reserves (mainly school balances plus Dedicated Schools Grant) which statutorily the Council has no flexibility to apply for other purposes.
- 1.24 Overall, (excluding statutory reserves), the net movement in reserves and balances over the period 2015-17 (inclusive of approved budget drawdowns in 2016-17) is a reduction from £111.5m to £75.7m; equivalent to 32% reduction in available corporate revenue reserves.
- 1.25 General balances has a remaining balance of £9.7m and this includes a £5m minimum balances provision; the remaining £4.7m available to support the medium term financial plan going forward.
- 1.26 Remaining earmarked reserves total £56m. Some key highlights include a £4m set aside to support Council transformation, £11m set aside for Council wide severance costs, and just under £10m to fund deferred spend commitments against approved rollover commitments (including approvals still outstanding from previous years).
- 1.27 Risk based reserves are informed by the Council's assessment of corporate risks, which highlight a range of key budget and other risks. An 'early review of 2015-16 general fund revenue outturn' report was approved by Cabinet on 24 May 2016. The report included acknowledgment of emerging issues and resource implications regarding another report on the same Cabinet agenda relating to child protection and social work practice, estimated to be in the region of £1.7m, to support a range of service improvements. Detailed costings will be reported to Cabinet through 2016-17 as part of quarterly financial monitoring, and it is intended that these costs will be met from risk reserves.
- 1.28 It is recommended that Council reserves should be retained for their agreed purposes as set out above, and that further assessments of reserves requirements will be undertaken through the year, and reported to Cabinet as part of established quarterly corporate revenue monitoring reporting processes.

Rollover Bids

- 1.29 It is proposed that the £876k District Committee underspend be rolled forward in full to 2016-17, and £250k be rolled forward into 2016-17 to support the

development of the Local Plan. (Revenue rollover proposals are summarised at Appendix D)

Future developments

- 1.30 The Council Budget Report 2016-19 to full Council on 17 February 2016 includes the use of £15m available Council general fund “one-off” balances and a further £2.5m earmarked reserves to achieve a balanced budget for 2016-17; £17.5m in total. There is a forecast underlying budget gap of £16m in 2017-18, increasing to £30m in 2018-19 and £38m in 2019-20, and this will need to be addressed through future budget rounds.
- 1.31 The use of available “one-off” balances is part of the medium term budget strategy and is intended to buy the Council time to be able to invest in change programmes and smooth budget reductions required over the 2016-19 period and beyond.
- 1.32 In order to ensure that the longer financial position is affordable, the council will need to deliver in line with the Medium Term Financial Plan which means continuing to explore additional service redesign and transformation proposals to bridge the anticipated financial shortfall over the medium term, and address the longer term demographic and service volume pressures.

SECTION 2 – HOUSING REVENUE ACCOUNT OUTTURN 2015-16

2. Key Points

- 2.1 The Housing Revenue Account (HRA) is a statutory ring-fenced account. Under HRA self-financing, which was implemented from April 2012, all income streams and costs relating to the provision of landlord services to about 23,000 Council tenancies, are wholly accounted for in a separate statutory account.
- 2.2 The intention behind self-financing was to give Councils with HRA's more confidence in being able to forecast what were intended to be more sustainable future rental income streams to help with HRA business planning, than was possible under the previous housing subsidy system.
- 2.3 The HRA has to live within its means. Similar to the general fund, the HRA is also facing a number of significant financial challenges over the medium term, which provide broader context to the HRA revenue outturn position for 2015-16.
- 2.4 **The HRA revenue outturn position for 2015-16 reflects an overall surplus of £6.2m against an annual turnover of £95.8m; equivalent to 6.5%.** This is summarised at Appendix B.
- 2.5 The most significant variance is £4.0m relating to repairs and maintenance; this includes less than anticipated costs on empty homes at £1.0m and reduced volume of planned repairs at £1.1m. There was also an unanticipated year end £1.7m re-allocation of building services internal trading surplus to HRA. This is an accounting requirement for Council trading services; operating surpluses or deficits relating to internal customers (if material) are re-allocated to customers at each year end.
- 2.6 Highlight variances across a range of HRA activity headings are summarised at Appendix C.
- 2.7 Council approved HRA budget plans for 2016-19 had already anticipated some of the above underspend to the extent of identifying annual savings of £3.7m which could be achieved from 2016-17 by re-aligning existing budgets to match current spend, without impacting on services to tenants.
- 2.8 These represent early measures to manage the impact of Government national social housing rent policy, now enacted through the Welfare & Work Reform Act, regarding an absolute 1% annual rent reduction from April 2016; each year for the next 4 years, for social housing rents.
- 2.9 The financial impact of the 1% rent reduction on the Council's HRA was set out in a report to Cabinet on 12 January 2016 which also incorporated Cabinet approval for the 1% rent reduction in 2016-17. The link to this report is set out below:

<http://democracy.kirklees.gov.uk/documents/s91111/Rent%20setting%20and%20Housing%20context%20cabinet%20report%20v3a%202015%2012.pdf>

- 2.10 The financial impact was a forecast rental income loss of £10.5m per annum by 2020. Rental income accounts for 90% of total HRA income.
- 2.11 It is acknowledged that the £3.7m savings referred to in paragraph 2.7 above is a short-term strategy in the context and further budget savings would need to be identified in order to achieve a balanced Housing Revenue Account over the longer term.

HRA Reserves

- 2.12 The HRA statutory ring-fence applies equally to HRA reserves. In-year surpluses or deficits, at each year end transfer to HRA general reserves, which build up over time and can be drawn down to fund both future HRA revenue and capital spend commitments.
- 2.13 In addition, there is also a major repairs reserve. This is funded from the annual depreciation charge to HRA . This reserve can only be statutorily used for capital debt repayment or capital investment. The HRA reserves position is summarised in Table 1 below:

Table 1 – Summary HRA reserves movements 2015-16

Description	Reserves at 1	Net Movement in	Reserves at 1
	April 2015	reserves 2015-16	April 2016
	£m	£m	£m
General Reserves	(35.8)	(7.0)	(42.8)
Major Repairs Reserve	nil	nil	nil

- 2.14 Net movement in HRA general reserves during 2015-16 largely reflects the £6.2m 2015-16 year end surplus transfer to HRA reserves, plus other approved transfers in-year.
- 2.15 HRA general reserves commitments over the medium term includes £8.5m set aside for business risks; in particular, with regard to a number of welfare reform changes such as universal credit, and potential transitional impact on HRA rent arrears. A further £11.6m is earmarked to support the HRA capital plan (includes £9.2m for strategic priorities) over the 2016-21 period, and there is also a set aside £1.5m working balance. Remaining reserves at £21.2m are currently intended to roll forward to support longer term HRA business planning requirements; in particular maintaining decency in Housing stock.
- 2.16 The recently enacted Housing & Planning Act 2016 includes government policy intent with regard to high value council housing assets; namely an annual levy or charge to Council HRA's, from 2016-17 onwards, which will then be re-directed to private registered providers to compensate them for loss of housing stock through the introduction of right to buys in this sector.

- 2.17 The actual levy calculation for individual Councils has not been released yet by government. It is anticipated that short-term, existing HRA general reserves would have to absorb the impact of what is an unbudgeted pressure in 2016-17, acknowledging that longer term, this will present a further budget pressure on the HRA which will also need to be addressed through future budget rounds.

HRA borrowing 'cap'

- 2.18 As part of HRA self-financing implementation, Government set different borrowing limits for Councils with HRA's. This Council's HRA borrowing limit was set at £247.6m as at April 2012.
- 2.19 In practice, actual HRA debt outstanding at the time was £215.6m. The difference between HRA debt outstanding and the borrowing limit is also referred to as 'borrowing headroom'; £32m in this case. Since April 2012, the Council has continued to re-pay HRA debt annually, in line with the HRA loan repayment portfolio, and as at 31 March 2016, current HRA debt outstanding is £192.4m (see also, Appendix E), effectively increasing the HRA borrowing headroom to £55.2m.
- 2.20 While there is borrowing headroom, as with the general fund, the Council has to ascertain whether or not the HRA can "afford" to take on new borrowing, in view of the additional financing costs that HRA would have to incur. Consideration of any scope to review the current approach will be taken as part of a wider re-refresh of the HRA business plan (see also paragraph 2.22 below).

Revenue rollover proposals

- 2.21 HRA repair and maintenance underspend includes £234k against Tenant Led Environmental Works activity, which is a District Committee managed budget. It is proposed that this underspend is rolled forward in full from 2015-16 to 2016-17, against this activity.

Future developments

- 2.22 The annual 1% rent reduction each year for the next 4 years presents a significant financial risk to the HRA. There are also a number of other business risks potentially impacting on HRA, including the impact of universal credit on income collection, and the levy proposal noted earlier in paragraph 2.16 above. These business risks will continue to be reviewed in conjunction with the regular re-refresh of the HRA business plan, in-year, to inform future budget rounds.
- 2.23 This includes consideration of opportunities that could achieve significant efficiency savings over the medium term, including an assessment of potential sustainable medium term savings from a merger between Building Services & the Council's Arms Length Management Organisation partner, Kirklees Neighbourhood Housing (KNH), due to be implemented no later than April 2017.

SECTION 3 – CAPITAL OUTTURN 2015-16

3. Key Points

- 3.1 The Council's capital budget for 2015-16 was £116.1m, and actual spend at year end was £73.4m. There is a headline outturn **underspend of £42.7m** (36.8% variance compared to budget).
- 3.2 The General Fund underspend is £38.8m. The majority relates to slippage rather than anticipated scheme underspends. Only £8.1m was identified as being 'uncommitted' resources. As in previous years, the Assistant Director (AD) Strategic Investment Group reviewed these 'uncommitted' resources and the Group recommends £1.1m of 'uncommitted' rollover (all funded by borrowing) is removed from the Capital Plan (Appendix G).
- 3.3 The Housing Revenue Account (HRA) underspend is £3.9m. Of this, £1.7m is planned to be rolled forward into 2016-17. The HRA is facing significant financial challenges and the proposed rollover is considered to be a prudent re-alignment of budgets to meet future requirements
- 3.4 A re-appraisal of General Fund risks and pressures was undertaken to identify any areas where capital investment may need to be recognised in the next 5 years. At this point, there is no additional recommendation for extra investment over and above the recommended plan for 2016-17 to 2020-21.
- 3.5 It should be noted that AD Strategic Investment Group plan to carry out a review during summer 2016 of all capital baseline allocations. The review will challenge whether existing allocations represent the minimum capital investment levels needed to support each programme area. The conclusions of the Group will feed into the next capital budget round.

Capital Investment and Funding in 2015-16

- 3.6 The Capital Plan for 2015-16 (inclusive of rolled over funds from 2014-15) was approved by Council on 29th July 2015 and totalled £111.8m. Following adjustments reported at Quarter 3, the Capital Plan stood at £114.9m.
- 3.7 Subsequent adjustments have taken the total to £116.1m by the end of the financial year. The increase in budget of £1.2m is due to £0.7m additional funding via Revenue Contributions to Capital Outlay (RCCO) and £0.5m net additional funding received from grants and contributions.
- 3.8 Highlight variances analysing how the overall £42.7m underspend is broken down, are shown in Appendix E, along with explanations of the principal variations.
- 3.9 The Capital Plan included an assumption that £5m non-earmarked capital receipts would be generated in 2015-16 to support the overall funding of the capital investment programme. At year-end, capital receipts from land and building disposals totalled £5.7m.

- 3.10 The financing of new capital investment in 2015-16 compared with the borrowing assumptions in the MTFP show the Council has borrowed £21.2m less than expected in 2015-16. Of this total, £15.0m was provided for corporately in the Treasury Management Budget with the remaining £6.2m being 'self or externally funded' capital schemes i.e. the financing costs of the investment are met by services directly or recovered externally.
- 3.11 As a consequence of lower borrowing, there is expected to be an under-spend in the Treasury Management Budget in 2016-17 of around £1.8m. Of this, just under £430k is considered to be sustainable savings. This reflects the proposal to remove £1.1m uncommitted rollover (see also, para 3.19 below) and revenue funding of £6.8m applied in 2015-16 to fund existing capital expenditure instead of planned borrowing (see also, Appendix A, Section 1, para 1.12).
- 3.12 The balance of forecast £1.4m underspend in 2016-17 is considered not to be sustainable, but more reflective of timing issues i.e. deferred borrowing commitments re-profiled into later years as per the capital rollover proposals incorporated into the updated capital plan (see also para 3.17, Table 1 below).
- 3.13 The Council is able to undertake borrowing without central government approval under a code of practice called the Prudential Code. This requires prudential indicators (indicators/limits which help manage the Council's borrowing and treasury management activities) to be set as part of the budgeting process, monitored through the year and reported at outturn.
- 3.14 Appendix F provides a schedule of the indicators applicable to affordability and prudence which have been reported as part of capital monitoring in 2015-16. Indicators applicable to treasury management are reported in the Annual Report on Treasury Management.

Updated Capital Investment Plan

- 3.15 When the Council approved the Capital Investment Plan in February 2016 for the 5 year period from 2016-17 to 2020-21, it made provision for an overall level of investment of £420.8m, split between £305m for the general fund and £115.8m for the HRA.
- 3.16 The Plan now needs to be updated to take account of slippage from 2015-16 and changes in the estimated levels of resources available. Services have also taken the opportunity to review progress on programmes and schemes with a view to achieving a more realistic spending profile over the Plan period.
- 3.17 The revised Capital Investment Plan for the period 2016-17 to 2020-21 (inclusive of the rollover proposals) totals £398.4m. The Plan is summarised below (see Appendix H for detail). The key changes made to the 5 year Plan are highlighted in the following sections.

Table 1 - Overall Expenditure Summary 2016-17 to 2020-21

	2016-17 £000	2017-18 £000	2018-19 £000	2019-20 £000	2020-21 £000	Total £000
Strategic Priorities	24,846	31,785	28,226	5,632	4,132	94,621
Baseline	52,570	35,044	29,268	28,726	28,854	174,462
One-Off Initiatives	101	0	0	0	0	101
Risks & Pressures	5,000	2,500	2,500	2,500	2,500	15,000
Total General Fund	82,517	69,329	59,994	36,858	35,486	284,184
HRA	19,478	22,366	26,391	21,115	24,907	114,257
Council Total	101,995	91,695	86,385	57,973	60,393	398,441

General Fund Capital Investment Plan

- 3.18 An assessment of rollover requests was carried out by the AD Strategic Investment Group to identify what commitments exist against the £38.8m General Fund underspend. The review identified that only £8.1m rollover was 'uncommitted' and the Group recommend £1.1m of this 'uncommitted' rollover is removed from the Capital Plan. Details of the proposals are summarised in Appendix G.
- 3.19 The proposal to remove £1.1m of investment (all funded by borrowing) generates ongoing revenue savings of £76k per annum.
- 3.20 A presentational amendment has been made to how the strategic priorities funded via the West Yorkshire Transport Fund (WYTF) are recorded in the Investment Plan. Indicative scheme costs are no longer profiled across the 5 year Plan, these figures are now replaced with the grant levels that WYTF has allocated (mandated) to the Council to fund early feasibility works and high level option appraisals. This fundamental change has the impact of removing £53m grant from what was previously shown in the Capital Investment Plan.
- 3.21 In addition, the number of Kirklees schemes within the prioritised core package of projects to be delivered through the WYTF has reduced from 5 to 4, this is explained as follows:
- The scope of the original A653 Dewsbury to Leeds Corridor scheme (to be renamed 'Mirfield to Dewsbury to Leeds Corridor') has been expanded to include both the Ravensthorpe Relief Road scheme and South Dewsbury Development project.
 - A mandate for £70k was recently approved (£3k spent in 2015-16) to undertake modelling and economic assessment work relating to a potential scheme at M62 Motorway Junction 24a.
- 3.22 Other significant changes incorporated into the Plan relate to:
- i) The £2m grant assumption relating to a Regional Growth Fund bid for Pioneer House has been removed. The bid is now incorporated within Kirklees College's application for financial support from the Local Enterprise Partnership (LEP) Skills Capital Fund. The application seeks a

capital grant to undertake a fit-out programme to Pioneer House and the development of Dewsbury Learning Village. The remaining resources in the Capital Plan are evenly profiled across 2016-17 – 2017-18 and are available to fund a programme of landlord works at Pioneer House.

- ii) It is proposed to increase the Disabled Facilities Grant (DFG) baseline, within Housing Private, from £2.4m to £2.6m. This reinstates some of the budget reduction agreed at February 2015 Budget Council, where the baseline was reduced from £2.9m to £2.4m. A caveat was included at the time stating that the baseline would be regularly monitored in order to review the impact of future volumes. The outturn spend in 2015-16 was £2.5m and therefore it is deemed prudent to raise the budget to £2.6m.
- iii) The 2016-17 grant allocation for DFG which is part of the Better Care Fund has increased from £1.4m to £2.5m (see Table 2). The additional grant will be applied against the DFG baseline within Housing Private, with the balance of funding being made up from Right to Buy (RTB) receipts. It is recommended that the third current funding stream i.e. borrowing, which is released by the additional grant, be removed from the Plan.

In 2016-17, work will commence on developing an integrated strategy for 'Aids to Daily Living' which includes the Adaptations Service along with Integrated Community Equipment Service and Assistive Technology. Current budget lines, including the DFG capital baseline, will be subject to consideration by this review to ensure resources are utilised effectively to deliver desired outcomes.

- iv) The annual capital allocation of £1m previously built into Adults baseline has been removed as the Adult Social Care Capital Grant is no longer received as part of the Better Care Fund.
- v) Opportunity has been taken to update the phasing of several strategic priorities i.e. new pupil places in primary schools, the loan facility to develop a hotel as part of the HD One scheme, and European Grant match funding.
- vi) The balance of grant available for Empty Clusters, £211k, has been built into the Plan.

HRA – Capital Investment Plan

- 3.23 The opportunity was taken to review how much of the £1.6m underspend in HRA baseline was required to fund future works and only £0.3m rollover is being carried forward to 2016-17. The rollover reflects the early completion of multi-year schemes (including roofing) and the fact that many Maintaining Decency programmes are sufficiently resourced to fund future year's requirements. The capital baseline for 2016-21 totals £83.1m.
- 3.24 The strategic priorities budget has been adjusted to reflect the withdrawal from of the solar photo-voltaic (PV) programme, resulting in £3.2m of capital being removed in 2016-17. Cabinet approval to withdraw from the works programme to install PV systems on Council houses (projected to achieve 574 out of the

2000 target) was received on 5th April 2016 and was in response to the Department of Energy and Climate Change announcement that feed-in tariff rates would reduce by 60% for all systems registered after 15 January 2016.

3.25 Rollover of £1.4m has been applied to strategic priority capital allocations, including £1m for Extra Care housing and the revised Plan now totals £31.2m.

3.26 The HRA Capital Investment Plan reflects the current ambition for the HRA looking at both existing stock and future developments around extra care housing within the Excellent Homes for Life project. The use of 'over-programming' within the capital plan is to be removed from 2016-17 onwards to ensure accurate reporting is maintained within the financial ledger.

Capital Resources

3.27 The government grant allocations built into the 5 year Capital Plan approved by Council on 17th February 2016 have been revisited. A number of these assumptions require updating.

Table 2 - Proposed External Resource Allocation

		2016-17 £000	2017-18 £000	2018-19 £000	2019-20 £000	2020-21 £000
Housing Private – Disabled Facilities	<i>Feb Plan</i>	1,362	1,362	1,362	1,362	1,362
	<i>Rollover Plan</i>	2,483	2,483	2,483	2,483	2,483
CHYPs – Basic Need, Capital Maintenance, Devolved Formula Capital	<i>Feb Plan</i>	10,577	13,938	9,717	9,717	9,717
	<i>Rollover Plan</i>	10,350	13,469	12,835	9,491	9,491
Highways – Local Transport Plan	<i>Feb Plan</i>	8,185	7,395	6,639	6,434	6,229
	<i>Rollover Plan</i>	9,403	7,395	6,639	6,434	6,229
Total	<i>Feb Plan</i>	20,124	22,695	17,718	17,513	17,308
	<i>Rollover Plan</i>	22,236	23,347	21,957	18,408	18,203

3.28 The Department for Education (DfE) announced on 12th March 2016 that the level of Capital Maintenance grant for 2016-17 will be £4m per annum (a reduction of £201k p.a. compared to the previous assumption of £4.2m). The assumption incorporated in the Plan is that as more schools become academies this figure will reduce further and an indicative grant of £3.8m has been built into Plan from 2017-18 onwards.

3.29 The final Devolved Formula Capital allocations for 2016-17 were announced on 12th May 2016 and are updated to reflect the academy status of schools as at 31st March 2016. The grant level is £1.1m in 2016-17. This level of grant is assumed to remain constant across the 5 years of the Plan.

3.30 On 17th March 2016, the DfE confirmed the basic need grant allocation for 2018-19. Previously, an indicative amount of £4.6m had been built into the Plan. The

announcement was for a grant settlement of £8m. The additional grant is built into the Plan but future years remain at the lower indicative amount.

3.31 The LTP Integrated Transport (IT) grant is administered by West Yorkshire Combined Authority. The forward programme beyond 2016-17 is still to be determined consequently the annual £1m IT grant built into the Plan from 2017-18 onwards is an estimate. In 2017-18, a new Single Transport Plan will be introduced and this will determine future spend priorities on transportation across West Yorkshire.

3.32 Table 3 shows how the Capital Plan is funded (Appendix H shows the detail).

Table 3 - Overall Funding of Capital Plan

	Grants	Ring-fenced Receipts	Borrowing/ non ring-fenced receipts	Capital Reserves/ Revenue	Total
	£000	£000	£000	£000	£000
Strategic Priorities	35,198	0	59,423	0	94,621
Baseline	85,089	3,723	85,650	0	174,462
One-off Initiatives	0	0	101	0	101
Risks & Pressures	0	0	15,000	0	15,000
Total General Fund	120,287	3,723	160,174	0	284,184
HRA	1,224	8,134	0	104,899	114,257
Council Total	121,511	11,857	160,174	104,899	398,441

3.33 Over the 5 year period of the General Fund Capital Plan, £160.2 million (56%) is funded from borrowing and non ring-fenced capital receipts. Of this total, £59.4 million borrowing (37%) relates to schemes within Strategic Priorities, £85.7 million (54%) relates to Baseline investment and £15 million (9%) for Risks and Pressures.

3.34 The impact on borrowing through adoption of the proposed 5 Year Capital Plan 2016-17 to 2020-21 including rollover is summarised below. The figures build in an assumed level of slippage between the years:

Table 4 - General Fund Prudential Indicators

	2016-17	2017-18	2018-19	2019-20	2020-21
	£000	£000	£000	£000	£000
Revenue Debt Charges	31,171	31,546	33,016	33,743	33,223
New Borrowing	24,928	37,130	33,098	17,788	10,827
Debt repayment in Yr	22,329	24,313	22,215	22,728	22,204
Debt Outstanding (excl. PFI)	413,930	426,747	437,630	432,690	421,313
Debt Outstanding (excl. PFI and external loans)	391,003	403,251	410,600	406,413	395,783
Net Revenue Stream (excl. PFI)	291,336	285,002	280,807	280,179	280,179
Ratio of Financing Costs (excl. PFI)	10.70%	11.07%	11.76%	12.04%	11.86%

- 3.35 The ratio for 2020-21 has fallen from 12.81% reported in the February Capital Plan Report to 11.86%.
- 3.36 The proportion of the revenue budget absorbed by repaying debt and interest is a matter of local decision. However, as borrowing grows as a proportion of the revenue budget, the Council's ability to provide day to day services is restricted as repayment of debt is a first call on the Council's finances.
- 3.37 A PI target was considered to be 12.3%. The amount of historical debt coupled with the decline in Council revenue funding has meant we have not previously been able to reach this target but low interest rates and the regular review of capital allocations and commitments against resources has meant this is the first time the Capital Investment Plan has fallen within the target PI

SECTION 4 – TREASURY MANAGEMENT

4. **Borrowing and Investment Strategy 2015-16**

- 4.1 With the continuation of instabilities in the financial markets and fragility of economic activity, the over-riding policy was one of ensuring the security of the Council's balances. The Council chose to invest externally balances of around £30 million, largely for the purpose of managing day-to-day cash flow requirements, with any remaining balances invested "internally", offsetting borrowing requirements. The investment strategy was designed to minimise risk, investments being made primarily in instant access accounts or short-term deposits, with the major British owned banks and building societies, or Money Market Funds.
- 4.2 It was expected that the Council's external borrowing would increase by up to £13.6 million, arising from the need to finance capital expenditure and replace balances used. Short term borrowing rates were forecast to stay low and it was suggested to look for opportunities to take short term loans either at fixed or variable rates. However, with long term rates forecast to rise in the coming years, any such short term savings would need to be balanced against potential longer term costs.

The economy and interest rates

- 4.3 The UK economy slowed in 2015 with GDP growth falling to 2.3% from a robust 3.0% the year before. The labour market further improved (the unemployment rate of 5.1% was a 12 year low). Inflation continued around 0.0% and wage growth remained modest at around 2.2% excluding bonuses. The slowdown in the Chinese economy has affected global growth and this might be further affected by the outcome of the US presidential election and the UK's EU referendum.
- 4.4 Whilst the Bank of England maintained the Bank Rate at 0.5% (its eighth year at this level), the US increased their rate for the first time in nine years in December but the Eurozone, Switzerland and Japan were forced to move their policy rates into negative territory. Longer term rates have been kept low by uncertainties around growth, the election and referendum results.
- 4.5 At the beginning of each quarter, interest rates for the UK were as follows:

		<u>Base rate</u>	<u>50 year PWLB (maturity)*</u>
2015	Apr	0.5%	3.11%
	Jul	0.5%	3.41%
	Oct	0.5%	3.18%
	Jan	0.5%	3.27%
2016	Apr	0.5%	2.95%

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

Investment activity

- 4.6 The Council's treasury management investments totalled £38.3 million as at 31 March 2016 (£38.7 million 31 March 2015). The Council invested an average balance of £59.0 million externally during the year (£54.8 million 2014/15). Central Government has flattened the payment profile for Revenue Support Grant for 2016-17 onwards, so it expected that the Council will not be as cash rich going forward. Income of £0.264 million was generated through these investments (£0.229 million 2014/15). Appendix I shows where investments were held at the beginning of April, the end of September and the end of March, by counterparty, by sector and by country. The Council's average lending rate for the year was 0.45% (0.42% 2014/15), being below the weighted average 7 day London Interbank borrowing rate of 0.49%.
- 4.7 The change in regulations on bank bail-ins has been reflected in movements in credit ratings, along with other factors such as changes in underlying strength. Some institution's ratings have improved whilst others have suffered, notably in terms of the Council's investment activity –
- Coventry Building Society improving its ratings such that it has moved into the Council's specified category, thus increasing potential investment limits (up to £10 million)
 - Nottingham and Yorkshire Building Societies improving their ratings such that they moved into the Council's non-specified category, thus increasing potential counterparties (up to £3 million)
 - Barclays' ratings falling such that it moved into the Council's non-specified category from specified, thus reducing potential investment limits (down from £10 million to £3 million)

Borrowing requirement and debt management

- 4.8 In terms of borrowing, long-term loans at the end of the year totalled £408.4 million and short-term loans (excluding interest accrued) £16.0 million (£422.6 million and £21.1 million 31 March 2015). There was no new long-term borrowing taken during the year and repayments are detailed in Appendix J. Largely because of slippage on the Capital Plan, the level of external borrowing for the year decreased -

	Actual £m
Decrease in Capital Financing Requirement excluding PFI	-15.1
Increase in net balances	-4.2
Net external borrowing requirement	-19.3

- 4.9 Fixed rate loans account for 75% of total long-term debt giving the Council stability in its interest costs. The maturity profile for fixed rate long-term loans is shown in Appendix K 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.

- 4.10 The primary source of the Council's borrowing is from the Government ie Public Works Loan Board (PWLB). In January 2015, DCLG announced that the PWLB would be abolished and proposals on new arrangements have recently been published. It is likely that Treasury will take over the PWLB's responsibilities and lending arrangements will remain unaffected. The Council also has £106.6 million of LOBO (Lender's Option, Borrower's Option) loans as at 31 March 2016. The lender has the option to propose an increase in the interest rate at set dates, following which the Council has the option to either accept the new rate or to repay the loan at no additional cost. No options were exercised during the year.
- 4.11 The Local Capital Finance Company established in 2014 by the Local Government Association as an alternative source of local authority finance opened for business in early 2016. It plans to issue bonds on the capital markets and lend the proceeds to local authorities. This will be a more complicated source of finance than the PWLB for three reasons: borrowing authorities may be required to provide bond investors with a joint and several guarantee over the very small risk that other local authority borrowers default on their loans; there will be a lead time of several months between committing to borrow and knowing the interest rate payable; and up to 5% of the loan proceeds may be withheld from the authority and used to bolster the Agency's capital strength instead. Officers will continue to monitor developments of this new funding source.
- 4.12 In terms of debt rescheduling, the premium charge for early repayment of PWLB debt remained relatively expensive for the loans in the Council's portfolio and therefore unattractive for debt rescheduling activity.
- 4.13 The average borrowing rate for 2015-16 was 4.95% (5.03% 2014/15). Other than a small amount of borrowing in the first week of the financial year, the Council undertook no further temporary borrowing during the year. The borrowing in April was taken from another local authority at a rate of 0.28%.

Trends in treasury management activity

- 4.14 Appendix L shows the Council's borrowing and investment trends over the last 9 years. The analysis shows that at the onset of the "Credit Crunch" (2008), the Council was externally investing over £100 million, with average investment rates over 5%. From 2009-10 onwards as the banking crisis grew worse and investment rates fell, the Council adopted a policy of holding external investments for cash flow purposes only, initially at around £50 million and then further reduced to £30 million. Any further balances have effectively been "invested internally" to offset new borrowing requirements. It can be seen that the current level of internal investment is £175 million.
- 4.15 The Capital Financing Requirement (CFR) is the authority's underlying need to borrow for a capital purpose. It is funded by external borrowing and

balances internally invested. The CFR for both General Fund and HRA has fallen since the end of 2011, the former by £47.6 million and the latter by £50.0 million. The fall on HRA CFR includes £31 million of debt repaid by Central Government in March 2012 as part of the housing finance reforms.

Revenue Budget Monitoring

- 4.16 The outturn showed an under-spend of £2.5 million on a net spend of £34.2 million. The under-spend was due to savings on principal and interest arising from capital slippage and the full year effect of £10.5 million capital receipt/revenue contribution/capital grant applied to service debt in 2014-15. The unspent budget contributed towards a year end revenue contribution of £6.8 million to fund capital expenditure which will reduce future capital financing costs.

Risk and Compliance Issues

- 4.17 The Council can confirm that it has complied with its prudential indicators for 2015-16, which were approved as part of the Treasury Management Strategy. Details can be found in Appendix M. Indicators relating to affordability and prudence are reported in the Capital Outturn report.
- 4.18 There has been some adverse publicity during the year, including a Channel 4 documentary on 6 July, about LOBO (Lender's Option, Borrower's Option) loans, claiming that these loans are offering poor value for money for local authorities. The publicity has resulted in a DCLG Select Committee taking evidence from various areas, including the participants of the documentary. The Council currently has eleven LOBOs with various UK and foreign banks, totalling £105 million. They were all taken between 1997 and 2008, and their average interest rate equates to 4.4% compared to the Council's PWLB loan average interest rate of 5.1%. All the LOBOs are on their original terms – in one case, where a bank proposed to increase an interest rate from 3.36% to 4.20%, the Council decided to immediately repay that loan. The Council has no "inverse floating" LOBOs, of which the Channel 4 documentary was particularly critical.
- 4.19 The Council moved its current account banking arrangements from the Co-Operative to Barclays on 1 July 2015, on an initial five year contract. The service being provided is good and a strong working relationship has been built up with the bank.
- 4.20 On four 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. Other than those circumstances, the Council has complied with all of the relevant statutory, regulatory and internal requirements which limit the levels of risk associated with its treasury management activities. Officers have adapted investment policies during the year in order to minimise risk in light of changes in counterparty credit ratings and other changes in circumstances. The Council's adoption and implementation of both the Prudential Code and the

CIPFA Code of Practice on Treasury Management means that its capital expenditure is prudent, affordable and sustainable.

- 4.21 The Council is aware of the risks of passive management of the treasury portfolio and, with the support of the Council's consultants (Arlingclose), has proactively managed the debt and investments over the year. Arlingclose were re-appointed as the Council's advisors for the next three years from the beginning of February.
- 4.22 The CIPFA Code of Practice requires that treasury management performance be subject to regular member scrutiny. The Corporate Governance and Audit Committee performs this role and members have received reports on strategy, half yearly monitoring and now the outturn for the year 2015-16. Arlingclose provided training to Members on 30 March 2015.
- 4.23 The effect of the reduced borrowing requirements, additional balances and the continuation of lower interest rates will be reflected in revenue budget monitoring reports during the year.

REVENUE OUTTURN 2015-16

APPENDIX B

General Fund Directorate	Net Controllable Budget	Revenue Outturn	Variance before reserves applied	Reserves applied	Variance after reserves applied	%
	£000s	£000s	£000s	£000s	£000s	
Children & Young People	67,939	71,804	3,865	(3,325)	540	0.8%
Commissioning, Public Health & Adults	86,218	89,301	3,083	(1,689)	1,394	1.6%
Place	35,853	34,630	(1,223)		(1,223)	-3.4%
Resources	34,130	32,874	(1,256)		(1,256)	-3.7%
Communities, Transformation & Change	6,483	6,185	(298)		(298)	-4.6%
Cross-Directorate Themes	33,573	29,447	(4,126)		(4,126)	-12.3%
Sub-Total	264,196	264,241	45	(5,014)	(4,969)	-1.9%
Central Budgets	48,815	48,815	0		0	0.0%
District Committee managed budgets	1,091	215	(876)		(876)	-80.4%
Total	314,102	313,271	(831)	(5,014)	(5,845)	-1.9%

Housing Revenue Account (HRA)	Controllable Budget	Revenue Outturn	Variance	%
	£000s	£000s	£000s	
Repairs & Maintenance	24,041	20,071	(3,970)	-16.5%
Housing Management	33,239	31,617	(1,622)	-4.9%
Other Expenditure	28,715	27,451	(1,174)	-4.1%
Sub-total	85,995	79,139	(6,767)	-7.9%
Income	(95,735)	(95,875)	(139)	0.1%
Operating Surplus for the year	(9,740)	(16,646)	(6,906)	
Revenue contribution to capital expenditure in-year	9,740	10,430	690*	7.0%
Transfer to HRA reserves	0	(6,216)	(6,216)	

*approved set aside in existing HRA reserves to offset this additional cost

General Fund Outturn highlight variances

APPENDIX C

Directorate	Activity	Highlight Variances £000	Earmarked Reserves applied £000	Additional comments on Highlight variances (before BCF/reserves applied)
Children & Young People	Safeguarding & family support; demand led activity	+3,480	(3,240)*	+£1.1m fostering; +£1.6m external placements (includes £237k less Clinical Commissioning Groups income than expected)
	Disabled Children's Services	+363		+£292k Direct Payments, +£146k Short Breaks
	Child Sexual Exploitation (CSE) Team	+85	(85)	Additional costs arising from CSE
	Safeguarding & family support; Legal Costs	+816		Overspend on external Legal costs
	Sub-total	+4,744	(3,325)	
Commissioning, Public Health & Adults	Placement equivalent demand	+1,702	(1,317)*	(£0.8m) Older People; +£0.3m Physical Disabilities; +£1.3m Learning Disabilities; +£0.9m mental health.
	(Older People) In-house residential	+536		Mainly agency costs re sickness & vacancies
	Best Partnering	+197		Savings not realised
	Public health expenditure	(210)		+£1m timing issue on sexual health and substance misuse new contracts , (£348k) Smoking and Tobacco reduced demand, (£385k) other saving on substance misuse and savings on other activities.
	Public Health Income	+1,551	(372)	In-year grant reduction part offset by grant reserves applied in-year
	Sub-total	+3,776	(1,689)	
Place	Waste Services	+859		Contract waste/landfill costs; demand led activity
	Cleansing	+388		Changes to working practices & employee reductions ; slippage on MTFP savings
	Seasonal Weather	(320)		Includes (£485k) winter maintenance due to fewer grits than forecast, part offset by overspends on flood damage+ £142k and storm damage +£23k.
	Environment	(551)		Mainly Streetscene Action Team (£301k) and PCSO contribution (£233k).
	Parks and Open Spaces	(389)		Mainly Grounds Maintenance staff (£578k) part offset by other activities.
	Parking	+356		+£140k Residents Permits, implemented Feb 2016, +£240k moving Traffic Enforcement. Part offset by vacancy savings (£100k) and other operational savings.

Directorate	Activity	Highlight Variances £000	Earmarked Reserves applied £000	Additional comments on Highlight variances (before BCF/reserves applied)
Place (continued)	Schools Transport	+1,049		Includes increased volumes and slippage on procurement savings.
	Schools Facilities Management	(1,338)		Mainly catering saving due to increased efficiency on labour and food costs of supplying Universal Free School Meals.
	Corporate Landlord	(374)		reduced costs in repairs and maintenance and utilities and improved income streams.
	Building services	(460)		Improved income levels
	Sub-total	(780)	-	
Resources	Support for Council as Democratic Organisation	(381)		Mainly (£120k) governance, +£246k Councillor Allowances.
	IT	(541)		Employee and supplies and services underspends part offset by overspends on income
	Corporate & Democratic Core	(256)		(£190k) External Subscriptions, (£131k) Corporate Management ; including (£82k) External Audit Fee.
	Sub-total	(1,178)	-	
CTC	Support services	(573)		(£192k) Communications and Marketing additional income and staffing savings, (£382k) HR Professional vacancies held and additional income.
	Communities & Leisure	(357)		Includes (£214k) Organisational change service redesign ; transitional savings achieved, (£79k) Health Watch savings made, +£140k Engaging Communities & Building Capacity employees overspend
	Sub-total	(930)	-	
Cross-Directorate themes	Economic resilience & early intervention & prevention	(4,126)		(£2,512k) EIP, (£1,614k) ER
	Sub-total	(4,126)	-	
District Committee Managed Budgets	Activity Budgets	(876)		Slippage into future years
	Grand total (highlight variances)	630	5,014	

APPENDIX C (Continued)

Housing Revenue Account (HRA) revenue outturn 2015-16 ; highlight variances

Activity	Variance £000	Additional comments on variances
Repairs & Maintenance	(3,970)	Main variances include (£1.0m) planned repairs reduction in volume of work, (£1.0m) empty homes, (£1.7m) Building Services trading surplus year end transfer to HRA
Housing Management	(1,622)	Includes (£0.7m) reduced projection in PFI in line with reductions in unitary charges, (£0.3m) temporary accommodation savings due to late implementation of Universal credit and (£0.4m) on Council Services Bought In.
Other	(1,174)	Includes (£1.2m) reduced bad debt provision due to delayed implementation of Welfare reform part offset by overspends in Council Tax Voids and other headings.
Revenue Contribution to Capital	+690	+0.7m additional expenditure largely reflects financing of rolled over capital schemes from 2014-15. Approved set aside in existing HRA reserves to offset this.
Income	(140)	(£0.2m) Lower voids and (£0.2m) leaseholder charges, part offset by District heating Income, rechargeable repairs offset and other rents.
Total (highlight variances)	(6,216)	

REVENUE ROLLOVER PROPOSALS 2015-16 to 2016-17

	Description	Total £000	Bid Details
General Fund	Local Plan	250	Additional resource requirement
	District Committee Managed Budgets	876	District Committees 2015-16 underspend to roll forward in full.
	Total General Fund	1,126	
Housing Revenue Account	Tenant led environmental works managed through District Committees	234	Tenant led budget 2015-16 underspend to roll forward in full.
	Total HRA	234	

Capital Plan	Revised Budget	Outturn	Variance	%
	£'000	£'000	£'000	
Strategic Priorities Total	25,109	11,102	(14,007)	56%
Baseline				
Childrens & Young People	12,940	7,700	(5,240)	40%
Adults	1,167	106	(1,061)	91%
Place	40,599	28,807	(11,792)	29%
Communities, Transformation & Change	2,720	687	(2,033)	75%
Resources	2,088	1,855	(233)	11%
Leeds City Region Revolving Fund	1,874	0	(1,874)	100%
Baseline Total	61,388	39,155	(22,233)	36%
One-Off Initiatives	640	539	(101)	16%
Risks & Pressures	2,500	0	(2,500)	100%
General Fund Total	89,637	50,796	(38,841)	43%
HRA	26,487	22,655	(3,832)	14%
Overall Total	116,124	73,451	(42,673)	37%

Strategic Priorities Capital Plan	Highlight Variance	Comments on Highlight Variances
	£'000	
New Pupil Places in Primary Schools	(1,173)	Approval has been given for Royds Hall School (North Kirklees) but the New Primary School in South Kirklees is still in the development stages. Any underspend in funding on Strategic Priorities will be required to rollover for 2016-17 to enable the rolling programme on schools to be delivered as part of the Schools Investment Needs Strategy.
Reprovision of Lydgate Special School	(2,927)	Cabinet approval received (16.12.14) for new school construction on former Almondbury Junior school site and COR approved on 30th March 2016. Delays have been incurred with getting on site causing slippage to the programme.
Spenborough Sport Facility	(914)	Slippage caused by site location issues and option appraisals. Only survey fees charged this financial year.
KSDL - HD-One	(2,250)	Delayed progress on KSDL's development plans mean that drawdown of loan funding has slipped into future years.
Kirklees College Loan	(3,100)	The College has not fully utilised the short term loan facility this year.
Local Growth Fund	(945)	Works are not due to start on two sites until 2016-17.
Strategic Priorities Total	(11,309)	

Baseline Capital Plan	Highlight Variance	Comments on Highlight Variances
	£'000	
Childrens		
Basic Need	(1,494)	The 2015-16 basic need programme was approved at the 24th March 2015 Cabinet. Any underspend in funding will be required to rollover into 2016-17 to enable the rolling programme to be delivered.
One-off Initiatives	(3,080)	Section 106 (£1.6m) remain unallocated or developer fees awaited. Ongoing discussions to identify schools to benefit or funds held pending emergence of new Investment Needs Strategy. Uncommitted balance of £699k is supported by AD Strategic Investment Group to roll forward into 2016/17.
Childrens Total	(4,574)	

Baseline Capital Plan	Highlight Variance	Comments on Highlight Variances
Adults Total	(1,061)	Plans with partners not yet fully developed as to how the ringfenced Better Care Fund social care capital allocation can best be used to deliver its objectives.
Place		
Housing (Private)	(1,118)	Slippage on i) section 106 budget of (£693k) to be applied on Large Housing Sites programme in 2017-18 ii) CASSH supported Housing Project (£216k) to pay final instalment in 2016-17 iii) demolition of properties in Moldgreen (£205k).
Highways	(2,529)	Various schemes have fallen behind schedule across the programme areas due to weather and others are in various stages of the tender process, legal consultation or subject to other practical delays. Of the total underspend, only (£638k) is uncommitted and AD Strategic Investment Group have supported bids to rollover these uncommitted balances.
Economic Delivery	(1,661)	£810k uncommitted resources are being offered up to reduce overall borrowing levels. AD Strategic Investment Group support £223k of bids to retain uncommitted rollover.
Parks & Open Spaces (POS)	(1,017)	The underspend is a result of i) The POS 2015-16 capital plan (-£150k) went to Cabinet late in the year ii) a lack of resources has led to s106 schemes having to be phased (£556k) iii) two District Committee schemes are on site but not complete (£102k) iv) Revenue funding contribution done near to year end (£188k)
Transport Services	(1,413)	The budget has been fully committed and orders have been placed but a number of vehicles are still in the build process and awaiting delivery between May and July 2016
Investment in Buildings	(1,790)	£1.2m rollover is contractually committed. AD Strategic Investment Group support £288k of bids to retain uncommitted rollover with the balance of uncommitted capital i.e. £260k being offered up for removal from the Plan.
Asset Utilisation/Rationalisation	(1,564)	£569k rollover is contractually committed. AD Strategic Investment Group support £995k bids to retain uncommitted rollover.
Place Total	(11,092)	
KAL Self-Funded	(1,497)	The focus during 2015-16 has been on establishing the operation of the new Huddersfield Leisure Centre, alongside some medium scale capital projects at a number of other sites. This has meant that, while a number of future major capital projects continue to be considered and progressed where possible, the proposal is to defer actual capital expenditure to future years.
CTC Total	(1,497)	
Leeds City Region Revolving Fund	(1,874)	Slippage. £1,160k loan payment incurred in 2016-17, leaving £714k balance. Likelihood of a further drawdown of loan to support a prefab housing manufacture in Leeds.
Baseline Total	(20,098)	
Risks & Pressures Total	(2,500)	No claim was made against this contingency budget. It is recommended that these resources are carried forward into 2016/17.

HRA Capital Plan	Highlight Variance	Comments on Highlight Variances
	£'000	
Baseline	(1,618)	Environmental Schemes - Tenant Led Works (£848k), approval for these schemes was received in November 2016 with only a small amount delivered in 2015-16 and the main focus being 2016-17 as a priority. Maintaining Decency - Windows (£653k), slippage due to delays in procurement and installation whilst contractors work to new specifications. Maintaining Decency - Roofing (Working at Heights) +£530k higher than anticipated delivery on schemes at Overthorpe and Schools Estate. Favorable weather also allowed more roofing works to be delivered.
Strategic Priorities	(5,123)	Renewable Energy ; Photo Voltaic (PV) Programme (£3,477k) Central Government reduced Feed in Tariff rates from January 2016, leading to Council decision to curtail the programme. New Build - Phase 1 (£1,000k) Procurement and development of these sites has not proceed as quickly as anticipated, leading no spend occurring in 2015-16.
Overprogramming	2,910	
HRA Total	(3,832)	

APPENDIX F

PRUDENTIAL INDICATORS ACTUALS 2015-16

Capital Expenditure, Capital Financing Requirement and External Debt

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

	2014-15	2015-16	
	Actual £000s	Estimate £000s	Actual £000s
Capital Expenditure			
General Fund	60,534	89,637	50,796
General Fund - PFI	1,692	1,526	1,539
HRA	24,033	26,487	22,655
HRA – PFI	-76	151	151
Total	86,183	117,801	75,141
Financed by -			
Borrowing	5,056	44,425	11,264
PFI	1,616	1,677	1,690
Other	79,511	71,699	62,187
Total	86,183	117,801	75,141
CFR as at 31 March			
General Fund excl PFI	422,263	440,064	411,332
General Fund PFI	60,834	58,029	58,058
HRA excl PFI	196,579	192,406	192,440
HRA PFI	60,918	58,910	58,910
Total CFR	740,594	749,409	720,740
External debt as at 31 March			
Borrowing (excl interest accrued)	443,715	474,622	424,418
Other LT Liabilities	126,285	121,330	121,360
Total debt	570,000	595,952	545,778

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

Limits to Borrowing Activity

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

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

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

	2014-15 Actual (max) <u>£m</u>	2015-16	
		Limits/ Boundary <u>£m</u>	Actual (max) <u>£m</u>
<u>Authorised limit for external debt</u>			
Borrowing	460.9	543.7	443.7
Other Long Term Liabilities	131.4	126.3	126.3
Total	592.3	670.0	570.0
<u>Operational boundary for external debt</u>			
Borrowing	460.9	495.3	443.7
Other Long Term Liabilities	131.4	126.3	126.3
Total	592.3	621.6	570.0

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

There is also a limit on HRA indebtedness set by the Department for Communities and Local Government under the recent HRA self-financing reform. The limit is set at £247.6 million for the HRA CFR excluding PFI liabilities. The actual HRA CFR excluding PFI liabilities as at 31 March 2015 is £192.4 million which is well within the limit.

Affordability Prudential Indicators

Ratio of financing costs to net revenue stream

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

	2014-15	2015-16	
	Actual	Estimate	Actual
<u>Ratio of financing costs to net revenue stream</u>			
General Fund	12.88%	13.76%	12.65%
General Fund excl PFI	10.79%	11.74%	10.61%
HRA	34.31%	30.19%	30.89%
HRA excl PFI	29.90%	27.75%	28.51%

The actual for General Fund for 2015-16 was less than estimated mainly because of lower borrowing due to capital expenditure slippage and because the net revenue stream was marginally higher than estimated.

RECOMMENDATIONS OF ASSISTANT DIRECTOR STRATEGIC INVESTMENT GROUP RELATING TO £8.1m 'UNCOMMITTED' RESOURCES

	Funding	Resources to be carried forward	Recommended for Removal		Comments
			Capital Amount	Annual Revenue Impact	
		£'000	£'000	£'000	
STRATEGIC PRIORITIES					
	Borrowing	0	10	1	The £220k subway scheme is now complete. The resultant £10k underspend is offered up for removal.
Total Strategic Priorities		0	10	1	
BASELINE					
CHYPs					
Completed Schemes	Grant	400	0	0	Assistant Director Strategic Investment Group supported a bid to use the £400k balance of completed scheme funding to help alleviate grant reductions on Capital Maintenance budgets.
2 Yr Old Capital	Grant	223	0	0	Rollover required to meet the basic need pressures for free early education places for eligible two year old.
Free School Meals	Grant	76	0	0	The rollover was agreed as part of last year's 14/15 uncommitted exercise but due to programme slippage it is required to rollover again to cover the cost of an extension at Marsden I & N School kitchen.
Adults					
Social Care Capital Grant	Grant	1,061	0	0	The Social Care Capital Grant is ringfenced to the Better Care Fund and was allocated from central government to fund capital spend on projects consistent with the aims and objectives of the Better Care Fund, including implementation of the Care Act and integration of social care and health. The proposals comprise two elements; provision for a core level of spend on IT system enhancements and equipment, and contribution to the funding of alternative day care facilities in North Kirklees.
Place					
Housing Private	Capital Allowance	205	0	0	Cabinet approval was given on 22nd September 2015 to demolish seven vacant properties on Wakefield Road but there have been scheme delays.
Highways	Borrowing	638	0	0	AD SIG supported bids to rollover uncommitted balances to fund i) the cost of surfacing Kirkgate and Westgate in Summer 2016 (£350k) ii) priority unadopted road scheme in James St, Slaithwaite (£90k) iii) drop off facility at Springwood Road, Holmfirth (£120k) iv) Kirklees culvert programme (£75k) linked to delays with the Environment Agency funded programme
Economic Delivery	Borrowing	223	810	54	AD SIG recommend that £223k uncommitted rollover is retained to fund heritage protection work at McKinnons Mill (£55k), deliver projects to improve buildings within the THI area (£145k) and complete District Heating feasibility work (£23k). Various underspends totalling £810k across Economic Delivery are offered up for removal.
Parks & Open Spaces	Borrowing	39	0	0	Uncommitted resources are to be used to provide a new toddler play area in Greenhead Park.
Bereavement	Borrowing	195	50	3	AD SIG supported bids to retain £195k uncommitted rollover to fund additional capacity for muslim faith burials at Batley Cemetary (£50k), modernise facilities at Huddersfield Crematorium (£30k), Improvements to Paths and Driveways within Edgerton cemetery (£45k), installation of ventilation within the chapel at Huddersfield Crematorium (£25k), Safety & Efficiency of Cremation Operations (£20k) and Development of green burial space (£25k). Various underspends totalling £50k across Bereavement are offered up for removal.
Investment in Buildings	Borrowing	288	260	18	It is recommended that £288k rollover is used to fund emergency lighting at Dewsbury Town Hall (£150k), roof light/roofing repairs at Somerset Buildings (£68k) and roof light/roofing repairs at Byram Arcade (£70k). The balance of uncommitted capital £260k is due to a combination of savings on some schemes, unforeseen circumstances and programme alterations and is offered up for removal.
Asset Utilisation/Rationalisation	Borrowing	995	0	0	Seven bids were submitted to AD Strategic Investment Group to retain the £995k balance of uncommitted rollover. These projects related to: Red Doles corporate archive facility (£400k), demolition of surplus buildings (£167k), George Street refurbishment (£268k), Emerald Street refurbishment (£30k), Mirfield Depot demolition (£40k), St Johns Parochial Hall demolition (£40k) and CC1 ground floor alteration works (£50k).
School Catering	Borrowing	88	0	0	AD SIG supports the bid of £88k to be allocated to schools meals service to support business retention.
Total Baseline		4,431	1,120	75	
Risks & Pressures					
		2,500	0	0	The full amount of £2.5m is supported for rollover into 2016-17
TOTAL		6,931	1,130	76	

**CAPITAL INVESTMENT PLAN 2016-17 to 2020-21
(Inclusive of Rollover from 2015-16)**

BASELINE SUMMARY

Portfolio	Funding	2016-17 Budget £'000	2017-18 Budget £'000	2018-19 Budget £'000	2019-20 Budget £'000	2020-21 Budget £'000	Total Budget £'000
Children & Young People							
Basic Need	G	1,523	500	500	500	500	3,523
Capital Maintenance	G	4,796	3,800	3,800	3,800	3,800	19,996
Devolved Formula Capital	G	1,435	1,059	1,059	1,059	1,059	5,671
One-Off Initiatives	S106	2,619	65	0	0	0	2,684
Children & Young People Total		10,373	5,424	5,359	5,359	5,359	31,874
Adults	G	500	561	0	0	0	1,061
Place							
Housing Private Sector							
Disabled Facilities Grants	G/R	2,600	2,600	2,600	2,600	2,600	13,000
Discretionary Assistance	R	100	100	100	100	100	500
Minor Adaptations	R	290	290	290	290	290	1,450
PPS3	G	889	0	0	0	0	889
Other	G/R	426	766	0	0	428	1,620
		4,305	3,756	2,990	2,990	3,418	17,459
Highways							
Maintenance							
Principal Roads	G	1,985	2,037	1,805	1,805	1,805	9,437
Roads Connecting Communities	G	2,504	2,393	2,369	2,164	1,959	11,389
Unclassified Roads	B/G	2,995	1,967	1,707	1,912	2,117	10,698
Structures	G	2,034	1,700	1,200	1,200	1,200	7,334
Street Lighting Replacement Strategy	B/G	2,102	2,029	2,029	2,029	2,029	10,218
Unadopted Roads	B	145	50	50	50	50	345
CCTV	G	72	0	0	0	0	72
Integrated Transport							
Integrated Public Transport	B/G	717	412	412	412	412	2,365
Network Management	G	1,032	223	323	323	323	2,224
Cycling & Walking	B/G	726	768	118	118	118	1,848
Safer Roads	B/G	1,174	645	645	545	545	3,554
Town Centre Car Parking	B	223	150	150	150	150	823
Flood Management and Drainage Improvements	B/G	607	450	450	450	450	2,407
		16,316	12,824	11,258	11,158	11,158	62,714
Economic Delivery	B	2,614	1,800	1,800	1,800	1,800	9,814
Parks & Open Spaces	B	1,167	150	150	150	150	1,767
Bereavement	B	522	175	175	175	175	1,222
Investment in Buildings							
Strategic Asset Utilisation/Rationalisation	B	3,530	2,000	2,000	2,000	2,000	11,530
KAL - KC Funded	B	3,784	810	300	300	0	5,194
	B	557	400	400	400	400	2,157
Environment & Strategic Waste	B	159	100	100	100	100	559
Transport	B	3,990	2,577	2,577	2,577	2,577	14,298
School Catering	B	288	200	200	200	200	1,088
Place Total		37,232	24,792	21,950	21,850	21,978	127,802
Communities, Transformation & Change							
KAL - Self Funded	B*	922	1,367	1,059	617	617	4,582
District Committees	B	536	0	0	0	0	536
Communities, Transf & Change Total		1,458	1,367	1,059	617	617	5,118
Resources							
Information Technology	B*	1,133	900	900	900	900	4,733
Resources Total		1,133	900	900	900	900	4,733
Leeds City Region Revolving Fund	B	1,874	2,000	0	0	0	3,874
TOTAL BASELINE		52,570	35,044	29,268	28,726	28,854	174,462

KEY :

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

**CAPITAL INVESTMENT PLAN 2016-17 to 2020-21
(Inclusive of Rollover from 2015-16)**

FUNDING SUMMARY

	2016-17 Budget £'000	2017-18 Budget £'000	2018-19 Budget £'000	2019-20 Budget £'000	2020-21 Budget £'000	Total Budget £'000
TOTAL FUNDING REQUIREMENT	101,995	91,695	86,385	57,973	60,393	398,441
Funded by...						
Direct/Earmarked Contributions to Schemes						
Capital Grants / Contributions						
- In year	24,638	24,755	22,202	18,653	18,448	108,696
- Funding brought forward from previous year	13,945	2,218	1,658	1,558	1,558	20,937
- Funding carried down to following year	-2,218	-1,658	-1,558	-1,558	-1,130	-8,122
Earmarked Capital Receipts	3,278	3,042	3,258	1,615	2,664	13,857
Revenue Contributions (HRA)	9,243	7,490	7,742	6,055	3,803	34,333
Reserves (HRA)	9,641	12,862	15,652	13,708	18,702	70,565
Pooled resources						
Non Earmarked Capital Receipts	5,500	6,000	6,000	6,000	6,000	29,500
Corporate Prudential Borrowing	37,968	36,986	31,431	11,942	10,348	128,675
TOTAL	101,995	91,695	86,385	57,973	60,393	398,441

FUNDING SUMMARY - Including Assumed Slippage

For revenue budget planning and associated Prudential Indicators it is appropriate to make overall assumptions about slippage. This table shows the corporate assumptions made for that purpose and assumes a level profile of spend over the five years. This is considered a realistic assumption based on historical information on slippage on major capital programmes of this level.

	2016-17 Budget £'000	2017-18 Budget £'000	2018-19 Budget £'000	2019-20 Budget £'000	2020-21 Budget £'000	Total Budget £'000
Assumed Slippage b/f	0	20,264	17,910	15,640	9,065	62,879
General Fund Maximum Authorised Spend	82,517	69,329	59,994	36,858	35,486	284,184
Assumed Slippage c/f	-20,264	-17,910	-15,640	-9,065	-8,630	-71,509
	62,253	71,683	62,264	43,433	35,921	275,554
HRA Planning Allocation	19,478	22,366	26,391	21,115	24,907	114,257
TOTAL FUNDING REQUIREMENT	81,731	94,049	88,655	64,548	60,828	389,811
Funded by...						
Direct/Earmarked Contributions to Schemes						
Capital Grants / Contributions						
- In year	24,638	24,755	22,202	18,653	18,448	108,696
- Funding brought forward from previous year	13,945	9,442	6,672	5,969	5,240	41,268
- Funding carried down to following year	-9,442	-6,672	-5,969	-5,240	-4,856	-32,179
Earmarked Capital Receipts	3,278	3,042	3,258	1,615	2,664	13,857
Revenue Contributions (HRA)	9,243	7,490	7,742	6,055	3,803	34,333
Reserves (HRA)	9,641	12,862	15,652	13,708	18,702	70,565
Pooled resources						
Non Earmarked Capital Receipts	5,500	6,000	6,000	6,000	6,000	29,500
Corporate Prudential Borrowing	24,928	37,130	33,098	17,788	10,827	123,771
TOTAL	81,731	94,049	88,655	64,548	60,828	389,811

CAPITAL INVESTMENT PLAN 2016-17 to 2020-21 (Inclusive of Rollover from 2015-16)

STRATEGIC PRIORITIES SUMMARY

	Funding	2016-17 Budget £'000	2017-18 Budget £'000	2018-19 Budget £'000	2019-20 Budget £'000	2020-21 Budget £'000	Total Budget £'000	Scheme Budget £'000
A62 Leeds Road Corridor (Cooper Bridge)	G	185	0	0	0	0	185	60,000-120,000
A653 Dewsbury to Leeds Corridor (Mirfield to Dewsbury to Leeds)	G	149	0	0	0	0	149	40,000-80,000
A629 Huddersfield to Halifax Corridor	G	157	0	0	0	0	157	10,000-15,000
M62 Junction 24a	G	67	0	0	0	0	67	18,000-50,000
Pioneer House	B/G	1,401	1,375	0	0	0	2,776	
Huddersfield Town Centre Action Plan	B	344	2,887	7,250	500	0	10,981	
Dewsbury Town Centre Action Plan	B	0	4,000	1,000	0	0	5,000	
European Grant Funding Opportunities	B	500	1,250	1,250	0	0	3,000	
Town & Village Centres	B	110	0	0	0	0	110	
Empty Clusters	G	211	0	0	0	0	211	
Huddersfield Leisure Centre	B	580	0	0	0	0	580	
Sports Facility (Spenborough area)	B	914	6,000	7,000	1,000	0	14,914	
New Pupil Places in Primary Schools	B/G	11,147	11,809	7,476	4,132	4,132	38,696	
Reprovision of Lydgate Special School	B	4,206	214	0	0	0	4,420	
Powerhouse	B	165	0	0	0	0	165	
HD-One (KSDL)	B	500	4,250	4,250	0	0	9,000	
Contingencies	B	165	0	0	0	0	165	
Kirklees College Loan	B	3,100	0	0	0	0	3,100	
Local Growth Fund	B	945	0	0	0	0	945	
STRATEGIC PRIORITIES TOTAL		24,846	31,785	28,226	5,632	4,132	94,621	

RISKS & PRESSURES TOTAL	B	5,000	2,500	2,500	2,500	2,500	15,000
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ONE-OFF INITIATIVES TOTAL	B	101	0	0	0	0	101
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HOUSING REVENUE ACCOUNT PLAN

	Funding	2016-17 Budget £'000	2017-18 Budget £'000	2018-19 Budget £'000	2019-20 Budget £'000	2020-21 Budget £'000	Total Budget £'000
HRA STRATEGIC PRIORITIES							
Miscellaneous Properties- Conversions/Back into Stock		1,130	800	800	800	800	4,330
New Build Phase 1 - Ashbrow Extra Care		1,000	3,500	3,500	0	0	8,000
New Build Phase 2 - Soothill Extra Care		0	0	3,500	3,500	0	7,000
New Build Phase 3		0	0	0	0	7,000	7,000
New Build Phase 4 - Environmentally Friendly Housing		0	2,000	2,000	0	0	4,000
New Build - KNH/Building Services Pilot		800	0	0	0	0	800
PFI		65	0	0	0	0	65
		2,995	6,300	9,800	4,300	7,800	31,195
HRA BASELINE							
Heating Programmes(Boilers)		2,046	1,861	1,917	1,934	1,958	9,717
Maintaining Decency		8,952	9,712	10,040	10,166	10,332	49,202
Batched works		251	284	295	300	307	1,437
Fuel poverty		974	737	765	778	795	4,049
Major Adaptations		2,381	2,423	2,517	2,561	2,616	12,498
Minor Adaptations		229	233	242	246	251	1,200
Misc		337	343	324	329	336	1,669
Estāte & Environmental Works (Managed through District Committees)		1,313	473	492	500	511	3,290
		16,483	16,066	16,591	16,815	17,107	83,062
HOUSING REVENUE ACCOUNT TOTAL		19,478	22,366	26,391	21,115	24,907	114,257

Kirklees Council Investments 2015-16											
Counterparty	Credit Rating Mar 2016*	1 April 2015			30 September 2015			31 March 2016			
		£m	Interest Rate	Type of Investment	£m	Interest Rate	Type of Investment	£m	Interest Rate	Type of Investment	
<u>Specified Investments</u>											
LB Merton	Local Govt		3.2	0.40%	1 mth fixed						
Nationwide	Bldg Soc	F1/A	6.5	0.43%	1 mth fixed	8.0	0.43%	1 mth fixed x 3			
Bank of Scotland	Bank	F1/A+				2.0	0.40%	Instant Access			
Handelsbanken	Bank	F1+/AA-	9.0	0.45%	Instant Access	5.0	0.45%	Instant Access	2.9	0.45%	Instant Access
Std Life (Ignis)	MMF**	AAAmmf	10.0	0.47%	MMF-Instant	7.6	0.49%	MMF-Instant Acc	7.5	0.50%	MMF-Instant
Aviva	MMF**	Aaa-mf	5.0	0.39%	MMF-Instant	7.6	0.46%	MMF-Instant Acc	7.3	0.48%	MMF-Instant
Aviva - Govt	MMF**	Aaa-mf				10.0	0.39%	MMF-Instant Acc			
Deutsche	MMF**	AAAmmf				7.5	0.45%	MMF-Instant Acc	6.7	0.46%	MMF-Instant
Goldman Sachs	MMF**	AAAmmf	5.0	0.41%	MMF-Instant	7.1	0.45%	MMF-Instant Acc	6.0	0.44%	MMF-Instant
Coventry	Bldg Soc	F1/A				4.7	0.41%	1 mth fixed x 2			
Santander UK	Bank	F1/A							5.0	0.65%	31 day notice
<u>Non-specified investments</u>											
Barclays	Bank	F1/A				2.9	0.10%+0.40%	Instant Access	2.9	0.10%+0.40%	Instant Access
Nottingham	Bldg Soc	P2/Baa1				3.0	0.40%	1 mth fixed			
			38.7			65.4			38.3		
<u>Sector analysis</u>											
Bank			9.0	23		9.9	15		10.8	28	
Building Society			6.5	17		15.7	24				
MMF**			20.0	52		39.8	61		27.5	72	
Local Authorities/Cent Govt			3.2	8							
			38.7	100		65.4	100		38.3	100	
<u>Country analysis</u>											
UK			9.7	25		20.6	31		7.9	21	
Sweden			9	23		5.0	8		2.9	7	
MMF**			20	52		39.8	61		27.5	72	
			38.7	100		65.4	100		38.3	100	

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

APPENDIX J

Key – Fitch’s credit ratings:

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

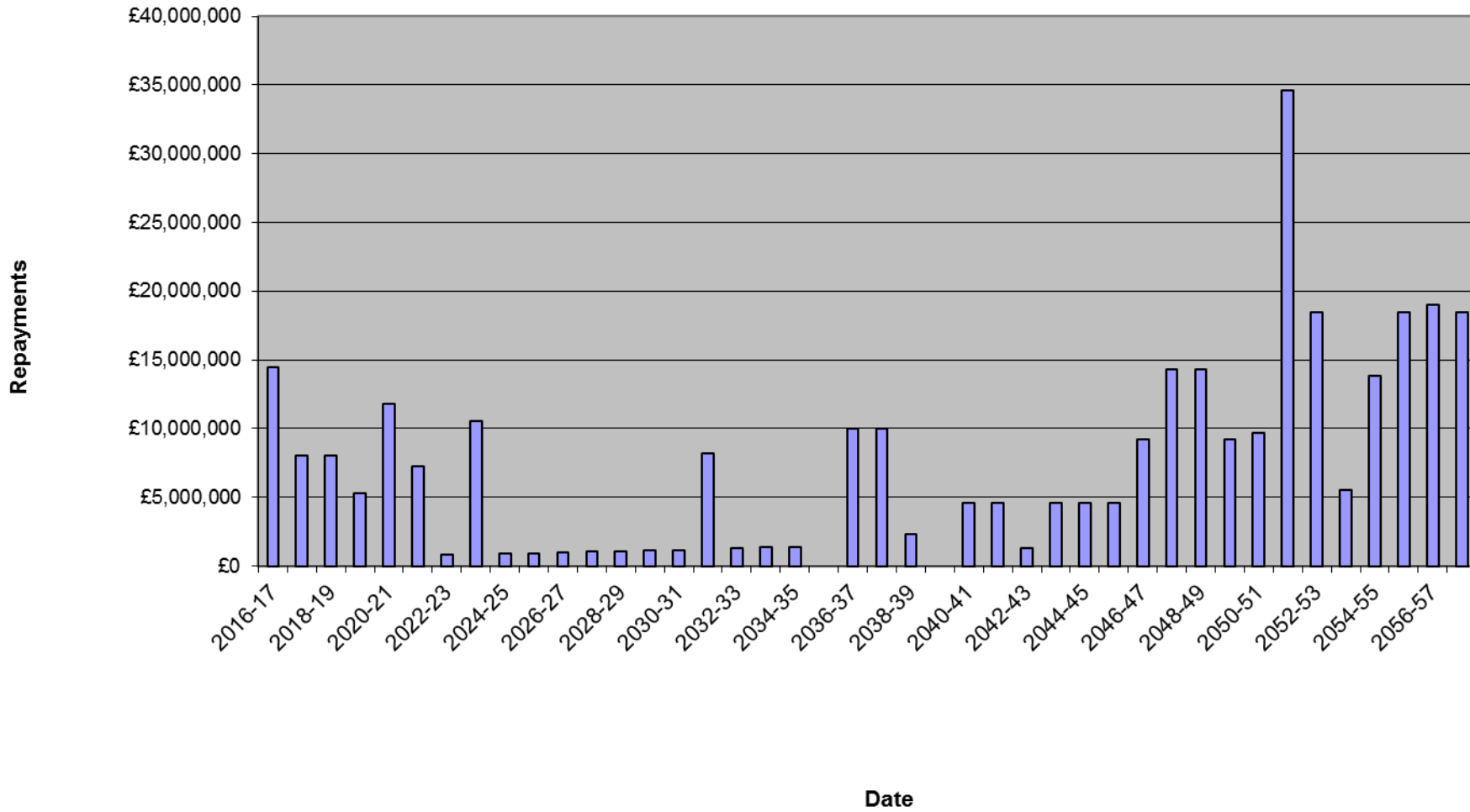
MOVEMENT IN PWLB BORROWING

LOANS REPAID 2015-16

	Rate %	Date repaid	Amount £000s
Repayments on maturity			
PWLB (467195)	9.25	7 Aug 15	9,225
Repayments on annuity loans			
PWLB (496956)*	4.58	29 Sep 15	294
PWLB (496956)*	4.58	29 Mar 16	301
Total			

* represents loan extended to Kirklees College, for which the College is making similar repayments to the Council

KMC Loan Maturity Profile (Fixed-Rate)



APPENDIX L

Kirklees Council - Borrowing and Investment Trends

At 31 March	2016	2015	2014	2013	2012	2011	2010	2009	2008
Investments	38.3m	38.7m	33.1m	30.2m	19.3m	42.7m	38.7m	102.1m	134.8m
ST Borrowing (excl interest accrued)	16.0m	21.1m	29.6m	27.3m	30.6m	33.2m	18.6m	9.1m	1.8m
LT Borrowing	408.4m	422.6m	432.4m	452.1m	471.5m	527.1m	525.1m	528.4m	553.4m
Total Borrowing	424.4m	443.7m	462.0m	479.4m	502.1m	560.3m	543.1m	537.5m	555.2m
Deferred liabilities (non PFI)	4.3m	4.4m	4.5m	4.7m	4.8m	5.0m	5.1m	5.2m	5.3m
Net debt position	390.4m	409.4m	433.4m	453.9m	487.6m	522.6m	509.5m	440.6m	425.7m
Capital Financing Requirement (excl PFI)									
General Fund	411.3m	422.2m	447.5m	448.5m	458.6m	458.9m	435.9m	369.5m	327.8m
HRA	192.4m	196.6m	203.3m	209.3m	215.6m	242.4m	241.0m	241.0m	241.0m
Total CFR	603.7m	618.8m	650.8m	657.8m	674.2m	701.3m	676.9m	610.5m	568.8m
Balances "internally invested"	175.0m	170.7m	184.3m	173.7m	167.3m	136.0m	128.7m	67.8m	8.3m
Ave Kirklees' investment rate for financial year	0.4%	0.4%	0.4%	0.5%	0.6%	0.8%	1.5%	5.2%	5.9%
Ave Base rate	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	5.25%
Ave LT Borrowing rate	3.2%	3.7%	4.3%	4.1%	4.4%	5.3%	4.7%	4.6%	4.4%

APPENDIX M

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 2015-16	Actual 2015-16
Interest at fixed rates as a percentage of net interest payments	60% - 100%	78%
Interest at variable rates as a percentage of net interest payments	0% - 40%	22%

The interest payments were within the limits set.

Maturity Structure of Borrowing

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

Amount of projected borrowing that is fixed rate maturing in each period as a percentage of total projected borrowing that is fixed rate	Limit Set 2014-16	Actual Levels 2015-16
Under 12 months	0% - 20%	0% - 5%
12 months to 2 years	0% - 20%	2% - 5%
2 years to 5 years	0% - 60%	5% - 8%
5 years to 10 years	0% - 80%	6% - 10%
More than 10 years	20% - 100%	78% - 79%

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

Total principal sums invested for periods longer than 364 days

The Council has not invested any sums longer than 364 days.

Annex

Conditions of the multi-year settlement

The Government will offer any council that wishes to take it up a four-year funding settlement to 2019-20. This includes:

- Common Council of the City of London
- London borough councils
- district councils
- county councils
- Council of the Isles of Scilly
- Greater London Authority
- metropolitan county fire and rescue authorities
- combined fire and rescue authorities.

The Government is making a clear commitment to provide minimum allocations for each year of the Spending Review period, should councils choose to accept the offer and if they have published an efficiency plan.

What the offer includes

On 9 February we provided summaries and breakdown figures for each year to your s151 Officer. From those figures the relevant lines that are included in the multi-year settlement offer, where appropriate, are:

- Revenue Support Grant;
- Transitional Grant; and
- Rural Services Delivery Grant allocations.

In addition, tariffs and top-ups in 2017-18, 2018-19 and 2019-20 will not be altered for reasons related to the relative needs of local authorities, and in the final year may be subject to the implementation of 100% business rates retention.

The Government is committed to local government retaining 100% of its business rate revenues by the end of this Parliament. This will give them control over an additional £13 billion of tax that they collect.

To ensure that the reforms are fiscally neutral local government will need to take on extra responsibilities and functions. DCLG and the Local Government Association will soon be publishing a series of discussion papers which will inform this and other areas of the reform debate.

The new burdens doctrine operates outside the settlement, so accepting this offer will not impact on any new burden payments agreed over the course of the four years.

The Government will also need to take account of future events such as the transfer of functions to local government, transfers of responsibility for functions between local authorities, mergers between authorities and any other unforeseen events. However, barring exceptional circumstances and subject to the normal statutory consultation process for the local government finance settlement, the Government expects these to be the amounts presented to Parliament each year.

Process for applying for the offer

Interest in accepting this offer will only be considered if a link to a published efficiency plan is received by 5pm Friday 14th October. We will provide confirmation of the offer shortly after the deadline.

Efficiency Plans

Efficiency plans do not need to be a separate document. They can be combined with Medium Term Financial Strategies or the strategy set out in the guidance (<https://www.gov.uk/government/publications/guidance-on-flexible-use-of-capital-receipts>) on how you intend to make the most of the capital receipt flexibilities if appropriate.

The Home Office will provide guidance on the criteria and sign off process for efficiency plans for single purpose Fire and Rescue authorities. All Fire and Rescue authorities, including those which are county councils, should set out clearly in their efficiency plans how they will collaborate with the police and other partners to improve their efficiency.

Process for those who do not take up the offer

Those councils that chose not to accept the offer, or do not qualify, will be subject to the existing yearly process for determining the local government finance settlement.

Allocations could be subject to additional reductions dependant on the fiscal climate and the need to make further savings to reduce the deficit.

At present we do not expect any further multi-year settlements to be offered over the course of this parliament



Department for
Communities and
Local Government

The Rt Hon Greg Clark MP
*Secretary of State for Communities and Local
Government*

**Department for Communities and Local
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www.gov.uk/dclg

10 March 2016

Dear Colleagues

MULTI-YEAR SETTLEMENTS AND EFFICIENCY PLANS

On 17 December I announced a historic opportunity for councils to achieve greater certainty and confidence from a 4-year budget. I see this as a key step to supporting you to strengthen your financial management, at the same time as working collaboratively with your local partners and reforming the way services are provided.

The settlement consultation process showed great support for this approach and identified a number of queries about what the offer includes and the requirements for applying to accept this offer. I have therefore set out some further details in the attached annex. But I want to reiterate that I want this offer, and the production of an efficiency plan, to be as simple and straightforward as possible, and reassure you that this is not about creating additional bureaucracy.

If you wish to apply to accept the offer you simply need to send an email or letter to MultiYearSettlements@communities.gsi.gov.uk by **5pm on Friday 14th October** and include a link to your published efficiency plan.

I do not intend to provide further guidance on what efficiency plans should contain – they should be locally owned and locally driven. But it is important that they show how this greater certainty can bring about opportunities for further savings. They should cover the full 4-year period and be open and transparent about the benefits this will bring to both your council and your community. You should collaborate with your local neighbours and public sector partners and link into devolution deals where appropriate.

Of course this offer is entirely optional. It is open to any council to continue to work on a year-by-year basis, but I cannot guarantee future levels of funding to those who prefer not to have a four year settlement.

I have been delighted by the response of councils all over the country to the offer of four year budgets and I look forward to hearing from you if you would like to avail yourself of it.

For any further queries, please contact officials at the above address.

Yours sincerely

A handwritten signature in black ink, appearing to be 'G Clark', written in a cursive style.

THE RT HON GREG CLARK MP

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Name of meeting: Council 29 June 2016

Corporate Governance and Audit Committee 17 June 2016

Title of report: Annual Report on Treasury Management 2015-16

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	N/A
Is it in the Council's Forward Plan?	Yes
Is it eligible for "call in" by Scrutiny?	No
Date signed off by Director	David Smith, Director of Resources 12 May 2016
Is it signed off by the Assistant Director – Legal and Governance?	No legal implications
Cabinet member portfolio	Resources

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

Public or private: Public

1. Purpose of report

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

2. Key points

2.1 Background

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

2.1.2 Financial Procedure Rules require that the Council receives a report on Treasury Management activities for the previous financial year. Cabinet

is responsible for the implementation and monitoring of the treasury management policies. Corporate Governance and Audit Committee undertake a scrutiny role with regard to treasury management.

2.1.3 In reviewing performance, reference will be made to the Treasury Management Strategy Report approved by Council on 27 February 2015.

2.2 Borrowing and Investment Strategy 2015/16

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

2.2.2 It was expected that the Council's external borrowing would increase by up to £13.6 million, arising from the need to finance capital expenditure and replace balances used. Short term borrowing rates were forecast to stay low and it was suggested to look for opportunities to take short term loans either at fixed or variable rates. However, with long term rates forecast to rise in the coming years, any such short term savings would need to be balanced against potential longer term costs.

2.3 The economy and interest rates

2.3.1 The UK economy slowed in 2015 with GDP growth falling to 2.3% from a robust 3.0% the year before. The labour market further improved (the unemployment rate of 5.1% was a 12 year low). Inflation continued around 0.0% and wage growth remained modest at around 2.2% excluding bonuses. The slowdown in the Chinese economy has affected global growth and this might be further affected by the outcome of the US presidential election and the UK's EU referendum.

2.3.2 Whilst the Bank of England maintained the Bank Rate at 0.5% (its eighth year at this level), the US increased their rate for the first time in nine years in December but the Eurozone, Switzerland and Japan were forced to move their policy rates into negative territory. Longer term rates have been kept low by uncertainties around growth, the election and referendum results.

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

		<u>Base rate</u>	<u>50 year PWLB (maturity)*</u>
2015	Apr	0.5%	3.11%

	Jul	0.5%	3.41%
	Oct	0.5%	3.18%
	Jan	0.5%	3.27%
2016	Apr	0.5%	2.95%

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

2.4 Investment activity

2.4.1 The Council’s treasury management investments totalled £38.3 million as at 31 March 2016 (£38.7 million 31 March 2015). The Council invested an average balance of £59.0 million externally during the year (£54.8 million 2014/15). Central Government has flattened the payment profile for Revenue Support Grant for 2016/17 onwards, so it expected that the Council will not be as cash rich going forward. Income of £0.264 million was generated through these investments (£0.229 million 2014/15). Appendix 1 shows where investments were held at the beginning of April, the end of September and the end of March, by counterparty, by sector and by country. The Council’s average lending rate for the year was 0.45% (0.42% 2014/15), being below the weighted average 7 day London Interbank borrowing rate of 0.49%.

2.4.2 The change in regulations on bank bail-ins has been reflected in movements in credit ratings, along with other factors such as changes in underlying strength. Some institution’s ratings have improved whilst others have suffered, notably in terms of the Council’s investment activity –

- Coventry Building Society improving its ratings such that it has moved into the Council’s specified category, thus increasing potential investment limits (up to £10 million)
- Nottingham and Yorkshire Building Societies improving their ratings such that they moved into the Council’s non-specified category, thus increasing potential counterparties (up to £3 million)
- Barclays’ ratings falling such that it moved into the Council’s non-specified category from specified, thus reducing potential investment limits (down from £10 million to £3 million)

2.5 Borrowing requirement and debt management

2.5.1 In terms of borrowing, long-term loans at the end of the year totalled £408.4 million and short-term loans (excluding interest accrued) £16.0 million (£422.6 million and £21.1 million 31 March 2015). There was no new long-term borrowing taken during the year and repayments are detailed in Appendix 2. Largely because of slippage on the Capital Plan, the level of external borrowing for the year decreased -

	Actual £m
--	--------------

Decrease in Capital Financing Requirement excluding PFI	-15.1
Increase in net balances	-4.2
Net external borrowing requirement	-19.3

2.5.2 Fixed rate loans account for 75% of total long-term debt giving the Council stability in its interest costs. The maturity profile for fixed rate long-term loans is shown in Appendix 3 and shows that no more than 10% of fixed rate debt is due to be repaid in any one year. This is good practice as it reduces the Council's exposure to a substantial borrowing requirement in future years when interest rates might be at a relatively high level.

2.5.3 The primary source of the Council's borrowing is from the Government ie Public Works Loan Board (PWLB). In January 2015, DCLG announced that the PWLB would be abolished and proposals on new arrangements have recently been published. It is likely that Treasury will take over the PWLB's responsibilities and lending arrangements will remain unaffected. The Council also has £106.6 million of LOBO (Lender's Option, Borrower's Option) loans as at 31 March 2016. The lender has the option to propose an increase in the interest rate at set dates, following which the Council has the option to either accept the new rate or to repay the loan at no additional cost. No options were exercised during the year.

2.5.4 The Local Capital Finance Company established in 2014 by the Local Government Association as an alternative source of local authority finance opened for business in early 2016. It plans to issue bonds on the capital markets and lend the proceeds to local authorities. This will be a more complicated source of finance than the PWLB for three reasons: borrowing authorities may be required to provide bond investors with a joint and several guarantee over the very small risk that other local authority borrowers default on their loans; there will be a lead time of several months between committing to borrow and knowing the interest rate payable; and up to 5% of the loan proceeds may be withheld from the authority and used to bolster the Agency's capital strength instead. Officers will continue to monitor developments of this new funding source.

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

2.5.6 The average borrowing rate for 2015/16 was 4.95% (5.03% 2014/15). Other than a small amount of borrowing in the first week of the financial year, the Council undertook no further temporary borrowing during the year. The borrowing in April was taken from another local authority at a rate of 0.28%.

2.6 Trends in treasury management activity

2.6.1 Appendix 4 shows the Council's borrowing and investment trends over the last 9 years. The analysis shows that at the onset of the "Credit Crunch" (2008), the Council was externally investing over £100 million, with average investment rates over 5%. From 2009/10 onwards as the banking crisis grew worse and investment rates fell, the Council adopted a policy of holding external investments for cash flow purposes only, initially at around £50 million and then further reduced to £30 million. Any further balances have effectively been "invested internally" to offset new borrowing requirements. It can be seen that the current level of internal investment is £175 million.

2.6.2 The Capital Financing Requirement (CFR) is the authority's underlying need to borrow for a capital purpose. It is funded by external borrowing and balances internally invested. The CFR for both General Fund and HRA has fallen since the end of 2011, the former by £47.6 million and the latter by £50.0 million. The fall on HRA CFR includes £31 million of debt repaid by Central Government in March 2012 as part of the housing finance reforms.

2.7 Revenue Budget Monitoring

2.7.1 The outturn showed an under-spend of £2.5 million on a net spend of £34.2 million. The under-spend was due to savings on principal and interest arising from capital slippage and the full year effect of £10.5 million capital receipt/revenue contribution/capital grant applied to service debt in 2014/15. The unspent budget contributed towards a year end revenue contribution of £6.8 million to fund capital expenditure which will reduce future capital financing costs.

2.8 Risk and Compliance Issues

2.8.1 The Council can confirm that it has complied with its prudential indicators for 2015/16, which were approved as part of the Treasury Management Strategy. Details can be found in Appendix 5. Indicators relating to affordability and prudence are reported in the Capital Outturn report.

2.8.2 There has been some adverse publicity during the year, including a Channel 4 documentary on 6 July, about LOBO (Lender's Option, Borrower's Option) loans, claiming that these loans are offering poor value for money for local authorities. The publicity has resulted in a DCLG Select Committee taking evidence from various areas, including the participants of the documentary. The Council currently has eleven LOBOs with various UK and foreign banks, totalling £105 million. They were all taken between 1997 and 2008, and their average interest rate equates to 4.4% compared to the Council's PWLB loan average interest rate of 5.1%. All the LOBOs are on their original terms – in one case, where a bank proposed to increase an interest rate from 3.36% to 4.20%, the Council decided to immediately repay that loan. The Council has no "inverse floating" LOBOs, of which the Channel 4 documentary was particularly critical.

2.8.3 The Council moved its current account banking arrangements from the Co-Operative to Barclays on 1 July 2015, on an initial five year

contract. The service being provided is good and a strong working relationship has been built up with the bank.

- 2.8.4 On four 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. Other than those circumstances, the Council has complied with all of the relevant statutory, regulatory and internal requirements which limit the levels of risk associated with its treasury management activities. Officers have adapted investment policies during the year in order to minimise risk in light of changes in counterparty credit ratings and other changes in circumstances. The Council's adoption and implementation of both the Prudential Code and the CIPFA Code of Practice on Treasury Management means that its capital expenditure is prudent, affordable and sustainable.
- 2.8.5 The Council is aware of the risks of passive management of the treasury portfolio and, with the support of the Council's consultants (Arlingclose), has proactively managed the debt and investments over the year. Arlingclose were re-appointed as the Council's advisors for the next three years from the beginning of February.
- 2.8.6 The CIPFA Code of Practice requires that treasury management performance be subject to regular member scrutiny. The Corporate Governance and Audit Committee performs this role and members have received reports on strategy, half yearly monitoring and now the outturn for the year 2015/16. Arlingclose provided training to Members on 30 March 2015.

3. Implications for the Council

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

4. Consultees and their opinions

None.

5. Next steps

Report submitted to Council.

6. Officer recommendations and reasons

Members are asked to note the review of treasury management activity for 2015/16.

7. Cabinet portfolio holder recommendation

The report be received and noted by Council.

8. Contact officer and relevant papers

Tim Mitchell 01484 221000
Finance Manager

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

9. Assistant Director responsible

Debbie Hogg 01484 221000

APPENDIX 1

Kirklees Council Investments 2015-16										
Counterparty	Credit Rating Mar 2016*	1 April 2015			30 September 2015			31 March 2016		
		£m	Interest Rate	Type of Investment	£m	Interest Rate	Type of Investment	£m	Interest Rate	Type of Investment
Specified Investments										
LB Merton	Local Govt	3.2	0.40%	1 mth fixed						
Nationwide	Bldg Soc	6.5	0.43%	1 mth fixed	8.0	0.43%	1 mth fixed x 3			
Bank of Scotland	Bank				2.0	0.40%	Instant Access			
Handelsbanken	Bank	9.0	0.45%	Instant Access	5.0	0.45%	Instant Access	2.9	0.45%	Instant Access
Std Life (Ignis)	MMF**	10.0	0.47%	MMF-Instant	7.6	0.49%	MMF-Instant Acc	7.5	0.50%	MMF-Instant
Aviva	MMF**	5.0	0.39%	MMF-Instant	7.6	0.46%	MMF-Instant Acc	7.3	0.48%	MMF-Instant
Aviva - Govt	MMF**				10.0	0.39%	MMF-Instant Acc			
Deutsche	MMF**				7.5	0.45%	MMF-Instant Acc	6.7	0.46%	MMF-Instant
Goldman Sachs	MMF**	5.0	0.41%	MMF-Instant	7.1	0.45%	MMF-Instant Acc	6.0	0.44%	MMF-Instant
Coventry	Bldg Soc				4.7	0.41%	1 mth fixed x 2			
Santander UK	Bank							5.0	0.65%	31 day notice
Non-specified investments										
Barclays	Bank				2.9	0.10%+0.40%	Instant Access	2.9	0.10%+0.40%	Instant Access
Nottingham	Bldg Soc				3.0	0.40%	1 mth fixed			
		38.7			65.4			38.3		
Sector analysis										
Bank		9.0	23		9.9	15		10.8	28	
Building Society		6.5	17		15.7	24				
MMF**		20.0	52		39.8	61		27.5	72	
Local Authorities/Cent Govt		3.2	8							
		38.7	100		65.4	100		38.3	100	
Country analysis										
UK		9.7	25		20.6	31		7.9	21	
Sweden		9	23		5.0	8		2.9	7	
MMF**		20	52		39.8	61		27.5	72	
		38.7	100		65.4	100		38.3	100	

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

Key – Fitch’s credit ratings:

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

Appendix 2

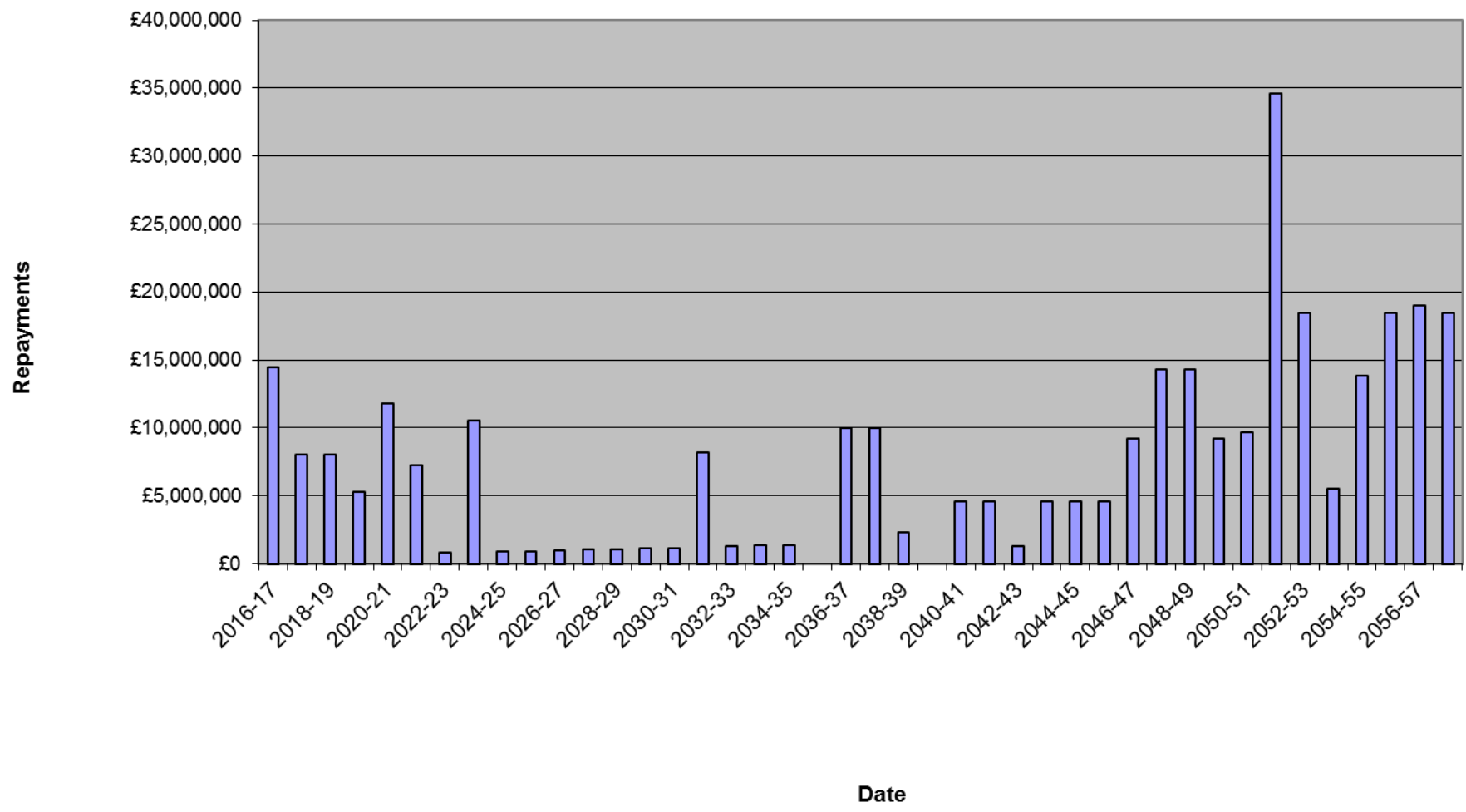
MOVEMENT IN PWLB BORROWING

LOANS REPAID 2015/16

	Rate %	Date repaid	Amount £000s
Repayments on maturity			
PWLB (467195)	9.25	7 Aug 15	9,225
Repayments on annuity loans			
PWLB (496956)*	4.58	29 Sep 15	294
PWLB (496956)*	4.58	29 Mar 16	301
Total			

* represents loan extended to Kirklees College, for which the College is making similar repayments to the Council

KMC Loan Maturity Profile (Fixed-Rate)



Appendix 4

Kirklees Council - Borrowing and Investment Trends

At 31 March	2016	2015	2014	2013	2012	2011	2010	2009	2008
Investments	38.3m	38.7m	33.1m	30.2m	19.3m	42.7m	38.7m	102.1m	134.8m
ST Borrowing (excl interest accrued)	16.0m	21.1m	29.6m	27.3m	30.6m	33.2m	18.6m	9.1m	1.8m
LT Borrowing	408.4m	422.6m	432.4m	452.1m	471.5m	527.1m	525.1m	528.4m	553.4m
Total Borrowing	424.4m	443.7m	462.0m	479.4m	502.1m	560.3m	543.1m	537.5m	555.2m
Deferred liabilities (non PFI)	4.3m	4.4m	4.5m	4.7m	4.8m	5.0m	5.1m	5.2m	5.3m
Net debt position	390.4m	409.4m	433.4m	453.9m	487.6m	522.6m	509.5m	440.6m	425.7m
Capital Financing Requirement (excl PFI)									
General Fund	411.3m	422.2m	447.5m	448.5m	458.6m	458.9m	435.9m	369.5m	327.8m
HRA	192.4m	196.6m	203.3m	209.3m	215.6m	242.4m	241.0m	241.0m	241.0m
Total CFR	603.7m	618.8m	650.8m	657.8m	674.2m	701.3m	676.9m	610.5m	568.8m
Balances "internally invested"	175.0m	170.7m	184.3m	173.7m	167.3m	136.0m	128.7m	67.8m	8.3m
Ave Kirklees' investment rate for financial year	0.4%	0.4%	0.4%	0.5%	0.6%	0.8%	1.5%	5.2%	5.9%
Ave Base rate	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%	5.25%
Ave LT Borrowing rate	3.2%	3.7%	4.3%	4.1%	4.4%	5.3%	4.7%	4.6%	4.4%

APPENDIX 5

Treasury Management Prudential Indicators

Interest Rate Exposures

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

	Limit Set 2015-16	Actual 2015-16
Interest at fixed rates as a percentage of net interest payments	60% - 100%	78%
Interest at variable rates as a percentage of net interest payments	0% - 40%	22%

The interest payments were within the limits set.

Maturity Structure of Borrowing

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

Amount of projected borrowing that is fixed rate maturing in each period as a percentage of total projected borrowing that is fixed rate	Limit Set 2014-16	Actual Levels 2015-16
Under 12 months	0% - 20%	0% - 5%
12 months to 2 years	0% - 20%	2% - 5%
2 years to 5 years	0% - 60%	5% - 8%
5 years to 10 years	0% - 80%	6% - 10%
More than 10 years	20% - 100%	78% - 79%

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

Total principal sums invested for periods longer than 364 days

The Council has not invested any sums longer than 364 days.

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Name of meeting: COUNCIL

Date: 29 June 2016

Title of report: REGULATION OF COSMETIC PIERCING & SKIN COLOURING BUSINESSES

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?	N/A
Is it eligible for “call in” by Scrutiny?	
Date signed off by Director & name	Jacqui Gedman - 15.06.16
Is it signed off by the Director of Resources?	David Smith - 13.06.16
Is it signed off by the Assistant Director - Legal & Governance?	Julie Muscroft - 20.06.16
Cabinet member portfolio	Portfolio Holder for Planning, Highways and Open Spaces

**Electoral wards affected and ward councillors consulted: All wards
 Consultation with ward councillors is not applicable to this report.**

Public or private: Public

1. PURPOSE OF REPORT

- 1.1.1 To seek Members’ approval to adopt the “Model Byelaws” produced by the Department of Health in relation to the regulation of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis.
- 1.1.2 The Licensing and Safety Committee considered a report on 24th March 2016 which is attached to this report as Appendix 1 and recommended that Council formally adopt the Model Byelaws by resolution.

2. KEY POINTS

- 2.1 Byelaws are in place to regulate acupuncture, tattooing, ear piercing and electrolysis. These were made under the provisions of sections 14, 15, 16 and 17 of Part VIII of the Local Government (Miscellaneous Provisions) Act 1982 and came into force 25 July 1984.
- 2.2 On 1 April 2004, section 120 and Schedule 6 of the Local Government Act 2003 came into force amending section 15 of the Local Government (Miscellaneous Provisions) Act 1982 to allow the regulation of cosmetic piercing and semi-permanent skin colouring businesses.

- 2.3 Local authorities who have already resolved to adopt the 1982 Act in relation to tattooing, ear-piercing and electrolysis are able to introduce byelaws to require businesses that carry out such procedures to:
- Register themselves and their premises; and
 - Observe byelaws relating to the cleanliness and hygiene of premises, practitioners and equipment
- 2.4 The Directorate of Place has undertaken work to prepare for this extension of its powers of enforcement.

3. IMPLICATIONS FOR THE COUNCIL

- 3.1 The cost of providing this service is met from fees charged.

4. CONSULTEES AND THEIR OPINIONS

- 4.1 The byelaws which are being put before members for approval are 'Model Byelaws' written by the Department of Health and have not been modified or altered in anyway, therefore consultation is not deemed as necessary. The Council's Legal Services have been consulted and advised on the procedure for adopting new byelaws.

5. NEXT STEPS

- 5.1 The next steps are outlined in the attached report.

6. OFFICER RECOMMENDATIONS AND REASONS

- 6.1 That the Council consider and resolve to formally adopt the Model Byelaws appended to the report **in Appendix 1**.

7. PORTFOLIO RECOMMENDATION

The Portfolio Holder, Councillor Steve Hall, supports the Officer's recommendation to formally adopt the Model Byelaws

8. CONTACT OFFICER AND RELEVANT PAPERS

Chi-Nghi Manford
Environmental Health Officer
(01484) 221000

Hillary West
Legal Officer
(01484) 221000

Papers: Department of Health Guidance on section 120 and Schedule 6 Local Government Act containing Model Byelaws.

8. ASSISTANT DIRECTOR RESPONSIBLE:

Joanne Bartholomew
Assistant Director - Place
(01484) 221000

Appendix 1

Name of meeting: Licensing and Safety Committee

Date: 24th March 2016

Title of report: Regulation of Cosmetic Piercing and Skin Colouring Businesses

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?	N/A
Is it eligible for "call in" by Scrutiny?	N/A
Date signed off by Director & name	Jacqui Gedman – 14/03/16
Is it signed off by the Director of Resources?	David Smith – 10/03/16
Is it signed off by the Assistant Director – Legal, Governance & Monitoring?	Julie Muscroft – 15/03/16 (John Chapman on behalf of)
Cabinet member portfolio	Cllr Steve Hall, Portfolio Holder for Planning, Highways and Open Spaces

Electoral wards affected: All wards
Ward councillors consulted: Consultation with ward councillors is not applicable to this report.

Public or private: Public

1. PURPOSE OF REPORT

1.1 To seek Members' approval to adopt the "Model Byelaws" produced by the Department of Health in relation to the regulation of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis.

2. KEY POINTS

2.1 Byelaws are in place to regulate acupuncture, tattooing, ear piercing and electrolysis. These were made under the provisions of sections 14, 15, 16 and 17 of Part VIII of the Local Government (Miscellaneous Provisions) Act 1982 and came into force 25 July 1984.

- 2.2 In recent years there has been a growth in businesses offering body piercings and semi-permanent skin colourings, which are currently registrable under the legislation detailed in 2.1.
- 2.3 On 1 April 2004, section 120 and Schedule 6 of the Local Government Act 2003 came into force amending section 15 of the Local Government (Miscellaneous Provisions) Act 1982 to allow the regulation of cosmetic piercing and semi-permanent skin colouring businesses.
- 2.4 These new provisions give local authorities in England (outside London) and in Wales, specific powers relating to persons carrying on businesses of cosmetic piercing (piercing of the body including the ear) and semi-permanent skin colouring (including micropigmentation, semi-permanent make-up and temporary tattooing).
- 2.5 Section 120 introduces new terminology for simplicity and clarity as follows:
- Ear piercing and cosmetic body piercing are encompassed in single term “cosmetic piercing”
 - Micropigmentation, semi-permanent make-up and temporary tattooing are covered by the umbrella term “semi-permanent skin-colouring”. Semi-permanent skin colouring is defined as “the insertion of semi-permanent colouring into a persons’ skin” – this approach allows for other similar activities to be covered in future.
- 2.6 Local authorities who have already resolved to adopt the 1982 Act in relation to tattooing, ear-piercing and electrolysis are able to introduce byelaws to require businesses that carry out such procedures to:
- Register themselves and their premises; and
 - Observe byelaws relating to the cleanliness and hygiene of premises, practitioners and equipment
- 2.7 The Department of Health have published ‘Model Byelaws’ which will cover all procedures covered both in the Local Government (Miscellaneous Provisions) Act 1982 – Sections 14, 15, 16 and 17 of Part VIII and the Local Government Act 2003 – Section 120.
- 2.8 Environmental Health Services will receive applications for registrations. This prompts the registration process which includes the inspection of potential premises by environmental health specialists. If the applicant meets the requirements of the byelaws they will be issued with a registration, allowing them to practice the listed treatment at the premises. The environmental health specialists will advise applicants on their responsibilities under the Act, the byelaws and the relevant codes of practice which are issued with the registration.

3. IMPLICATIONS FOR THE COUNCIL

3.1 The cost of providing this service is met from fees charged.

4. CONSULTEES AND THEIR OPINIONS

4.1 The byelaws which are being put before members for approval are 'Model Byelaws' written by the Department of Health and have not been modified or altered in anyway, therefore consultation is not deemed necessary. The Council's Legal Services have been consulted about the procedure for adopting the new byelaws.

5. NEXT STEPS

5.1 The adoption of byelaws is carried out using a specific procedure which is prescribed by Section 236 of the Local Government Act 1972.

5.2 Once the adoption of the byelaws has been agreed by Committee, the Council are asked to pass a resolution:

- Authorising the affixing of the common seal to the byelaws and
- Authorising the clerk to carry out the necessary procedure and apply to the Secretary of State for confirmation.
- Repealing any existing byelaws relating to acupuncture, ear piercing, electrolysis and tattooing.

5.3 At least one calendar month before applying to the Secretary of State for confirmation –

- Notice of the Council's intention to apply for confirmation must be given in one or more local newspapers circulating in the area to which the byelaws will apply and a copy of the byelaws will be placed on deposit at the Licensing Office and be open to public inspection without charge during normal opening hours.

5.4 Once the month has elapsed the byelaws will be sent to the Secretary of State for confirmation and should come into operation at least one month afterwards.

6. OFFICER RECOMMENDATIONS AND REASONS

6.1 That the Licensing and Safety Committee consider and recommend to Council for formal adoption the Model Byelaws appended to this report.

7. CABINET PORTFOLIO HOLDER RECOMMENDATION

7.1. The Portfolio Holder, Councillor Steve Hall, supports the Officer's recommendation to formally adopt the Model Byelaws

8. CONTACT OFFICER AND RELEVANT PAPERS

Chi-Nghi Manford, Environmental Health Officer

Tel: 01484 221000

Email: chi-nghi.manford@kirklees.gov.uk

Papers: Department of Health Guidance on section 120 and Schedule 6
Local Government Act containing Model Byelaws.

Copy of the Model Byelaws to be approved.

Copy of Byelaws to be revoked

9. ASSISTANT DIRECTOR RESPONSIBLE

Joanne Bartholomew, Assistant Director – Place

Tel: 01484 221000

Email: joanne.bartholomew@kirklees.gov.uk

BYELAWS

Acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis

Byelaws for the purposes of securing the cleanliness of premises registered under sections 14(2) or 15(2) or both of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in such premises and of persons registered under sections 14(1) and 15(1) or both of the Act and persons assisting them and of securing the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the practice of acupuncture or the business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis, or any two or more of such practice and businesses made by Kirklees Council in pursuance of sections 14(7) or 15(7) or both of the Act.

Interpretation

1.-(1) In these byelaws, unless the context otherwise requires-

“The Act” means the Local Government (Miscellaneous Provisions) Act 1982;

“client” means any person undergoing treatment;

“hygienic piercing instrument” means an instrument such that any part of the instrument that touches a client is made for use in respect of a single client, is sterile, disposable and is fitted with piercing jewellery supplied in packaging that indicates the part of the body for which it is intended, and that is designed to pierce either-

- (a) the lobe or upper flat cartilage of the ear, or
- (b) either side of the nose in the mid-crease area above the nostril; and
- (c) piercing to other parts of the body.

“operator” means any person giving treatment, including a proprietor;

“premises” means any premises registered under sections 14(2) or 15(2) of the Act;

“proprietor” means any person registered under sections 14(1) or 15(1) of the Act;

“treatment” means any operation in effecting acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing or electrolysis;

“the treatment area” means any part of premises where treatment is given to clients.

(2) The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.

2.-(1) For the purpose of securing the cleanliness of premises and fittings in such premises a proprietor shall ensure that-

- (a) any internal wall, door, window, partition, floor, floor covering or ceiling is kept clean and in such good repair as to enable it to be cleaned effectively;
 - (b) any waste material, or other litter arising from treatment is handled and disposed of in accordance with relevant legislation and guidance as advised by the local authority;
 - (c) any needle used in treatment is single-use and disposable, as far as is practicable, or otherwise sterilized for each treatment, is suitably stored after treatment and is disposed of in accordance with relevant legislation and guidance as advised by the local authority;
 - (d) any furniture or fitting in premises is kept clean and in such good repair as to enable it to be cleaned effectively;
 - (e) any table, couch or seat used by a client in the treatment area which may become contaminated with blood or other body fluids, and any surface on which a needle, instrument or equipment is placed immediately prior to treatment has a smooth impervious surface which is disinfected-
 - (i) immediately after use; and
 - (ii) at the end of each working day.
 - (f) any table, couch, or other item of furniture used in treatment is covered by a disposable paper sheet which is changed for each client;
 - (g) no eating, drinking, or smoking is permitted in the treatment area and a notice or notices reading "No Smoking", and "No Eating or Drinking" is prominently displayed there.
- (2)(a) Subject to sub-paragraph (b), where premises are registered under section 14(2) (acupuncture) or 15(2) (tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis) of the 1982 Act, a proprietor shall ensure that treatment is given in a treatment area used solely for giving treatment;
- (d) Sub-paragraph (a) shall not apply if the only treatment to be given in such premises is ear piercing or nose piercing using a hygienic piercing instrument.
- (3)(a) Subject to sub-paragraph (b), where premises are registered under section 15(2) (tattooing, semi-permanent skin-colouring and cosmetic piercing) of the 1982 Act, a proprietor shall ensure that the floor of the treatment area is provided with a smooth impervious surface;
- (b) Sub-paragraph (a) shall not apply if the only treatment to be given is ear-piercing or nose-piercing using a hygienic piercing instrument.
- 3.-(1)** For the purpose of securing the cleansing and so far as is appropriate, the sterilization of needles, instruments, jewellery, materials and equipment used in connection with treatment-
- (a) an operator shall ensure that-
 - (i) any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such article used in treatment-
 - (aa) is clean and in good repair and, so far as is appropriate, is sterile;

(bb) has not previously been used in connection with another client unless it consists of a material which can be and has been adequately cleansed and, so far as is appropriate, sterilized.

- (ii) any needle, metal instrument, or other instrument or equipment used in treatment or for handling such needle, instrument or equipment and any part of a hygienic piercing instrument that touches a client is sterile;
- (iii) any jewellery used for cosmetic piercing by means of a hygienic piercing instrument is sterile;
- (iv) any dye used for tattooing or semi-permanent skin-colouring is sterile and inert;
- (v) any container used to hold dye for tattooing or semi-permanent skin-colouring is either disposed of at the end of each treatment or is cleaned and sterilized before reuse.

(b) a proprietor shall provide-

- (i) adequate facilities and equipment for-
 - (aa) cleansing; and
 - (bb) sterilization, unless only pre-sterilized items are used.
- (ii) sufficient and safe gas points and electrical socket outlets;
- (iii) an adequate and constant supply of clean hot and cold water on the premises;
- (iv) clean and suitable storage which enables contamination of the articles, needles, instruments and equipment mentioned in paragraphs 3(1)(a)(i), (ii), (iii), (iv) and (v) to be avoided as far as possible.

4.-(1) For the purpose of securing the cleanliness of operators, a proprietor-

(a) shall ensure that an operator-

- (i) keeps his hands and nails clean and his nails short;
 - (ii) keeps any open lesion on an exposed part of the body effectively covered by an impermeable dressing;
 - (iii) wears disposable examination gloves that have not previously been used with another client, unless giving acupuncture otherwise than in the circumstances described in paragraph 4(3);
 - (iv) wears a gown, wrap or protective clothing that is clean and washable, or alternatively a disposable covering that has not previously been used in connection with another client;
 - (v) does not smoke or consume food or drink in the treatment area;
- and

(b) shall provide-

- (i) suitable and sufficient washing facilities appropriately located for the sole use of operators, including an adequate and constant supply of clean hot and cold water, soap or detergent; and
- (ii) suitable and sufficient sanitary accommodation for operators.

- (2) Where an operator carries out treatment using only a hygienic piercing instrument and a proprietor provides either a hand hygienic gel or liquid cleaner, the washing facilities that the proprietor provides need not be for the sole use of the operator.
- (3) Where an operator gives acupuncture a proprietor shall ensure that the operator wears disposable examination gloves that have not previously been used with another client if-
- (a) the client is bleeding or has an open lesion on an exposed part of his body; or
 - (b) the client is known to be infected with a blood-borne virus; or
 - (c) the operator has an open lesion on his hand; or
 - (d) the operator is handling items that may be contaminated with blood or other body fluids.

5. A person registered in accordance with sections 14 (acupuncture) or 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) of the Act who visits people at their request to give them treatment should observe the requirements relating to an operator in paragraphs 3(1)(a) and 4(1)(a).

6. The byelaws relating to acupuncture that was made by Kirklees Council on the 1 September 1983 and were confirmed by the Secretary of State for Health on 1 March 1984 are revoked.

7. The byelaws relating to Ear Piercing, Electrolysis and Tattooing that were made by Kirklees Council on the 3 February 1984 and were confirmed by the Secretary of State for Health on 25 July 1984 are revoked.

THE CORPORATE COMMON SEAL of
KIRKLEES COUNCIL

Was affixed (but not delivered
Until the date hereof) in the presence of:-

The foregoing byelaws are hereby confirmed by the Secretary of State for Health on _____ and shall come into operation on _____

Member of the Senior Civil Service

Department of Health

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

Proprietors shall take all reasonable steps to ensure compliance with these byelaws by persons working on premises. Section 16(9) of the Local Government (Miscellaneous Provisions) Act 1982 provides that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act. A person who contravenes section 16(9) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 2 on the standard scale (see section 16(10)).

Section 16 of the Local Government (Miscellaneous Provisions) Act 1982 also provides that any person who contravenes these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale. If a person registered under Part VIII of the Act is found guilty of contravening these byelaws the Court may, instead of or in addition to imposing a fine, order the suspension or cancellation of the person's registration. A court which orders the suspension of or cancellation of a person's registration may also order the suspension or cancellation of the registration of the premises in which the offence was committed if such premises are occupied by the person found guilty of the offence. It shall be a defence for the person charged under the relevant sub-sections of section 16 to prove that he took all reasonable precautions and exercised all due diligence to avoid commission for the offence.

Nothing in these byelaws extends to the practice of acupuncture, or the business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis by or under the supervision of a person who is registered as a medical practitioner, or to premises in which the practice of acupuncture or business of tattooing, semi-permanent skin-colouring, cosmetic piercing or electrolysis is carried out by or under the supervision of such a person.

Nothing in these byelaws extends to the practice of acupuncture by or under the supervision of a person who is a registered dentist, or to premises in which the practice of acupuncture is carried out by or under the supervision of such a person.

The legislative provisions relevant to acupuncture are those in section 14. The provisions relevant to treatment other than acupuncture are in section 15.

The key differences in the application of requirements in respect of the various treatments are as follows:

The references in the introductory text to provisions of section 14 (acupuncture) of the Local Government (Miscellaneous Provisions) Act 1982 only apply to acupuncture.

The references in the introductory text to provisions of section 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) of the

Local Government (Miscellaneous Provisions) Act 1982 do not apply to acupuncture.

The references in paragraph 1(1) in the definition of “premises” to provisions of section 14 (acupuncture) only apply to acupuncture.

The references in paragraph 1(1) in the definition of “premises” to provisions of section 15 (tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis) do not apply to acupuncture.

The requirement of paragraph 2(2) that treatment is given in a treatment area used solely for giving treatment applies to acupuncture, tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis but not to ear-piercing or nose-piercing using a hygienic piercing instrument.

The requirement in paragraph 2(3) that the floor of the treatment area provided with a smooth impervious surface applies to tattooing, semi-permanent skin-colouring and cosmetic piercing but not to acupuncture or electrolysis or ear-piercing or nose-piercing using a hygienic piercing instrument.

The requirements relating to dye or a container used to hold dye used for treatment in paragraphs 3(1) (a) (iv) and (v) apply to tattooing and semi-permanent skin-colouring.

The requirement in paragraph 4(1)(a)(iii) that an operator wears disposable examination gloves that have not previously been used with another client does not apply to acupuncture otherwise than in the circumstances described in paragraph 4(3).

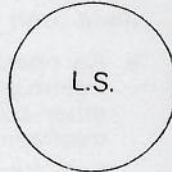
The provisions of paragraph 4(2) in relation to washing facilities apply to cosmetic piercing using only a hygienic piercing instrument.

The exception whereby the byelaws do not apply to treatment carried out by or under the supervision of a dentist applies only to acupuncture (see section 14(8) of the Act).

- b. A proprietor shall provide:
- i. suitable and sufficient washing facilities for the sole use of operators, such facilities to have hot and cold water, sanitising soap or detergent, and a nail brush;
 - ii. suitable and sufficient sanitary accommodation for operators

THE COUNCIL OF THE BOROUGH OF KIRKLEES

IN TESTIMONY whereof the Corporate Common Seal of the Council of the Borough of Kirklees was hereunto affixed this First day of September One thousand nine hundred and eighty three in the presence of:

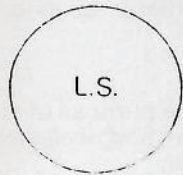


A. Ramsden
Mayor

Michael R.G. Vause
Chief Legal and Administrative Officer

BYELAWS

made under Section 14 of the Local Government
(Miscellaneous Provisions) Act 1982 with
respect to Acupuncture



The Secretary of State this day confirmed the foregoing Byelaws and fixed the date on which they are to come into operation as the 1st day of March 1984.

I. Jewesbury
Assistant Secretary,
Department of Health and Social Security.

18th January 1984,
Hannibal House,
Elephant and Castle,
London.

NOTE - THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

A. Proprietors shall take all reasonable steps to ensure compliance with these byelaws by persons working on the premises. Section 16(9) of the Act lays down that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act.

B. Section 16(1) and (2) of the Local Government (Miscellaneous Provisions) Act 1982 provides that any person who offends against any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1000. If the convicted person is registered under Part VIII of the Act, the Court may, instead of or in addition to imposing a fine, order the suspension or cancellation of his registration, and of the registration of the premises in which the offence was committed if such premises are occupied by the person so convicted. Section 16(11) of the Act provides that it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

C. Nothing in these byelaws shall extend to the practice of acupuncture by or under the supervision of a person who is registered as a medical practitioner or a dentist or to premises on which the practice of acupuncture is carried on by or under the supervision

M.R.G. VAUSE,
Chief Legal and Administrative Officer,
Kirklees House,
Market Street,
Huddersfield,
HD1 2TG

ACUPUNCTURE

1. Interpretation:
 - a. In these byelaws, unless the context otherwise requires –
 - “The Act” means the Local Government (Miscellaneous Provisions) Act 1982;
 - “Client” means any person undergoing treatment;
 - “Operator” means any person giving treatment;
 - “Premises” means any premises registered under Part VIII of the Act;
 - “Proprietor” means any person registered under Part VIII of the Act;
 - “Treatment” means any operation in the practice of acupuncture;
 - “The treatment area” means any part of premises where treatment is given to clients.
 - b. The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.
2. For the purpose of securing the cleanliness of premises and fittings therein a proprietor shall ensure that –
 - a. All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings are kept clean and in such good repair as to enable them to be cleaned effectively;
 - b. The treatment area is used solely for giving treatment;
 - c. All waste material, and other litter, arising from the treatment, is placed in suitable covered receptacles, which are washable and leakproof, or use a leakproof liner bag. The receptacles shall be emptied, or the bags changed, at least once every working day, or more frequently as necessary, and the material disposed of safely. Where liners are not used, the receptacles shall then be cleaned;
 - d. All needles used in treatment are placed after use in separate covered and leakproof re-usable boxes, or disposable needle boxes designed for the purpose. Where re-usable boxes are used they shall be emptied at least once every working day or more frequently as necessary, and the contents disposed of safely or sterilised for re-use as appropriate. The box shall then be sterilised. Where needle boxes are used they shall be disposed of safely at suitable intervals;
 - e. All furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;
 - f. All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3b below are placed immediately prior to treatment, have a smooth impervious surface which is wiped down at least daily with a suitable disinfectant;
 - g. Where tables or couches are used, they shall be covered by a disposable paper sheet which shall be changed for each client;
 - h. A notice or notices reading “No Smoking” are prominently displayed within the treatment area.
3. For the purpose of securing the cleansing and, so far as is appropriate, the sterilisation of instruments, materials and equipment used in connection with the treatment –
 - a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such articles used in the treatment –
 - i. is clean and in good repair, and, so far as is appropriate, is sterile;
 - ii. has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as is appropriate, sterilised;
 - b. An operator shall ensure that any needle, metal instrument, or other item of equipment, used in treatment or for handling instruments and needles used in treatment, is in a sterile condition and kept sterile until it is used;
 - c. A proprietor shall provide –
 - i. adequate facilities and equipment for the purpose of sterilisation (unless pre-sterilised items are used) and of cleansing, as required in pursuance of these byelaws;
 - ii. sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;
 - iii. an adequate constant supply of clean hot and cold water readily available at all times on the premises;
 - iv. adequate storage for all items mentioned in byelaw 3a and b above, so that those items shall be properly stored in a clean and suitable place so as to avoid, as far as possible, the risk of contamination.
4. For the purpose of securing the cleanliness of operators –
 - a. An operator whilst giving treatment shall ensure that –
 - i. his hand and nails are clean and nails kept short;
 - ii. he is wearing clean and washable clothing, or alternatively a disposal covering that has not previously been used in connection with any other client;
 - iii. he keeps any open boil, sore, cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;
 - iv. he does not smoke or consume food or drink;

IN TESTIMONY whereof the Corporate Common Seal of the Council of the Borough of Kirklees was hereunto affixed this Third day of February One thousand nine hundred and eighty four in the presence of:

L.S.

A. Ramsden
Mayor

Michael R.G. Vause
Chief Legal and Administrative Officer

L.S.

The Secretary of State this day confirmed the foregoing Byelaws and fixed the date on which they are to come into operation as the day of 25 July 1984

A.B. Barton,
Hannibal House,
Elephant and Castle,
London.
18th June, 1984.

NOTE - THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

A. A proprietor shall take all reasonable steps to ensure compliance with these byelaws by persons working on the premises. Section 16(9) of the Act lays down that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act.

B. Section 16(1) and (2) of the Local Government (Miscellaneous Provisions) Act 1982 provides that any person who offends against any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding £400. If the convicted person is registered under Part VIII of the Act, the Court may, instead of or in addition to imposing a fine, order the suspension or cancellation of his registration, and of the registration of the premises in which the offence was committed if such premises are occupied by the person so convicted. Section 16(11) of the Act provides that it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

C. Nothing in these byelaws shall extend to the carrying on of the business of ear piercing or of electrolysis as the case may be by or under the supervision of a person who is registered as a medical practitioner or to premises on which any such business is carried on by or under the supervision of such a person.

THE COUNCIL OF THE BOROUGH OF KIRKLEES

BYELAWS

made under Section 15 of the Local Government
(Miscellaneous Provisions) Act 1982 with
respect to Ear Piercing and Electrolysis

M.R.G. VAUSE
Chief Legal and Administrative Officer,
Kirklees House,
Market Street,
Huddersfield,
HD1 2TG

EAR PIERCING AND ELECTROLYSIS

1. Interpretation:

a. In these byelaws, unless the context otherwise requires -

"The Act" means the Local Government (Miscellaneous Provisions) Act 1982;

"Client" means any person undergoing treatment;

"Operator" means any person giving treatment;

"Premises" means any premises registered under Part VIII of the Act;

"Proprietor" means any person registered under Part VIII of the Act;

"Treatment" means any operation in effecting ear-piercing or electrolysis;

"The Treatment area" means any part of premises where treatment is given to clients.

b. The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.

2. For the purpose of securing the cleanliness of premises and fittings therein a proprietor shall ensure that -

a. All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings in any part of the premises used by clients and operators are kept clean and in such good repair as to enable them to be cleaned effectively;

b. All waste material, and other litter, arising from the treatment, is placed in suitable covered receptacles, which are washable and leakproof, or use a leakproof liner bag. The receptacles shall be emptied, or the bags changed, at least once every working day, or more frequently as necessary, and the material disposed of safely. Where liners are not used, the receptacles shall then be cleaned;

c. All needles used in treatment are placed after use in separate covered and leakproof re-usable boxes, or disposable needle boxes designed for the purpose. When re-usable boxes are used they shall be emptied at least once every working day or more frequently as necessary, and the contents disposed of safely or sterilised for re-use, as appropriate. The box shall then be sterilised. Where needle boxes are used they shall be disposed of safely at suitable intervals;

d. All furniture and fittings in the treatment area are kept clean and in such good repair as to enable them to be cleaned effectively;

e. All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3b below are placed immediately prior to treatment, have a smooth impervious surface which is wiped down regularly with a suitable disinfectant;

f. Where tables or couches are used, they shall be covered by a disposable paper sheet which shall be changed for each client;

g. A notice or notices reading "No Smoking" are prominently displayed within the treatment area.

3. For the purpose of securing the cleansing and, so far as is appropriate, the sterilisation of instruments, materials and equipment used in connection with the treatment -

a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such articles used in the treatment -

i. is clean and in good repair, and, so far as is appropriate, is sterile;

ii. has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as is appropriate, sterilised;

b. An operator shall ensure that any needle, metal instrument, or other item of equipment used in treatment or for handling instruments and needles used in treatment, is in a sterile condition and kept sterile until it is used;

c. A proprietor shall provide -

i. adequate facilities and equipment for the purpose of sterilisation (unless pre-sterilised items are used) and of cleansing, as required in pursuance of these byelaws;

ii. sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;

iii. an adequate constant supply of clean hot and cold water readily available at all times on the premises;

iv. adequate storage for all items mentioned in byelaw 3 a and b above, so that those items shall be properly stored in a clean and suitable place so as to avoid, as far as possible, the risk of contamination.

4. For the purpose of securing the cleanliness of operators -

a. An operator whilst giving treatment shall ensure that -

i. his hands are clean;

ii. he is wearing clean clothing;

iii. he keeps any open boil, sore, cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;

iv. he does not smoke or consume food or drink;

b. A proprietor shall provide -

i. suitable and sufficient washing facilities for the use of operators, such facilities to have hot and cold water, sanitising soap or detergent, and a nail brush;

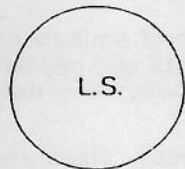
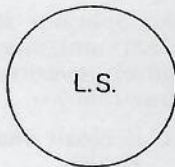
ii. suitable and sufficient sanitary accommodation for operators.

- operator whilst giving treatment shall ensure that -
- i. his hands and nails are clean, and nails kept short;
 - ii. he is wearing clean and washable clothing, or alternatively a disposable covering that has not previously been used in connection with any other client;
 - iii. he keeps any open boil, sore, cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;
 - iv. he does not smoke or consume food or drink;
- b. A proprietor shall provide -
- i. suitable and sufficient washing facilities for the sole use of operators such facilities to have hot and cold water, sanitising soap or detergent, and a nail brush;
 - ii. suitable and sufficient sanitary accommodation for operators.

IN TESTIMONY whereof the Corporate Common Seal of the Council of the Borough of Kirklees was hereunto affixed this Third day of February One thousand nine hundred and eighty four in the presence of:

B. Murphy
Deputy Mayor

Michael R.G. Vause
Chief Legal and Administrative Officer



The Secretary of State this day confirmed the foregoing Byelaws and fixed the date on which they are to come into operation as the 25th day of July 1984

A.B. Barton,
Hannibal House,
Elephant and Castle,
London,
18th June, 1984.

NOTE - THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

A. A proprietor shall take all reasonable steps to ensure compliance with these byelaws by persons working on the premises. Section 16(9) of the Act lays down that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act

B. Section 16(1) and (2) of the Local Government (Miscellaneous Provisions) Act 1982 provides that any person who offends against any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding £ 1000. If the convicted person is registered under Part VIII of the Act, the Court may, instead of or in addition to imposing a fine, order the suspension or cancellation of his registration, and of the registration of the premises in which the offence was committed if such premises are occupied by the person so convicted. Section 16(11) of the Act provides that it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence

Nothing in these byelaws shall extend to the carrying on of the business of tattooing by or under the supervision of a person who is registered as a medical practitioner or to premises on which any such business is carried on by or under the supervision of such a person

BYELAWS

made under Section 15 of the Local Government
(Miscellaneous Provisions) Act 1982 with
respect to Tattooing

M.R.G. VAUSE,
Chief Legal and Administrative Officer,
Kirklees House,
Market Street,
Huddersfield.
HD1 2TG

TATTOOING

1. Interpretation:

a. In these byelaws, unless the context otherwise requires –

“The Act” means the Local Government (Miscellaneous Provisions) Act 1982;

“Client” means any person undergoing treatment;

“Operator” means any person giving treatment;

“Premises” means any premises registered under Part VIII of the Act;

“Proprietor” means any person registered under Part VIII of the Act;

“Treatment” means any operation in effecting tattooing;

“The Treatment area” means any part of premises where treatment is given to clients.

b. The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.

2. For the purpose of securing the cleanliness of premises and fittings therein a proprietor shall ensure that –

a. All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings are kept clean and in such good repair as to enable them to be cleaned effectively;

b. The treatment area is used solely for giving treatment;

c. The floor of the treatment area is provided with a smooth impervious surface;

d. All waste material, and other litter, arising from the treatment, is placed in suitable covered receptacles, which are washable and leakproof, or use a leakproof liner bag. The receptacles shall be emptied, or the bags changed, at least once every working day, or more frequently as necessary, and the material disposed of safely. Where liners are not used, the receptacles shall then be cleaned;

e. All needles used in treatment are placed after use in separate covered and leakproof re-usable boxes, or disposable needle boxes designed for the purpose. Where re-usable boxes are used they shall be emptied at least once every working day or more frequently as necessary, and the contents disposed of safely or sterilised for re-use, as appropriate. The box shall then be sterilised. Where needle boxes are used they shall be disposed of safely at suitable intervals;

f. All furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;

g. All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3b below are placed immediately prior to treatment, have a smooth impervious surface which is wiped down with a suitable disinfectant between the treatment of different clients, and thoroughly cleaned at the end of each working day;

h. Where tables or couches are used, they shall be covered by a disposable paper sheet which shall be changed for each client;

i. A notice or notices reading “No Smoking” are prominently displayed within the treatment area.

3. For the purpose of securing the cleansing and, so far as is appropriate, the sterilisation of instruments, materials and equipment used in connection with the treatment –

a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such articles used in the treatment –

i. is clean and in good repair, and, so far as is appropriate, is sterile;

ii. has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as is appropriate, sterilised;

b. An operator shall ensure that –

i. any needle, metal instrument, or other item of equipment, used in treatment or for handling instruments and needles used in treatment, is in a sterile condition and kept sterile until it is used;

ii. all dyes used for tattooing are bacteriologically clean and inert;

iii. the containers used to hold the dyes for each customer are either disposed of at the end of each session of treatments, or are sterilised before re-use;

c. A proprietor shall provide –

i. adequate facilities and equipment for the purpose of sterilisation (unless pre-sterilised items are used) and of cleansing, as required in pursuance of these byelaws;

ii. sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;

iii. an adequate constant supply of clean hot and cold water readily available at all times on the premises;

iv. adequate storage for all items mentioned in byelaw 3 a and b above, so that those items shall be properly stored in a clean and suitable place so as to avoid, as far as possible, the risk of contamination.

Local Government Act 2003

*Regulation of Cosmetic
Piercing and Skin-Colouring
Businesses*

Guidance on Section 120 and Schedule 6

Local Government Act 2003

***Regulation of Cosmetic
Piercing and Skin-Colouring
Businesses***

Guidance on Section 120 and Schedule 6

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Introduction

1. This guidance explains the provisions in section 120 and Schedule 6 of the Local Government Act 2003 on the regulation of cosmetic piercing and skin-colouring businesses, which amend section 15 of the Local Government (Miscellaneous Provisions) Act 1982. The measures will come into force on 1 April 2004, at which time local authorities will be able to decide whether to implement them locally.
2. These new provisions give local authorities in England (outside London) and in Wales, specific powers relating to persons carrying on businesses of cosmetic piercing (piercing of the body including the ear) and semi-permanent skin-colouring (including micropigmentation, semi-permanent make-up and temporary tattooing).¹ Local authorities will be able to require such businesses:
 - to register themselves and their premises; and
 - to observe byelaws relating to the cleanliness and hygiene of premises, practitioners and equipment.
3. London local authorities already have such powers under private legislation (London Local Authorities Act 1991 and the Greater London Council (General Powers) Act 1981).
4. These measures are intended to increase health protection and reduce the risk of transmission of blood-borne virus (BBV) infections such as HIV, hepatitis B and hepatitis C and other infections. The Department of Health has produced model byelaws that local authorities may wish to adopt in their area to facilitate consistency of enforcement. These are included in **Annex 2** of this document.
5. This document also provides guidance on the procedure for the confirmation of byelaws by the Secretary of State for Health (**Annex 2**), sources of further information (**paragraph 25**) and an example of a leaflet that local authorities may wish to use in informing businesses of the change in the law (**Annex 3**).
6. Local authorities that have already resolved to adopt the 1982 Act in relation to tattooing, ear-piercing and electrolysis (section 15) can move straight to the introduction of byelaws. Local authorities who have not adopted section 15 in its entirety will need to go through the process of resolving that the new provisions should apply in their area as required by section 13 of the 1982 Act. Transitional provisions are explained in **paragraph 14**.

Guidance from the Health and Safety Executive on the enforcement of skin piercing activities

7. Local authorities may find it helpful to read the Health and Safety Executive/Local Authorities Enforcement Liaison Committee (HELA) Local Authority Circular 76/2: *Enforcement of skin piercing activities* (October 2001). This contains comprehensive guidance on issues such as infection control, waste disposal and aftercare advice – <http://www.hse.gov.uk/lau/lacs/76-2.htm>

¹ Micropigmentation, semi-permanent make-up and temporary tattooing are techniques similar to tattooing, which involve injecting vegetable/chemical dyes into the skin, for example, as eye liner or lip liner, for areola reconstruction or to apply tattoo motifs. The pigmentation lasts for several years and is reputed to be non-permanent unlike traditional tattooing.

Background

The reason for the change in the law

8. Cosmetic piercing and semi-permanent skin-colouring carry a potential risk of BBV transmission if infection control procedures are not observed (e.g. the use of sterile equipment for each client). Until the change in the law in the Local Government Act 2003, local authorities in England (outside London) and in Wales did not have powers to require businesses offering these services to register and observe byelaws relating to the cleanliness and hygiene of premises. Local authorities' powers were limited to regulating ear piercing, tattooing, electrolysis and acupuncture. A joint Department of Health and Welsh Office consultation exercise in 1996 elicited widespread support for changing the law to extend local authorities' powers.
9. Local authorities in London, which are covered by separate private legislation, already have powers to licence and inspect cosmetic body piercing and semi-permanent skin colouring businesses (London Local Authorities Act 1991 and the Greater London (General Powers) Act 1981). The new legislation provides a consistent level of health protection across England and Wales.

The legal framework

The Local Government Act 2003 and the Local Government (Miscellaneous) Provisions Act 1982

10. Before the new provisions were introduced by the Local Government Act 2003, local authorities had powers under the Local Government (Miscellaneous) Provisions Act 1982 to regulate ear piercing, tattooing, acupuncture and electrolysis by requiring registration and observance of byelaws.
11. The Local Government Act 2003 amends the 1982 Act to include cosmetic piercing and semi-permanent skin-colouring businesses in the list of those which local authorities have powers to regulate. The new provisions are explained in more detail below, including the new terminology that the legislation uses i.e. *cosmetic piercing* and *semi-permanent skin-colouring*.

The new provisions

Section 120 of the 2003 Act

12. The provisions in section 120 of the Local Government Act 2003 essentially add cosmetic piercing and semi-permanent skin-colouring businesses to section 15 of the 1982 Act so that local authorities may compel persons carrying on such businesses to register themselves and their premises and may make byelaws in respect of matters related to the cleanliness of such businesses. Local authorities in London already have similar powers under private legislation (the London Local Authorities Act 1991 and the Greater London Council (General Powers) Act 1981). Section 120 is reproduced at **Annex 1**.

13. Section 120 introduces new terminology for simplicity and clarity as follows:
- *ear piercing and cosmetic body piercing* are encompassed in the single term “**cosmetic piercing**”, (which is also the term used in the London legislation); and
 - *micropigmentation, semi-permanent make-up and temporary tattooing* are covered by the umbrella term “**semi-permanent skin-colouring**”. Semi-permanent skin colouring is defined as “**the insertion of semi-permanent colouring into a person’s skin**” (section 120(5)). This approach allows for other similar activities to be covered in future.

Transitional provisions: Schedule 6 of the 2003 Act

14. The Schedule is intended to provide for transition from the current legislation to the amended legislation and to avoid disruption to local authorities and businesses by providing that:
- persons and premises already registered for activities covered by section 15 of the current legislation (i.e. tattooing, ear piercing and electrolysis) are unaffected;
 - pending local authority resolutions to apply section 15 of the 1982 Act in their area are unaffected;
 - where a local authority has already resolved that section 15 of the 1982 Act should be brought into force in their area for tattooing, ear piercing and electrolysis, then the local authority will be automatically enabled to apply the registration and byelaws regime to cosmetic piercing and semi-permanent skin colouring;
 - a person and premises already registered for ear piercing shall be counted as registered for cosmetic piercing until that person subsequently provides another form of cosmetic piercing, or those premises are subsequently used to provide another form of cosmetic piercing (i.e. cosmetic piercing of a part or parts of the body other than the ear), when a new registration would be required.

Section 16 of the 1982 Act

15. Section 16 of the 1982 Act also applies to cosmetic piercing and semi-permanent skin-colouring businesses. It provides for offences and for non-custodial penalties (summary conviction and fine) for trading without local authority registration or breaching local authority byelaws. The court may also order suspension, or cancellation, of registration (whether of a person or premises) on conviction. When cancellation of registration happens, the court may order a fine, increased on a daily basis for late surrender of the cancelled registration certificate. There is also an offence of not displaying a certificate of registration or byelaws (for which a person is liable on summary conviction to a fine).

Registration fees

16. Section 15(6) of the Local Government (Miscellaneous Provisions) Act 1982 enables local authorities to charge reasonable registration fees for registration of persons carrying on businesses of cosmetic piercing or semi-permanent skin-colouring. The fee might cover initial inspection(s) associated with registration, advising the business about registration and associated administration.

Byelaws

17. Section 15(7) of the Local Government (Miscellaneous Provisions) Act 1982 provides for local authorities to make byelaws for cosmetic piercing and semi-permanent skin-colouring for the purpose of securing:
 - the cleanliness of premises and fittings;
 - the cleanliness of the operators;
 - the cleansing and, if appropriate, sterilization of instruments, materials and equipment.
18. Model byelaws for cosmetic piercing and semi-permanent skin-colouring businesses are attached at **Annex 2** with a guidance note on the procedure for seeking the Secretary of State's confirmation of such byelaws under section 236 of the Local Government Act 1972.

Resources

19. Costs to local authorities of implementing these new provisions are estimated to be relatively small and will be offset by several factors. As mentioned above, local authorities will be able to charge reasonable registration fees. They will already be inspecting many of these businesses, as the premises may be registered for other skin piercing activities, such as ear piercing, tattooing or electrolysis. In addition, local authorities already inspect these businesses under health and safety at work legislation. Therefore additional resources will not be made available by central Government.

Age of consent for cosmetic piercing

20. There is no statutory age of consent for cosmetic piercing (cosmetic body piercing and ear piercing). Cosmetic piercing of a minor is lawful provided a valid consent is given. Furthermore, the courts have held that a parent's right to decide on behalf of his or her child yields to the child's competence to make a decision (i.e. if he or she is capable of understanding the nature of the act to be done). Body piercing for sexual gratification is unlawful. Children under the age of 16 are not able to consent lawfully to a piercing that would be regarded as indecent assault. Genital or nipple piercing performed on someone under the age of 16 might be regarded as indecent assault under sexual offences legislation depending on the facts of the case. A statutory minimum age of consent for tattooing (18 years of age) is specified in the Tattooing of Minors Act 1969.
21. Detailed guidance on issues relating to the age of consent for cosmetic piercing is contained in the Health and Safety Executive's Local Authority Circular (LAC) 76/2: *Enforcement of skin piercing activities*, available on their website at: <http://www.hse.gov.uk/lau/lacs/76-2.htm> There are no current plans to introduce legislation to make the cosmetic piercing of minors a criminal offence. Introducing a minimum age of consent might result in children piercing themselves or each other in an unsafe and unhygienic way or going to disreputable businesses. The Government prefers that businesses carrying out cosmetic body piercing should be subject to local authority control so that these activities can be carried out in a safe and hygienic manner. This position is kept under review in collaboration with the Home Office, which takes the lead policy responsibility for this issue.

Cosmetic piercing and relevant medical conditions

22. The above-mentioned circular from the Health and Safety Executive (<http://www.hse.gov.uk/lau/lacs/76-2.htm>) recommends that skin piercing businesses ask clients to make a declaration of relevant medical conditions which may indicate that the client should seek medical advice before going ahead with the procedure. A list of relevant medical conditions is included.
23. Recent advice from the British Society from Antimicrobial Chemotherapy states that anyone who has had previous heart surgery, or been diagnosed with a heart condition, should consult their doctor before having a piercing involving a mucous membrane (nose, lip, tongue or genitals), as there may be a risk of potentially serious infection. It is recommended that local authorities inform businesses of this advice so that they ask relevant clients to consult their GPs. The Department of Health is alerting GPs to this advice via its *GP Bulletin*.

Commission for Healthcare Audit and Inspection

24. Establishments carrying out skin piercing may, in some instances, also provide services that will be subject to regulation by the Commission for Healthcare Audit and Inspection (CHAI) e.g. treatment with Class 3 or 4 lasers. In such cases, local authorities may wish to consult with CHAI to discuss co-operative arrangements to avoid unnecessary duplication of work. CHAI will take over this role from the National Care Standards Commission (NCSC) from 1 April 2004.

Further sources of information

25. Further sources of useful information are:
 - Enforcement of skin piercing activities. Health and Safety Executive/Local Authorities Enforcement Liaison Committee (HELA) Local Authority Circular 76/2, October 2001. <http://www.hse.gov.uk/lau/lacs/76-2.htm>
 - Cosmetic treatment (Micro-pigmentation/semi-permanent tattooing/ semi-permanent make-up). Health and Safety Executive/Local Authorities Enforcement Liaison Committee (HELA) Local Authority Circular 14/1, October 2003. <http://www.hse.gov.uk/lau/lacs/14-1.htm>
 - Blood-borne viruses in the workplace: guidance for employers and employees. Health and Safety Executive <http://www.hse.gov.uk/pubns/indg342.pdf>
 - Body art, cosmetic therapies and other special treatments. Chartered Institute of Environmental Health. Barbour Index 2001;
 - Hairdressing And Beauty Industry Authority (HABIA) – the standards setting body for hair, beauty and body art. Fraser House, Nether Hall Road, Doncaster, DN1 2PH; Tel 01302 380000, Fax 01302 380028, Email enquiries@habia.org; Web: <http://www.habia.org> (Approved National Occupational Standards (NOS) are currently available from HABIA for ear piercing and semi-permanent make-up, and will be available for cosmetic body piercing within 12 months).

Annex 1

Local Government Act 2003 – Regulation of Cosmetic Piercing and Skin-Colouring Businesses (Section 120 and Schedule 6)

120 Regulation of cosmetic piercing and skin-colouring businesses

- (1) Section 15 of the Local Government (Miscellaneous Provisions) Act 1982 (c. 30) (regulation of tattooing, ear-piercing and electrolysis businesses) is amended as follows.
- (2) In subsection (1) (requirement for person carrying on business to be registered), for paragraph (b) (ear-piercing) there is substituted—
 - “(aa) of semi-permanent skin-colouring;
 - (b) of cosmetic piercing; or”(and in the side-note for “ear-piercing” there is substituted “semi-permanent skin-colouring, cosmetic piercing”).
- (3) In subsection (2) (requirement to register premises where business carried on)—
 - (a) for “ear-piercing” there is substituted “semi-permanent skin-colouring, cosmetic piercing”, and
 - (b) for “pierce their ears” there is substituted “carry out semi-permanent skin-colouring on them, pierce their bodies”.
- (4) In subsection (5) (local authority may not require particulars about individuals whose ears have been pierced etc.), for “or whose ears he has pierced” there is substituted “, whose bodies he has pierced or on whom he has carried out semi-permanent skin-colouring”.
- (5) After subsection (8) there is inserted—
 - “(9) In this section “semi-permanent skin-colouring” means the insertion of semi-permanent colouring into a person’s skin.”
- (6) Schedule 6 (which makes provision about transition) has effect.

SCHEDULE 6

SECTION 120: TRANSITION

Commencement not to affect existing application of section 15 of the 1982 Act

- 1 The coming into force of section 120 shall not affect the descriptions of person in relation to whom section 15 of the Local Government (Miscellaneous Provisions) Act 1982 (c. 30) applies in an area in which that section is already in force.

Commencement not to affect pending resolutions about the application of section 15 of the 1982 Act

- 2 (1) This paragraph applies where immediately before the coming into force of section 120—
- (a) there is in force a resolution under section 13(2) of the Local Government (Miscellaneous Provisions) Act 1982 (c. 30) that section 15 of that Act is to apply to an authority's area, and
 - (b) the resolution specifies as the day for the coming into force of that section the day on which section 120 comes into force, or any later day.
- (2) The coming into force of section 120 shall not affect—
- (a) the validity of the resolution, or
 - (b) the descriptions of person in relation to whom section 15 of that Act applies in pursuance of the resolution.

Additional powers of commencement in relation to section 15 of the 1982 Act as amended

- 3 (1) This paragraph applies where an authority has before the coming into force of section 120 passed a resolution that provides, or resolutions that between them provide, for section 15 of the Local Government (Miscellaneous Provisions) Act 1982 (c. 30) to apply to the authority's area in relation to all of the existing descriptions of person.
- (2) Section 13 of that Act shall have effect for the purpose of enabling the authority to bring section 15 of that Act into force in its area—
- (a) in relation to persons carrying on the business of cosmetic piercing, and
 - (b) in relation to persons carrying on the business of semi-permanent skin-colouring.
- (3) In sub-paragraph (1), the reference to the existing descriptions of person is to the descriptions of person specified in section 15(1) of that Act immediately before the coming into force of section 120.

Effect of existing ear-piercing registrations following extension of control to cosmetic piercing

- 4 (1) This paragraph applies where, immediately before section 15 of the Local Government (Miscellaneous Provisions) Act 1982 (c. 30) comes into force in an authority's area in relation to persons carrying on the business of cosmetic piercing—
- (a) that section is in force in the area in relation to persons carrying on the business of ear-piercing, and
 - (b) a person is registered under that section by the authority to carry on a business of ear-piercing at premises in the area which are registered under that section for the carrying-on of that business.
- (2) From the coming into force of that section in that area in relation to persons carrying on the business of cosmetic piercing, the registrations of the person and the premises in respect of ear-piercing shall have effect as registrations in respect of cosmetic piercing, subject to sub-paragraph (3).
- (3) Sub-paragraph (2) ceases to apply when the business of cosmetic piercing carried on by the person at the premises subsequently first involves cosmetic piercing other than ear-piercing.

Interpretation

- 5 In this Schedule, except paragraph 2(1)(a) and 3(1), any reference to section 15 of the Local Government (Miscellaneous Provisions) Act 1982 (c. 30) includes a reference to section 16 of that Act so far as it has effect for the purposes of that section.

Annex 2

Guidance on applications to the Secretary of State for Health for confirmation of byelaws under section 236 of the Local Government Act 1972, and model byelaws

1. The Council shall pass a resolution:-
 - a. authorising the affixing of the common seal to the byelaws and
 - b. authorising the clerk to carry out the necessary procedure and apply to the Secretary of State for confirmation.
2. The seal should be affixed and duly attested, and the date of sealing inserted in the attestation. The date of sealing, and not the date of the resolution, is the date on which the byelaws are made, and until they are made the Council has no power to carry out the rest of the statutory procedure.
3. At least one clear calendar month before applying to the Secretary of State for confirmation:
 - a. Notice of the Council's intention to apply for confirmation must be given in one or more local newspapers circulating in the area to which the byelaws will apply. **(A suggested form of notice is at Appendix A)** A series of byelaws should be described by giving the heading they bear on the draft informally approved by the Secretary of State. If the byelaws are to apply to part only of the Council's district, the notice should explain which part will be affected.
 - b. A copy of the byelaws having been subject to the procedures at 2 above, must be deposited at the Council's offices and be open to public inspection without charge at all reasonable times during that month.
4. The byelaws may be submitted for confirmation any time after the month has elapsed. They should be printed to conform to the approved draft. The Secretary of State's seal and confirmation should be printed below the Council's seal and a space of at least 10 centimetres should be left. It would be helpful if the following could be typed on the left-hand side of the page as indicated:

The foregoing byelaws are hereby confirmed by the Secretary of State for Health

on _____ and shall come into operation on _____

Member of the Senior Civil Service
Department of Health

The Notes which do not form part of the byelaws should be printed after both the Council's and Secretary of State's seals.

5. It would be helpful for the application to be accompanied by: -
 - (a). copy of the full Council's resolution (**a model notice of Council resolution is at Appendix B**);
 - (b). the sealed byelaws (2 sets) and a photocopy;
 - (c). the newspaper(s) containing the notice;
 - (d). the clerk's certificate as to the date and duration of deposit of a copy of the byelaws;
 - (e). a statement as to whether or not any objections were received by the Council;
 - (f). confirmation, where applicable, that the byelaws are identical to the model byelaws;
 - (g). confirmation of the Council's adoption of Section 14-17 and compliance with the provisions of Section 13 of the Local Government Act (Miscellaneous Provisions) Act 1982 particularly regarding the publishing of notice in a local newspaper.
6. The Secretary of State emphasises that he has power to confirm only if the procedure laid down in section 236 of the 1972 Act is properly carried out. He has no power to excuse deviation from this procedure.
7. The Secretary of State has power to fix the date on which the byelaws come into operation. He considers that the first day of a month will normally be most convenient; and as section 236(7) provides that, if he does not fix a date, byelaws shall come into operation one month after confirmation, he will normally bring byelaws into operation on the first day of the month next following the expiry of this period.

Appendix A

DISTRICT/PARISH OF

CONFIRMATION OF BYELAWS

Notice is hereby given that the Council of intend, after the expiry of the period mentioned below, to apply to the Secretary of State for Health for confirmation of byelaws made by the Council **(insert description of byelaws and state that they have been made under section 15 of the Local Government (Miscellaneous Provisions) Act 1982.**

Copies of these byelaws will be kept at the offices of the Council at, and will be open to public inspection without payment on any week day, not being a Bank Holiday, during the usual office hours, for one month from the date of the publication of this notice.

Copies of the byelaws or any part thereof will be supplied at a fee of 10p for each hundred words.

Any objection to the confirmation of the byelaws should be made by letter addressed to
Mr G M Robb,
Department of Health,
Room 631B, Skipton House,
80 London Road, London SE1 6LH.

(signed)

Town Clerk/Chief Executive
(Insert date of signature)

Appendix B

Model notice of council resolution

1. The Council resolved on [date] that the following provisions of the Local Government (Miscellaneous Provisions) Act 1982 shall apply to the area of this council:
Section 15 – Tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis
Section 16 – Provisions supplementary to sections 14 and 15
Section 17 – Power to enter premises (acupuncture etc.)
2. The date [s]* on which these provisions will come into force will be: (see note 3 below).
3. The general effect of this resolution is, subject to the exceptions detailed below, that a person who carries on the business of [tattooing]; [semi-permanent skin-colouring]; [cosmetic piercing]; or [electrolysis] must be registered with this Council, and they can only carry on their business in premises which have also been registered. The certificate of registration must be prominently displayed at the place where the business is carried on. The council is empowered to charge fees for registration. Applications for registration must be accompanied by the following information [to be specified by the local authority – see section 15(4) of the 1982 Act], in particular, details of the premises concerned and particulars of any conviction of the applicant under section 16 of the 1982 Act. A person who contravenes section 15 will be guilty of an offence, and liable, on conviction, to a fine not exceeding £1000, or suspension or cancellation of registration or both. An authorised officer of the Council may apply to a Justice of the Peace for a warrant to enter premises on suspicion that an offence under Section 16 is being committed there.
4. The Council [may apply in due course/will be applying in the near future]* for confirmation of byelaws under this Act with regard to the cleanliness of premises, fittings, persons, instruments, materials and equipment connected with the businesses of [tattooing], [semi-permanent skin colouring], [cosmetic piercing], [electrolysis]* in the area of the Council.
5. Exceptions:
 - i These provisions of the Act do not extend to the carrying on of the business of [tattooing], [semi-permanent skin-colouring], [cosmetic piercing] or [electrolysis]* by or under the supervision of a registered medical practitioner (i.e. means a fully registered person within the meaning of the Medical Act 1983 who holds a licence to practise under that Act).
 - ii A person who is registered under the provision of the Act specified in paragraph 1 above will not be committing an offence by engaging in the activity otherwise than at registered premises merely because he sometimes visits people at their request to provide his services.

NOTES – not to form part of the model notice

1. Passages marked []* to be modified by the Council according to the scope of Council's resolution.
2. The local authority should publish this notice in two consecutive weeks in a local newspaper circulating in their area.
3. The Council should specify the date or dates in paragraph 2. These can be the same for all sections listed in paragraph 1, or different, but
 - a. One month must pass between the day the resolution was passed and the first date of coming into force; and
 - b. First publication of the notice must not be later than 28 days before the coming into force of the provisions.

Draft model byelaws

Cosmetic piercing

Byelaws for the purposes of securing the cleanliness of premises registered under section 15 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in those premises and of registered persons and persons assisting them and the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the business of cosmetic piercing made by in pursuance of Section 15(7) of the Act.

1. Interpretation:

a. In these byelaws, unless the context otherwise requires –

“The Act” means the Local Government (Miscellaneous Provisions) Act 1982;

“Client” means any person undergoing treatment;

“Operator” means any person giving treatment;

“Premises” means any premises registered under Part VIII of the Act;

“Proprietor” means any person registered under Part VIII of the Act;

“Treatment” means any operation in effecting cosmetic piercing;

“The treatment area” means any part of the premises where treatment is given to clients.

b. The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.

2. For the purpose of securing the cleanliness of premises and fittings in such premises a proprietor shall ensure that –

a. All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings are kept clean and in such good repair as to enable them to be cleaned effectively;

b. All waste materials, and other litters, arising from the treatment should be handled and disposed of as clinical waste in accordance with relevant legislation and guidance as advised by the local authority;

c. All needles used in treatment are single-use and disposable, as far as is practicable; and are stored and disposed of as clinical waste in accordance with the relevant legislation and guidance as advised by the local authority;

d. All furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;

e. All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3b below are placed immediately prior to treatment, have a smooth impervious surface which is disinfected immediately after use and at the end of each working day;

f. Where tables and couches are used, they are covered by a disposable paper sheet which is changed for each client;

g. No eating, drinking or smoking is permitted in the treatment area and a notice or notices reading “No Smoking”, “No Eating or Drinking” is prominently displayed there.

3. For the purpose of securing the cleansing and so far as is appropriate, the sterilization of instruments, materials and equipment used in connection with the treatment –
 - a. An operator shall ensure that, before use in connection with treatment, any gown, wrap or other protective clothing, paper or other covering, towel, cloth or other such article used in the treatment –
 - i. is clean and in good repair, and, so far as is appropriate, sterile;
 - ii. has not previously been used in connection with any other client unless it consists of a material which can be and has been adequately cleaned and, so far as is appropriate, sterilized.
 - b. An operator shall ensure that any needle, metal instrument, or other item of equipment, used in treatment or for handling instruments and needles used in the treatment is in a sterile condition and kept sterile until it is used;
 - c. A proprietor shall provide –
 - i. adequate facilities and equipment for the purpose of sterilization (unless pre-sterilized items are used) and of cleansing, as required in pursuance of these byelaws;
 - ii. sufficient and safe gas points and/or electrical socket outlets to enable compliance with these byelaws;
 - iii. an adequate constant supply of clean hot and cold water readily available at all times on the premises;
 - iv. adequate storage for all items mentioned in byelaw 3 a and b above, so that those items are properly stored in a clean and suitable place so as to avoid, as far as possible, the risk of contamination.

4. For the purpose of securing the cleanliness of operators –
 - a. A proprietor shall ensure that –
 - i. any operator keeps his hands and nails clean and his nails short;
 - ii. any operator wears disposable surgical gloves that have not previously been used with any other client;
 - iii. any operator of the premises wears a gown, wrap or protective clothing that is clean and washable, or alternatively a disposable covering that has not previously been used in connection with any other client;
 - iv. any operator keeps any open boil, sore, cut or open wound on an exposed part of his body effectively covered by an impermeable dressing;
 - v. any operator does not smoke or consume food or drink in the treatment area.
 - b. A proprietor shall provide;
 - i. suitable and sufficient washing facilities for the sole use of operators, including hot and cold water and sanitising soap or detergent;
 - ii. suitable and sufficient sanitary accommodation for operators.

COUNCIL'S SIGNATURE

COUNCIL'S SEAL

The foregoing byelaws are hereby confirmed by the Secretary of State for Health

on _____ and shall come into operation on _____

Member of the Senior Civil Service
Department of Health

NOTE – THE FOLLOWING DOES NOT FORM PART OF THE BYELAWS

- A. Proprietors must take all reasonable steps to ensure compliance with these byelaws by persons working on the premises. Section 16(9) of the Act provides that a registered person shall cause to be prominently displayed on the premises a copy of these byelaws and a copy of any certificate of registration issued to him under Part VIII of the Act.
- B. Section 16(2) of the Local Government (Miscellaneous Provisions) Act 1982 provides that any person who contravenes any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale. If a person registered under Part VIII of the Act is found guilty of contravening these byelaws the Court may instead of or in addition to imposing a fine, order the suspension or cancellation of his registration and of the registration of the premises in which the offence was committed if such premises are occupied by the person found guilty of the offence. It shall be a defence for the person charged under sub-sections (1), (2), (8) or (10) of Section 16 to prove that he took all reasonable precautions and exercised all due diligence to avoid commission of the offence.
- C. Nothing in these byelaws extends to the practice of cosmetic piercing by or under the supervision of a person who is registered as a medical practitioner or to premises on which the practice of cosmetic piercing is carried on by or under the supervision of such a person.

Draft model byelaws

Semi-permanent skin-colouring

Byelaws for the purposes of securing the cleanliness of premises registered under section 15 of the Local Government (Miscellaneous Provisions) Act 1982 and fittings in such premises and registered persons and persons assisting them and the cleansing and, so far as appropriate, sterilization of instruments, materials and equipment used in connection with the business of semi-permanent skin-colouring, made by in pursuance of section 15(7) of the Act.

1. Interpretation:

a. In these byelaws, unless the context otherwise requires –

“The Act” means the Local Government (Miscellaneous Provisions) Act 1982;

“Client” means any person undergoing treatment;

“Operator” means any person giving treatment;

“Premises” means any premises registered under Part VIII of the Act;

“Proprietor” means any person registered under Part VIII of the Act;

“Treatment” means any operation in effecting semi-permanent skin-colouring;

“The treatment area” means any part of the premises where treatment is given to clients.

b. The Interpretation Act 1978 shall apply for the interpretation of these byelaws as it applies for the interpretation of an Act of Parliament.

2. For the purpose of securing the cleanliness of premises and fittings in such premises a proprietor shall ensure that –

a. All internal walls, doors, windows, partitions, floors and floor coverings, and ceilings are kept clean and in such good repair as to enable them to be cleaned effectively;

b. The treatment area is used solely for giving treatment;

c. The floor of the treatment area is provided with a smooth impervious surface;

d. All waste materials, and other litters, arising from the treatment should be handled and disposed of as clinical waste in accordance with relevant legislation and guidance as advised by the local authority;

e. All needles used in treatment are single-use and disposable, as far as is practicable; and are stored and disposed of as clinical waste in accordance with the relevant legislation and guidance as advised by the local authority;

f. All furniture and fittings in the premises are kept clean and in such good repair as to enable them to be cleaned effectively;

g. All tables, couches and seats used by clients in the treatment area, and any surface on which the items specified in 3b below are placed immediately prior to treatment, have a smooth impervious surface which is disinfected immediately after use and at the end of each working day;

h. Where tables and couches are used, they are covered by a disposable paper sheet which is changed for each client;

- v. any operator does not smoke or consume food or drink in the treatment area.
- b. A proprietor shall provide -
 - i. suitable and sufficient washing facilities for the sole use of operators, including hot and cold water, sanitising soap or detergent;
 - ii. suitable and sufficient sanitary accommodation for operators.

COUNCIL'S SIGNATURE

COUNCIL'S SEAL

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Member of the Senior Civil Service
Department of Health

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- B. Section 16 of the Local Government (Miscellaneous Provisions) Act 1982 provides that any person who contravenes any of these byelaws shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale. If a person registered under part viii of the Act is found guilty of contravening these byelaws the Court may instead of or in addition to imposing the fine, order the suspension or cancellation of his registration and of the registration of the premises in which the offence was committed if such premises are occupied by the person found guilty of the offence. It shall be a defence for the person charged under sub-sections (1), (2), (8) or (10) of Section 16 to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.
- C. Nothing in these byelaws extends to the practice of semi-permanent skin-colouring by or under the supervision of a person who is registered as a medical practitioner or to premises on which the practice of semi-permanent skin-colouring is carried on by or under the supervision of such a person.

Annex 3

Example of leaflet for local authorities to use in informing businesses when the Local Government Act 2003 is brought into force in their area

New requirements for [cosmetic body piercing] [micropigmentation, semi-permanent make-up and temporary tattooing] businesses

The Local Government Act 2003 has introduced new requirements for [cosmetic piercing (piercing of parts of the body, including the ear)] [semi-permanent skin-colouring (micropigmentation, semi-permanent make-up and temporary tattooing)] businesses.

From [insert date on which requirement to register and observe byelaws comes into force in the local authority area], [cosmetic piercing] [semi-permanent skin colouring] businesses will have to:

- register with their local authorities; and
- follow byelaws on the cleanliness and hygiene of practitioners, premises and equipment to protect customers against the risk of infection.

It will be an offence to carry on such a business without being registered, to carry on such a business in premises that are not registered for that purpose or to breach byelaws.

The new legislation uses the terminology “cosmetic piercing” to include piercing of any part of the body, including the ear and “semi-permanent skin-colouring” as an umbrella term to include activities such as micropigmentation, semi-permanent make-up and temporary tattooing.

Please contact [insert name of local authority officer] at [insert name of local authority] for advice about registration and byelaws [or see] [insert local authority internet website address].

The Department of Health’s (DH) guidance to local authorities on the new requirements is available on the DH website at <http://www.dh.gov.uk/publications>

[] = delete as appropriate



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CHLORINE FREE PAPER

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Name of meeting: Council

Date: 29 June 2016

Title of report: Scrutiny Annual Report 2015/16 and report of the Child and Adolescent Mental Health Service Ad Hoc Scrutiny Panel report

Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards?	No
Is it in the Council's Forward Plan ?	N/a
Is it eligible for "call in" by Scrutiny ?	No
Date signed off by <u>Director</u> & name	David Smith
Is it signed off by the Director of Resources?	Yes
Is it signed off by the Assistant Director – Legal, Governance & Monitoring	Yes
Cabinet member portfolio	N/A

Electoral [wards](#) affected: n/a

Ward councillors consulted: n/a

Public or private: Public

1. Purpose of report

1.1 This report sets out details of the items that Overview and Scrutiny wishes to update the Council on.

2. Key Points

2.1 Scrutiny Annual Report

2.2 The Council's Constitution requires the Chair of Scrutiny to submit a report to Council at the end of each municipal year, setting out the activity of Overview and Scrutiny during the last twelve months.

2.3 The Annual Report is attached and highlights the work of Overview and Scrutiny in the 2015/16 municipal year.

2.4 The Council is asked to receive and note the Scrutiny Annual Report 2015/16.

3. Child and Adolescent Mental Health Services Ad Hoc Scrutiny Panel

3.1 During the 2015/16 municipal year the Overview and Management Committee established an Ad Hoc Scrutiny Panel to look at the Child and Adolescent Mental Health Service. Concerns had been raised about the service locally, in particular the length of time to access the service following an initial referral. This issue was not confined to Kirklees and national Government had put in place a requirement for each local authority area to have a CAMH Services Transformation Plan to be set out the changes that are required to raise performance to meet national standards.

The CAMHS Ad Hoc Panel scrutinised the transformation plan and heard from service users and providers about the service locally. Recommendations were deliberately focussed on two areas that the panel felt were priorities.

3.2. The report of the panel is attached together with the action plan that sets out the formal response to the recommendations.

4. Implications for the Council

None directly arising from this report, however the Council's Constitution does require the Chair of Scrutiny to present an annual report to the Council at the end of each municipal year.

5. Consultees and their opinions

n/a

6. Next steps

The Council is asked to receive and note Scrutiny's Annual Report 2015/16 and the work of the CAMHS Ad Hoc Scrutiny Panel.

7. Officer recommendations and reasons

That Council receive and note the Scrutiny Annual Report for 2015/16 and the report and action plan of the CAMHS Ad Hoc Scrutiny Panel.

8. Cabinet portfolio holder recommendation

Not applicable.

9. Contact officer and relevant papers

Penny Bunker, Governance and Democratic Engagement Manager
Tel: 01484 221944

10. Assistant director responsible

Julie Muscroft, Assistant Director, Legal, Governance and Monitoring

Overview and Scrutiny Annual Report

2015/16

OS

Chair's foreword

This year has been a year of transition, with everyone getting used to new ways of working, as we aim to make the Overview & Scrutiny process fit for the New Council. We realise we need to be smart in the way we work, and Overview & Scrutiny doesn't have to undertake all the work directly, but be aware of where and when issues are being looked into. We also need to be flexible, so we can respond to emerging issues, in a rapidly changing Council. I think everyone has approached these challenges in a very professional way.

This year we took Overview & Scrutiny back to basics, and focussed on key principles, in an attempt to drive up standards, as well as making the process fit for the future. We have adopted a portfolio approach for the OSMC team, so each Member follows different strands of work. However, the Members do it in the name of the Overview & Scrutiny Management Committee (OSMC), and report back to each meeting, where issues are highlighted, discussed, and where appropriate challenge is provided, in order to achieve a shared view, and shared responsibility. We have regularly reviewed the process, and have drawn up guides to the various roles, and processes, to help maintain high standards.

At the end of last year some Co-optees left, for various reasons; they had served their time, they moved on to new challenges, and for other personal reasons. So we carried out a recruitment exercise, and have refreshed our pool of co-optees, who have been a great help this year, on Call Ins, Ad-Hoc Panels and the Health and Social Care Overview & Scrutiny Panel.

Despite being a smaller team, we, the OSMC, have been able to explore a lot of very important issues, and provide a constructive challenge where appropriate. We have also seen almost a third of Councillors involved in Overview & Scrutiny, via Call Ins and Ad-Hoc Panels, and the feedback we have is that they have seen the value of being involved. We have also developed a more positive working



relationship with the Cabinet Members; they have regularly attended Overview & Scrutiny meetings, and there have been regular portfolio briefings.

We have always promoted the importance of involving Overview & Scrutiny early in the decision making process, and the importance of this was highlighted via this year's Call Ins. Relabelling this early involvement as 'Pre-Scrutiny' seems to have helped people to better understand how to involve Overview & Scrutiny early. We are seeing more and more opportunity to influence the decision making process, prior to decisions being made.



Chair of Scrutiny 2015/16

Thanks

Thank you to everyone who has contributed to Overview & Scrutiny in some way over the past year, particularly, the OSMC, to Cllr Smaje and her team, to our Co-optees, and to the Governance team that support us.

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2015/ 2016 Headlines



OSMC

With statutory responsibility for Crime & Disorder and Flood Risk Management

Health & Social Care Panel

With statutory responsibility for Health Scrutiny



JHOSCs

Specific Issue Ad-Hoc Panels

- Child and Adolescent Mental Health Services Review
- Post 16 Education Review
- Adult Mental Health
- Children's Services Development Review



Call-In

- Parks and open Spaces Maintenance
 - o 3 recommendations issued
- Future Provision of Libraries
 - o 2 recommendations issued
- Mirfield Community Centre Asset Transfer
 - o 1 recommendation issued

83% of recommendations resulting from Call In meetings were accepted by Cabinet

Mid Yorkshire Hospital Trust

"Meeting the Challenge" – to scrutinise the implementation of changes to hospital and community services across North Kirklees and Wakefield District

Calderdale & Huddersfield

To review the proposals developed by local health commissioners and providers on a model for future hospital services in Calderdale and Greater Huddersfield.

OSMC Headlines

Overview & Scrutiny Management Committee
<p>Cllr Julie Stewart-Turner (CHAIR & PORTFOLIO LEAD FOR NEW COUNCIL & CONTINUOUS TRANSFORMATION & CHANGE)</p> <p>Cllr Cahal Burke (PORTFOLIO LEAD FOR CHYPS)</p> <p>Cllr David Hall (PORTFOLIO LEAD FOR RESOURCES & CRIME & DISORDER)</p> <p>Cllr Carole Pattison (PORTFOLIO LEAD FOR PLACE)</p>

Journey to New Council

A first priority for the OSMC was to develop an understanding of the Key Strategies underpinning the transition to New Council. The year began with an initial overview of the Strategies which was supplemented with a later update on the progress of the Economic Resilience and Early Intervention and Prevention strands of work. The intention is to continue to maintain an overview of the delivery of this work at key milestones and drill down into specific areas.

The OSMC also looked at the learning landscape in Kirklees, not just educational attainment statistics but the broader picture of learning in Kirklees. The OSMC will follow up this work in the new municipal year focussing particularly on how the Council addresses the capacity challenges facing Early Years education and the development of Schools as community hubs.

Pre scrutiny work

The OSMC continues to emphasise the importance of engaging Overview & Scrutiny before the decision is made (see also page 7). There has been progress in this area, particularly in respect of the Place Directorate with Overview & Scrutiny being able to comment on future waste management proposals and Housing Futures. Already identified for next year are the Play Strategy and the new waste services contract.

Avoiding duplication

Part of effectively managing the Overview & Scrutiny Work Programme is ensuring that Overview & Scrutiny can add value to the issue under consideration but also that duplications avoided. Some OSMC discussions have focussed on the

OSMC assuring itself that work is being carried out by other bodies, for example meeting quarterly with the Cabinet Lead for Family Support and Protection to be updated on the work of the Child Sexual Exploitation (CSE) and Safeguarding Member Panel and the Corporate Parenting Board.

Statutory Work

In a reduced Overview & Scrutiny structure it has been important to ensure that the statutory requirements are fulfilled. The OSMC has taken on responsibility for the scrutiny of Crime and Disorder and having had an initial overview meeting of the Crime and Disorder Strategy followed by a further meeting to look at Prevent work. The OSMC is keen that statutory work should not just be about "ticking a box". To support this, the OSMC has identified specific areas of focus for the new municipal year including support to vulnerable people.

Ad-Hoc work

One of the roles of Overview & Scrutiny is to contribute to priority pieces of work for the Council. This has required Overview & Scrutiny to be flexible in how it allocates resources so it can respond to issues at short notice. The Post 16 Education Area Review provided an opportunity for Overview & Scrutiny to help shape the Council's supporting statement for the regional review within very tight timescales.

In total four Ad Hoc Panels have been working during the year, two have completed reviews and reports are being circulated for response. Two new reviews have started including one that ensures that Overview & Scrutiny contributes to development work being carried out in Children's Services. More details can be found on pages 11 and 12.

OSMC Headlines continued

Call-Ins

Overview & Scrutiny has the power to review Cabinet decisions prior to their implementation. During 2015/16 there have been three call-in meetings to review concerns raised about Cabinet decisions. Details can be found on page 7. Call Ins are a very resource intensive process for

Overview & Scrutiny, however as one new co-optee commented it could be seen as "Democracy in Action" Overview & Scrutiny has looked for feedback on the process and given its views on work commissioned by the Corporate Governance and Audit Committee to amend the call in approach if necessary.

OSMC – Work Programme	
Review of new approach to Overview & Scrutiny	Overview of Key Strategies:
Performance monitoring	Economic Strategy Corporate Plan Joint Health and Wellbeing Strategy Early Intervention and Prevention Strategy Economic Resilience
Overview of new legislation, guidance and policy	Overview of Health Scrutiny
Waste Management	Sexual Exploitation of Children and Safeguarding
Management of Overview & Scrutiny Work Programme including:- Establishing Ad Hoc Overview & Scrutiny Panels Setting up portfolio arrangements for OSMC members	Flood Risk Management - Progress against Action Plan
Corporate Peer Review – outcomes and action plan	Crime and Disorder - Overview of Crime and Disorder Plan and update on Prevent work
Cabinet Priorities / Forward Plan of Key Decisions / forward agenda plan	Corporate Parenting
Progress on Journey to New Council & its themes	An update on the work of the Member Commission
Recruitment of new voluntary co-optees	An overview of the planned work of the Democracy Commission
The Learning Landscape in Kirklees – including Educational attainment	Monitoring previous recommendations , including Town Centre Strategy
Cycleways / Greenways Strategy	Standards Review
Policy Committee agenda plan	Asset Management - including decision making pathway
Housing Futures	Local Plan

Holding Exec to Account

Developing constructive relationships with Cabinet

This year Overview & Scrutiny has focussed in ensuring that it has a constructive relationship with Cabinet Members. The members of OSMC have each had a portfolio area and have met with Cabinet members informally to discuss issues on the horizon and areas of interest to Overview & Scrutiny. In addition Cabinet Members have been invited to attend the OSMC meetings when an issue in their portfolio is under consideration.

Call-In

Call-in is a formal power of Overview & Scrutiny which enables them to formally review a decision before it has been implemented. After reviewing the areas of concern then Overview & Scrutiny can ask the decision-maker to think again, if it believes that the decision is in contravention of the Council's decision making principles.

Any councillor who is not a member of the Cabinet can raise a notice of Call-in in the following ways:

- Any five individual councillors
- Two members of the Health & Social Care Panel, one of whom should be the Panel Lead member
- Two members of the OSMC, one of whom should be the Chair

Call In hearings in 2015/16

During the Municipal year there were three decisions called in, these were:

- Parks and Open Spaces Maintenance Standards – August 2015
- Future Library Provision - October 2015
- Mirfield Community Centre Asset Transfer - October 2015

All three decisions were referred back to Cabinet with a total of 6 recommendations for amendment. Five of those recommendations were accepted (83%) and implemented.

Pre-Overview & Scrutiny

Following the refresh of Overview & Scrutiny, one of the elements of effective Overview & Scrutiny that has been brought back into focus is pre Overview & Scrutiny. Pre Overview & Scrutiny seeks to focus the Overview & Scrutiny challenge prior to a decision being made, thereby potentially reducing the need to initiate the call-in process and trying to constructively influence decisions.

Pre-Overview & Scrutiny has been an emphasis of the work that has taken place this year within the Overview & Scrutiny OSMC, with 10 of its 18 meetings (56%) having had a Cabinet Member in attendance. This compares with just 1 out of 10 meetings (8%) during the 14/15 municipal year.

Examples of strategic areas that have been subject to pre Overview & Scrutiny work are the consideration of future waste options, asset management and housing futures.

During 2016/17 Overview & Scrutiny wants to continue to build on pre Overview & Scrutiny work and to help in planning this work, an outline programme of significant decisions to be made in the next 12 months will be made available.

Monitoring Past Recommendations:

Overview & Scrutiny continues to prioritise monitoring past recommendations to ensure implementation. A position statement on recommendations from Task Groups over the last three years was considered by the OSMC in April. This was followed by a more detailed follow up report on the recommendations regarding the Town Centre Strategy report.

Health & Social Care Panel Headlines

Health & Social Care Overview & Scrutiny Panel

Councillor Elizabeth Smaje (LEAD MEMBER)
Councillor Robert Barraclough
Councillor Musarrat Khan
Councillor Andrew Marchington
Councillor Sheikh Ullah
Councillor Molly Walton
Peter Bradshaw (CO-OPTEE)
David Rigby (CO-OPTEE)
Sharron Taylor (CO-OPTEE)
Christopher Horner (CO-OPTEE)

The Care Act 2014 – Monitoring Implications

The Care Bill received Royal Assent on 14 May 2014 and introduced major reforms to the legal framework for adult social care with the first stages of implementation planned to take place from April 2015.

The Health and Social Care Overview & Scrutiny Panel identified early in the process that the reforms would have significant implications for the Council and agreed that it should maintain a close overview of the reforms and check that the required changes were moving ahead at the right pace.

The Panel also felt it was important that it had an opportunity to understand the impact on adult social care; what changes would have to be made in the way that services were delivered; and to gain an assessment of any early signs of barriers to change.

During the 2015/16 municipal year the Panel held a number of meetings with Adult Social Care to work through the implications and impact of the reforms. The discussions resulted in a number of further areas of focus particularly in relation to the wider challenges facing the social care market regarding finance and workforce recruitment and retention.

Focus for Next Year

Keep a close watching brief on developments in respect of the Care Act and how Kirklees is responding.

Early Intervention & Prevention and All Age Disability - Early Influence

Cllr Liz Smaje, Lead Member for the Health and Social Care Overview & Scrutiny Panel considered regular updates on the progress of Early Intervention and Prevention (EIP), including All Age Disability (AAD), during the 2015/16 municipal year.

In February 2016, the Panel received a high level overview of the work that was taking place on the Early Intervention & Prevention (EIP) agenda. The Council was facing significant saving requirements, as well as pressures resulting from increased demand for social care services. These were forcing the Council to radically rethink how it managed resources (including staffing and financial), whilst still maintaining effective services for the communities of Kirklees.

It was apparent that the Council could no longer continue to deliver services in the way it had in the past if it was to improve outcomes for all communities in Kirklees. In reshaping services the intention is:

- to work holistically with families
- to improve engagement with partners
- to create an integrated early intervention and prevention offer
- to use alternatives to council resources to meet the needs of individuals

The proposals would mean significant cultural change for all agencies and professionals working with children, families and individuals, including multi-agency co-operation and how the Council engaged with people at the earliest opportunity.

The Panel learned that Early Intervention and Prevention will:

- Be about intelligence led service delivery
- Be Locality based working
- Be based on relationship ways of working
- Use the assets and strengths of individuals and communities
- Commission at a local level

Focus for Next Year

To consider:

examples of case studies demonstrating Early Intervention and Prevention in practice; and progress reports on Early Intervention and Prevention, including a decision making / implementation timeline.

In April 2016, the Overview and Scrutiny Panel for Health and Social Care considered a progress report around the work that was taking place in the All Age Disability (AAD) Programme. The AAD offer referred to people with lifelong disabilities and the key aim of the programme was to ensure the best start in life, promoting health and resilience throughout life by implementing a more flexible and personalised approach with few age barriers for people with a disability. (box with AAD offer bullets?)

Kirklees Council had commissioned Healthwatch in Autumn 2015 to seek the views of service users, parents and carers on having an AAD service for the borough. Only people who needed targeted or intensive support would access AAD services, but disabled people would be in the overall scope of Early Intervention and Prevention (EIP).

Focus for Next Year

The Panel agreed to receive a summary of the AAD Implementation Plan and updates on the progress of the AAD during the 2016/17 municipal year.

Quality of Care – The role of Commissioners and Regulators of Health and Social Care Services - Effective working with Partners

The Care Quality Commission (CQC) is the independent regulator of health and adult social care services in England and a key objective of CQC is to make sure health and social care services provide people with safe, effective, compassionate and high-quality care.

The Health and Social Care Overview & Scrutiny Panel included in its 2015/16 work programme a focus on the quality of care in local health and adult social care services. This work included a number of strands that included:

- looking more closely at the role of CQC
- assessing its new public engagement strategy
- testing the effectiveness of local arrangements.
- exploring ways to develop an effective working relationship with CQC
- improve information sharing.

Representatives from CQC attended the Panel meeting in December 2015 which resulted in a frank and open discussion on the role of the regulator and how the relationship with Overview & Scrutiny could be strengthened.

As a result a number of actions were agreed including a commitment from CQC that consideration would be given to informing Overview & Scrutiny at an earlier stage of urgent concerns and issues following a CQC inspection. Further meetings are planned to take place during 2016/17 including a presentation by the regulator that will outline the overall state of care across Kirklees.

Health & Social Care Panel Headlines

continued

Overview & Scrutiny Review of Tuberculosis in Kirklees - Monitoring previous recommendations

In October 2014 Overview & Scrutiny completed a review of Tuberculosis (TB) in Kirklees. In April 2015 the findings of the report and recommendations were fully endorsed by Kirklees Council's Cabinet and referred for consideration by the Kirklees Health and Wellbeing Board.

A key element of Overview & Scrutiny's work is to monitor progress of recommendations from work that has previously been carried out and in April of this year the Health and Social Care Overview & Scrutiny Panel received an update on its TB recommendations.

Recommendation: That the Communication strategy referred to in the report be developed as soon as possible and the programme of engagement and awareness raising aimed at reducing the stigma of TB be strengthened. In addition, those groups considered to be at increased risk of contracting the disease should be specifically targeted through children and community centres, religious establishments, employers and through outreach work.

The Panel was pleased that the update demonstrated that progress had been made in this area and noted that good work had been undertaken by the two TB screening providers in raising awareness of TB for healthcare professionals in Primary Care .

Recommendation: That there is a consistent approach to the diagnosis and treatment of TB across North and South Kirklees, based on a patient centred model of care, founded on best clinical practice and national guidance.

This was another area which had seen positive progress and the Panel acknowledged the work that had been done to encourage partners across the Kirklees health economy to continue to work collaboratively in order to develop common pathways of care.

However the Panel are hopeful that the initiatives that have already been introduced and the further work that is planned by Public Health will help to reduce the numbers of TB cases in Kirklees.

Focus for Next Year
Further work is still required to ensure that the high levels of TB in Kirklees are reduced and the Panel will continue to focus on this.

Health & Social Care Overview & Scrutiny Panel – Work Programme 2015/16	
The Care Act 2014 (to include Client Financial Affairs)	NHS Health Checks programme
Pre-Payment Cards	Early Intervention and Prevention (EIP)
Quality of Care – The role of Commissioners and regulators of health and social care services	Care Closer to Home
Mental Health Services – A focus on Performance	NHS Dentistry
Developing a working protocol with Healthwatch Kirklees and Kirklees Health and Wellbeing Board	Deprivation of Liberty Safeguards
Yorkshire Ambulance Service	Substance Misuse Services
Joint Strategic Needs Assessment	0-5 services
NHS Reviews	Diabetes in Kirklees

CAMHS Ad-Hoc Panel Headlines

Terms of Reference	Membership
To scrutinise the performance of the Child and Adolescent mental Health Services in Kirklees, with a particular focus upon; <ol style="list-style-type: none"> Developing an understanding of the services provided by CAMHS and its current performance in line with national requirements Scrutinising the CAMHS transformation plan and the supporting action plan Seeking the views of service users and considering benchmarking information nationally on the provision of CAMHS services. 	Councillor Cahal Burke (CHAIR) Councillor Andrew Cooper Councillor Karen Rowling Councillor Donna Bellamy Rosa Vella – CO-OPTEE Fatima Khan-Shah – STATUTORY CO-OPTEE

The Ad-Hoc Overview & Scrutiny Panel was established to undertake a review into the provision of Child and Adolescent Mental Health Services (CAMHS) in the Kirklees area in response to growing concerns regarding the operation of the organisation and its efficiency in providing a satisfactory level of service provision. The Service had been established to work with children and young people up to the age of 18 with the aim of improving the mental health of young people accessing the service, and providing support to their families.

Prior to the Panel starting its work, there was a national requirement to develop a Transformation Plan for services provided by CAMHS. Implementation would be overseen by each Council's Health and Wellbeing Board. The Transformation Plan was considered to be key in delivering the national ambition through localised leadership and ownership, covering the spectrum of services for children and young people's mental health and wellbeing. This ranged from health promotion and prevention work, to support and interventions for those who have existing or emerging mental health problems, as well as transitions between services. The Panel was briefed on the Kirklees Transformation Plan which was designed to address the implementation of the recommendations of the Future in Mind report.

The Panel met with various stakeholders, service providers and service users to identify gaps in current service delivery and the priority areas for improvement. The Panel noted that the proposals in the Transformation Plan would improve transparency, particularly in relation to referral statistics and waiting times. It was acknowledged that waiting times for an initial assessment had reduced to 3 weeks, in comparison to 10 weeks in

April 2015 and so initial access to the service had already shown improvement. The Panel found it useful to receive current and up to date statistics from service providers which demonstrated that progress was being made and they were supportive of the changes that were being made to improve service provision.

In terms of findings, the Panel considered that a key area for further development related to the process for referrals into the system, concluding through the evidence received, that the process should become more accessible and transparent. The processes should be widely publicised, particularly amongst key stakeholders. The Panel also felt there needed to be improved clarification of the pathways both in accessing CAMHS but also, once the service had been accessed, in terms of navigating the internal operation of the complex service.

QUOTE FROM THE CHAIR

Mental health problems which begin in childhood and adolescence are not only common but can have wide-ranging and long-lasting effects. These can lead to significant distress, poorer educational attainment and employment prospects, social relationships, and longer-term physical and mental health problems.

Accessing services quickly and easily is of central importance to children, young people and families. It is important everyone involved understands the process and feels supported, the Overview & Scrutiny panel carried out an in depth and valuable review of services provided for children, young people and their families.

Post 16 Review Ad-Hoc Panel Headlines

Terms of Reference	Membership
<p>That Overview & Scrutiny consider and inform a submission from Kirklees Council to the West Yorkshire Post 16 Education Area Review Team. In particular, Overview & Scrutiny will consider the pattern of post 16 provision across the district with particular reference to:</p> <p>The institutions, their curriculum offer and performance;</p> <p>i. Numbers on roll, trends and numbers studying particular subjects (class sizes);</p> <p>ii. The understood needs of employers and reported skills gaps / shortages and recruitment challenges;</p> <p>iii. Any potential gaps in provision by level, curriculum or geography; and</p> <p>iv. Emerging findings from the review process.</p>	<p>Councillor Carole Pattison (CHAIR) Councillor Kath Pinnock Councillor Edgar Holroyd-Doveton Councillor Gemma Wilson Richard Burge – STATUTORY CO-OPTEE Fatima Khan-Shah – STATUTORY CO-OPTEE</p>

Late in 2016, National Government announced a plan for a review of post 16 education and skills covering all areas of England. The process would be completed by March 2017 with implementation by 2020. Ultimately, there was an expectation that, without substantial change to the make-up of the sector, an increasing number of general further education (GFE) and sixth form colleges across England will face financial difficulties.

A Steering Group had been formed made up of the college principals and chairs of governors of each institution, officers and / or leaders from the 5 West Yorkshire Local Authorities, and the sixth form colleges and schools.

The Leader of the Council approached Overview & Scrutiny to see if it could provide an independent member perspective to help shape the Kirklees submission to the Area Review. It was important that there was an accurate picture of the position in Kirklees and the issues that are unique to the area that could be considered as part of the review. The timescales for the Area Review meant that the recommendations from Overview & Scrutiny needed to be formulated by late January / early February 2016. However, there proved to be a significant delay to the West Yorkshire Area Review as the data collated and presented by the steering group was found to be flawed.

Kirklees was further along in the review process as a lot of the 'ground work' had been completed in previous years. Set against the national context of a fragmented approach in the delivery of impartial careers information, advice and guidance, Kirklees Council, along with local partners, had maintained a high quality of provision. Whilst it was positive that Kirklees had already completed a lot of the work on which the review was concentrating, it was

acknowledged that Kirklees carried a greater degree of risk for the potential of having provision reduced as a result of the review.

In considering the Kirklees Statement of Need, the Panel was concerned that the specialisms within Kirklees appeared under represented and requested that details in relation to these specialisms were enriched within the submission. The Panel recommended that the introductory section of the Statement of Need be strengthened to highlight the desired outcomes for the Kirklees area, particularly in relation to the specialisms. The Panel also suggested that the issue of accessibility for learners was considered and presented, particularly in North Kirklees. The Statement of Need was amended throughout the Overview & Scrutiny process and incorporated the findings of the Panel, and recommended a number of amendments to the Statement. The Panel concluded that a previous rationalisation of 6th forms in South Kirklees had contributed to the success of Kirklees College, Greenhead College and New College. The Panel concluded that a similar rationalisation could be explored within North Kirklees. The Panel also concluded that the review highlighted the need for providers to work closer together in planning future provision, to minimise the risks to college providers.

QUOTE FROM THE CHAIR:

Councillor Carole Pattison

All of the panel, and the officers that attended, found this to be an interesting and important piece of work. It demonstrated the flexibility that Overview and Scrutiny has to both consider an issue as it arises and to change course as the goal posts are moved during a piece of work. We had to look beyond our brief as the issues being discussed regionally changed.

JHOSC Panels' Headlines

Mid Yorkshire Hospital Trust Joint Health Overview and Scrutiny Committee (JHOSC)
<p>Councillor Elizabeth Smaje (LEAD MEMBER) Councillor Eric Firth Councillor John Lawson Councillor Naheed Mather</p>

Background to review :

A joint health Overview & Scrutiny committee of Wakefield and Kirklees councils was established to scrutinise the proposals and to change hospital and community services across North Kirklees and Wakefield District. The full public consultation – known as *Meeting the Challenge* and led by the North Kirklees and Wakefield Clinical Commissioning Groups (CCG) - commenced on 4 March 2013. Views were sought on the following proposals:

- The development of a central hub for specialist and acute emergency care at Pinderfields Hospital including 24/7 consultant presence in the emergency department.
- The centralising of complex acute medical, surgical and critical care and obstetrics at Pinderfields
- All inpatient paediatric services to be centralised at Pinderfields.
- Pontefract and Dewsbury hospitals to become centres for planned care and surgery
- Pontefract and Dewsbury to have A&E departments for treating a range of emergency and urgent, but non-life threatening conditions.

The consultation ended on 31 May 2013 and a report on the consultation outcomes was published on 24 June 2013. The JHOSC's response to the consultation was received by the NHS in July 2013. The CCGs provided a written response to the issues raised by the JHOSC on 16 August 2013. At a JHOSC meeting on 9 October 2013 it was decided

to refer the issues of concern to the Secretary of State for independent review. The Secretary of State responding in writing to the Chair of the JHOSC on the 6 March 2014 with his decision. *"I support in full the IRP's initial assessment that the referral is not suitable for full review, and agree that the implementation programme should be allowed to proceed"*.

Current position:

Since May 2014, the JHOSC has been scrutinising the implementation process for the agreed changes to hospital services. In February 2015 a progress report on the implementation of acute hospital reconfiguration and integrated community care and primary care services was considered. Meetings were also held in June and October 2015.

In January 2016 the JHOSC was advised that proposals were being considered to bring forward the timetable for the reconfiguration of hospital services. Further assurance was being sought across the health and social care system to assess the benefits, risks and mitigation of an accelerated implementation timetable. In February 2016, the JHOSC was advised that there were 3 main drivers for considering earlier implementation and that bringing forward implementation of hospital reconfiguration would enable the benefits that would result from these changes for the whole population of North Kirklees and Wakefield to be realised sooner. At the time of writing the JHOSC has not received any firm proposals for the future implementation timetable.

JHOSC Panels' Headlines

Calderdale & Huddersfield JHOSC
Councillor Robert Barraclough Councillor Andrew Marchington Councillor Elizabeth Smaje Councillor Molly Walton Councillor Howard Blagbrough - CALDERDALE COUNCIL Councillor Malcolm James - CALDERDALE COUNCIL Councillor Martin Burton - CALDERDALE COUNCIL Councillor Adam Wilkinson - CALDERDALE COUNCIL

Calderdale and Kirklees Councils have established a Joint Health Overview & Scrutiny Committee (JHSC) to review the proposals developed by local health commissioners and providers on a model for future hospital services in Calderdale and Greater Huddersfield.

Since July 2014 the JHSC has been actively involved in this programme of work that has included a series of meetings with the two local Clinical Commissioning Groups (Greater Huddersfield and Calderdale) leading on the proposals and the Calderdale and Huddersfield NHS Foundation Trust.

Members of the JHSC have also undertaken site visits to the Huddersfield Royal Infirmary and the Calderdale Royal Hospital which included a behind the scenes tour of the two hospitals, looking in detail at examples of the current challenges in estate maintenance and visiting the site of the new hospital at Acre Mills Huddersfield.

The formal consultation on the proposals started on the 15 March 2016 and will run for a period of 14 weeks until 21 June 2016 and in line with current regulations the Clinical Commissioning Groups have invited the JHSC to provide comments in response to the consultation by 12 September 2016.

The JHSC has developed a project plan that has detailed the work that will be carried out as part of its own review of the proposals. The JHSC has held a number of themed meetings this year which has looked in detail at different elements of the case for change and has included input from a wide variety of health professionals, organisations and members of the public.

Further meetings are planned to take place and future activity includes drop in sessions for members of the public and other key stakeholders and another visit to the hospitals to look at some key clinical services. There are also plans to provide local councillors and members of parliament with an opportunity to put forward their views and comments.



Portfolio Highlights

Resources and Crime & Disorder

The Lead Member met with officers from the Community Safety Partnership to discuss areas including Prevent, Community Cohesion, ASB, partnership working and ongoing operational matters. He also met with Kirklees representatives on the Police and Crime Panel to discuss their work on the panel. Among the topics of discussion was the current Police and Crime Plan.

The Lead Member held regular briefings with the Cabinet member and officers on the subject of the Asset Management policy and progress made in the area of Asset Transfers. Discussions included the policy itself, the capacity of the service to complete the requisite number of building transfers, and the ability of the service to meet financial targets through asset management. This is an area of Overview & Scrutiny which has been ongoing for several years and it was decided to keep scrutinising this field.

Children and Young People

The Overview & Scrutiny lead members for Children and Young People has considered the following issues:

Multi Agency Safeguarding Hub:
Officer briefings on effectiveness of information sharing before and after the implementation of MASH.

The Multi Agency Safeguarding Hub (MASH) is agencies in Kirklees working together to provide a new service to support families and keep children safe from harm.

Securing Sufficient Good School Places:
Briefings on Population growth in Kirklees and pressures on primary school places.

Bereavement Support:
Support in School for Children and Young People going through Bereavement. Task Group to be formed to continue this work.

Place

The Lead Member has met regularly with Cabinet portfolio holders and the Director and Assistant Directors within the Place Directorate. Issues considered have included the refresh of the Housing Strategy, Local Plan, potholes, winter maintenance and enforcement. Looking forward to the next year, the Lead Member has highlighted the need to be mindful of the current Housing and Planning Legislation going through parliament to ensure the committee is up to speed on the significant impact this will have on the council. The Waste Contract is coming up for review and the Lead Member feels Overview & Scrutiny would be required to have some input into this before the process begins, and finally, Highways and the state of our roads is considered a big issue for the electorate; the funding that is available to deal with repairs to the roads is minimal, and so the Lead Member feels Overview & Scrutiny should monitor this to ensure it is spent as wisely as possible, whilst meeting the priorities identified by the council, not the government or a regional body.

New Council and Continuous Transformation & Change

The Chair of Overview & Scrutiny has had regular briefings with Cllr Sheard and Senior Officers. It is difficult to keep up with a rapidly changing Council. Issues discussed included how we can make it easier for Members to identify what decisions will be taken when, and Officers are working on a rough timetable for the following year to try to help. The Chair of Overview & Scrutiny was keen to enable Ward Members to have the opportunity to be involved in issues affecting their constituents in a constructive way, as early as possible.

PORTFOLIO



New Co-optees

Voluntary and Statutory Co-optees continue to play a valuable role in Overview & Scrutiny in Kirklees. They bring a lay person perspective to the issues Overview & Scrutiny looks at and are one way to ensure the voice of the citizens of Kirklees is considered. A number of the voluntary co-optees

came to the end of their term of office of the 2014/ 15, so one of the early tasks for the OSMC was to recruit more co-optees to support Overview & Scrutiny work, in particular ad hoc panel work and the work of the Health and Social Care Overview & Scrutiny Panel.

Below are the views of a selection of co-optees on their Overview & Scrutiny work:

"Once again it has been good to be part of the Overview & Scrutiny process. To me it is a place where a different and wider perspective can be found on important issues in our area. It is good to challenge those who take decisions on our behalf and to celebrate success. This year it has been valuable to focus on initiatives and decisions which have an impact on children and young people. It has also been good to review the progress of recommendations made in previous years."

Richard Burge, Statutory Co-optee and Church of England representative

"Overview & Scrutiny is, for me, a quasi-judicial process which is mentally and intellectually demanding. As a co-optee I felt that at times I was at a disadvantage not knowing the rules of the game. However the chair of the meetings I attended went out of her way to explain matters of procedure as they arose. I felt this did enable me to be proactive in my involvement."

Dale O'Neill

"I joined the Co-optees in September 2015 and was offered a position on the Overview & Scrutiny Panel for Health & Social Care, attending from 10th November 2015 onwards. My background is that I have significant experience in NHS IT and NHS Strategy/Planning/Leadership, both with a national supplier to the NHS and subsequently working within the NHS in Nottinghamshire; retiring at Assistant Director level from NHS IT in 2011 when I returned home to Yorkshire and settled into semi-retirement. I wanted to give something back to my local care community and have found that my involvement in the Kirklees Overview & Scrutiny Panel for Health & Social Care is both fulfilling and (hopefully) useful. The Overview & Scrutiny Panel for Health & Social Care is an excellent forum to discuss issues, consider implications and question the local care organisations on their plans, reports, proposals and consultations. I am glad that I am able to contribute and hope to continue to do this in future years."

Chris Horner

What the Scrutinised said....

"Scrutiny this year has constructively focussed on the key challenges faced by the Council. The engagement between Members of Scrutiny and Officers has been purposeful and should lead to better decision making."

Jacqui Gedman, Kirklees' Director of Place and Deputy Chief Executive

"The Council's Local Flood Risk Management Strategy underwent its annual review, checking progress against the action plan. It was reassuring to receive the support of the committee in the change of emphasis in priorities in 2016/17 to deliver a district-wide community engagement programme on raising flood risk awareness. Outcomes of the initial phase of the engagement programme will be reported to the committee at the next annual review of the strategy. Once again, it was encouraging to receive positive, constructive feedback from the committee on the delivery of a prioritised action plan with limited resources."

Tom Ghee, Principal Engineer

Safeguarding

Safeguarding remains an important issue for Overview & Scrutiny. In particular, ensuring that the panels established by the Council continue to look in depth at the key areas of safeguarding to ensure robust practice in Kirklees. The Overview & Scrutiny OSMC has maintained a quarterly overview of the work of the Child Sexual Exploitation and Safeguarding Member Panel and the early work of the Corporate Parenting Board. Cllr Erin Hill as portfolio holder for Family Support and Protection has attended the OSMC meetings to present updates.

In addition, Bron Saunders, Chair of the Safeguarding Children Board also attended the OSMC to discuss the Safeguarding Children board's Annual Report. Members were reassured that the work being undertaken by the Board included an effective approach to the Child Sexual Exploitation work stream.

Areas covered in updates included:

- Taxi Licensing – including an improved system for keeping records of complaints regarding taxi drivers and training being delivered to existing taxi drivers on CSE and Safeguarding.
- The CSE and Member Panel review of the Whistleblowing Policy in Kirklees and approval of the recommendations to revise aspects of the procedure by the Corporate Governance and Audit Committee.
- Training and work with schools across Kirklees to ensure a consistent approach to safeguarding and awareness raising of CSE within schools. Further work required with pastoral staff

- The panel having received confidential updates from West Yorkshire Police on historic CSE cases and prosecution of perpetrators of CSE. The Panel had identified this as an important focus for the Panel during the 2016/17 municipal year and it would continue to receive progress updates from the West Yorkshire Police.
- The outcome of discussions with charity representatives from Barnardo's, CRI (Crime Reduction Initiative) and the Children's Society who were working within Kirklees on CSE related issues.
- The outcomes of external inspections by Ofsted that tested and validated the effectiveness of the safeguarding measures in place at residential homes in Kirklees. The Committee welcomed that all homes in Kirklees were currently rated 'good' with one of the disabled homes achieving an 'outstanding' grading.

The OSMC commended the work being undertaken and was satisfied that the Member Panel had focussed on appropriate areas raised by the Jay and Casey reports. The issues raised by the Jay and Casey reports included some challenges to the culture of an organisation. Whilst the CSE Member Panel has picked up on many of the issues raised and looked at them from a Kirklees perspective, there were a number of areas that did not fall within the remit of the Member Panel. Following discussions with the Chief Executive, the Chair of Overview and Scrutiny followed up on outstanding areas including peer relationships and community cohesion with Directors and Assistant Directors. The Panel was pleased with the progress that had been made in respect of training with Schools and taxi drivers. It was agreed that the OSMC would continue to maintain an overview of the work of the Panel.

Looking Forward - Key Priorities

"Looking forward Overview & Scrutiny wants to continue to maintain high standards and help others to understand what it does, how it is done, and why. For this reason some of the priorities relate to training and improving communications.

This coming year, I also want to explore opportunities for more public engagement with Overview & Scrutiny, how we promote the work we do, and how the public might contribute to discussions on various issues."

**Councillor Julie Stewart-Turner,
Chair of Overview & Scrutiny**

Pre Scrutiny - Early engagement with Overview & Scrutiny to allow it to influence decisions before they are made:

Continuing to build on the work of this year with an increased emphasis on Pre Scrutiny. With the number of significant decisions required as we move towards New Council with the assistance of the 12 month overview of decisions, the OSMC will be looking to plan in pre scrutiny opportunities to influence proposals at the pre decision stage

Councillor Training – Overview & Scrutiny - How we do it round here

Facilitated by the LGA to provide an opportunity for Councillors to take a step back and refresh their understanding of Overview & Scrutiny, its role and how it operates in Kirklees.

Improving Communications – Two way approach

One of the main aims of New Council is to increase resilience within communities by assisting them to support themselves but also to involve them in decisions. Overview & Scrutiny will be considering how the public can be involved in pieces of Overview & Scrutiny work, for example as the PCAN group was involved in the CAMHS Ad Hoc Panel work.

Scrutiny of Partners

There has been some progress in the transparency of information on the work of the Combined Authority with the minutes now being on the Full Council agenda. Work with Health Partners continues to be very effective but there is further work to be done to consider how relevant partners are engaged in Overview & Scrutiny work.

Frequently Asked Questions

Here are some brief answers to the most frequently asked questions about Overview & Scrutiny.

What is Overview & Scrutiny?

Overview & Scrutiny acts as a check and balance on the Council's decision maker (the Cabinet) by holding it to account for its decision. Overview & Scrutiny aims to:

- » Improve services for local people & their communities
- » Ensure Cabinet is accountable to the public
- » Improve the performance of the Council's services;
- » Improve the performance of other public services for which the Council has responsibility or is a stakeholder in;
- » Actively engage local people in Overview & Scrutiny and promote issues which are of importance and of relevance to them.

Who is involved?

All Councillors who do not hold a Cabinet post can be involved in Overview & Scrutiny work. Ad-Hoc Panels can also include voluntary co-optees. They are supported by Governance Officers. For 2015/16 there has been the OSMC which manages the overall work programme; a Health and Social Care Overview & Scrutiny Panel and a number of Ad-Hoc Overview & Scrutiny Panels to carry out short term, in-depth investigations. In addition 3 Joint Health Overview & Scrutiny Committees have been looking at different stages of significant change in health services across Kirklees and neighbouring Councils.

Is Overview & Scrutiny a political activity?

Overview & Scrutiny is a key part of the political process; however it is not party political. The Overview & Scrutiny committee and panel structure is made up of Councillors from across all the political groups. Councillors leave their party politics at the door and look objectively at issues.

How do you choose what to scrutinise?

The Overview & Scrutiny Management Committee will manage the overall Overview & Scrutiny Work Programme. It will include input from the Health and Social Care Overview & Scrutiny Panel and established Ad-Hoc Panels. Carrying out effective Overview & Scrutiny takes a lot of time and effort so it is simply not possible to look at every issue. When choosing issues, Overview & Scrutiny will consider whether it is can make a real difference by looking at the issue (for example, whether recommendations could result in improved services.)

What can't Overview & Scrutiny look at and why?

Overview & Scrutiny is not appropriate for considering individual complaints. The Panel also cannot investigate regulatory or 'quasi-judicial' decision, such as planning or licensing decisions.

How can the public get involved?

- » Attend public meetings of OSMC and the Panels
- » Suggest a topic for Overview & Scrutiny
- » Provide evidence at a panel or send us your views.
- » Join a pool of people interested in being co-opted on to a panel when vacancies are



Team contact details

Contact the Team

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Lead officer details

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Penny Bunker, Governance & Democratic Engagement Manager

Health Overview & Scrutiny –

Richard Dunne, Principal Governance & Democratic Engagement Officer

Members of the team are -

Alaina McGlade, Governance & Democratic Engagement Officer

Andrea Woodside, Principal Governance & Democratic Engagement Officer

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Yolande Myers, Governance & Democratic Engagement Officer

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AD HOC SRUTINY PANEL REVIEW – CHILD AND ADOLESCENT MENTAL HEALTH SERVICES IN KIRKLEES

1. CONTEXT AND BACKGROUND

1.1 Child and Adolescent Mental Health Services (CAHMS) was established to work with children and young people up to the age of 18 with the aim of improving the mental health of young people accessing the service, and providing support to their families.

1.2 The Ad-Hoc Scrutiny Panel was established to undertake a review into the provision of CAHMS in the Kirklees area in response to growing concerns regarding the operation of the organisation and its efficiency in providing a satisfactory level of service provision. The service had been subject to negative publicity in the press, and it had been acknowledged by South West Yorkshire Foundation Trust, who were commissioned by Greater Huddersfield, Calderdale and North Kirklees Clinical Commissioning Group to run the service, that they did not have adequate resources to cope with the level of demand.

1.3 The issues faced by Kirklees were also being experienced on a national basis, and in September 2014 the Children and Young People's Mental Health and Wellbeing Taskforce was established to consider ways to make it easier for children, young people, parents and carers to access help and support, and to improve how children and young people's mental health services are organised, commissioned and provided.

1.4 The National Children and Young People's Mental Health and Wellbeing Taskforce published the report called 'Future in Mind' in March 2015. The report set out the moral, social and economic case for change in delivery of mental health services for children and young people. The report made 49 recommendations for improving early intervention and prevention measures; simplifying structures and improving access; sustaining a culture of evidence-based service improvements; and better joining up of services. The report set out a clear national ambition in the form of key proposals to transform and design the delivery of a local offer of services for children and young people with mental health needs.

The Government committed funding to help improve local Child and Adolescent Mental Health Services (CAMHS) provision for children and young people, and all regions were required to produce their own 'Transformation Plan' to fully address the implementation of the 'Future in Mind' recommendations. The identified funding was dependent on the development of a local Transformation Plan. A key focus has been to develop provisions which are tier free, with a focus on early help and prevention. NHS England ensured that Transformation Plans were in accordance with national ambitions and requirements.

The Transformation Plans were considered to be key in delivering the national ambition through localised leadership and ownership, covering the spectrum of services for children and young people's mental health and wellbeing. This ranged from health promotion and prevention work, to support and interventions for those

who have existing or emerging mental health problems, as well as transitions between services.

The 'Future in Mind' Report identified the role that the Government would play in delivering the national ambition by seeing out a series of targets and priorities during 2015/2016.

1.5 The development of the Kirklees Transformation Plan involved a wide range of people which include parents, service users, and professionals. The plan was submitted on the 16th of October 2015 to NHS England and a subsequent formal response confirmed that the Kirklees plan had been categorised as meeting the assurance criteria in full.

The Kirklees Plan included 28 identified priorities to be worked on between December 2015 and April 2016, being led by North Kirklees Clinical Commissioning Group.

The Panel considered the Transformation Plan and intended outcomes for improvements to the delivery of Child and Adolescent Mental Health Services in response to the Future in Mind recommendations. It was noted that the Plan set out proposals for change over the first year of a five year strategy.

1.6 The priority themes for Year 1 are summarised in the table below;

Theme 1 – Promoting resilience, prevention and early intervention

- To redesign and implement a school nursing service that is more focussed on emotional health and wellbeing, and provides an early intervention function across all educational settings.
- To implement clear joint working arrangements and clear pathways between schools and emotional health and wellbeing provision.
- To provide emotional health and wellbeing provision that is collaboratively commissioned with educational settings.
- To collaboratively design peer education programmes for children and young people that promote resilience and assist with early identification of emotional health and wellbeing issues.

Theme 2 – Improving access to effective support and creating a system without tiers

- To redesign the specification for Tier 2 and Tier 3 provision and transform services to provide a 'tier free' new service model that is based on the 'Thrive' approach.
- To increase front line capacity within Tier 2 and Tier 3 provisions to reduce waiting times and improve access for children and young people.

- To provide a comprehensive eating disorder service across Kirklees, Calderdale and Wakefield, in line with best practice and issued guidance.
- To implement Tier 2 and Tier 3 CAMHS link workers to directly liaise with and support schools, primary care and other universal provision.
- To implement a joint training programme to support the link roles within primary care, schools, Tier 2 and Tier 3 provision and to support joined up working across services.
- To have in place a single point of access model for advice, consultation, and assessment and coordination of provision.
- To provide a 'one stop shop' approach providing advice and support, that has been collaboratively commissioned with the voluntary and community sector.
- To provide a local crisis model that ensures assessment within 4 hours and is in line with the Crisis Care Concordat, and utilises a redesigned psychiatric liaison service.
- To work with the local Systems Resilience Group to Design and implement all age psychiatric liaison provision in line with the 'Core 24' service specification.

Theme 3 – Caring for the most vulnerable

- To invest in and implement a flexible multi-agency team to address the emotional health and wellbeing needs of looked after children, children in the youth offending team, children experiencing sexual exploitation and children with child protection plans.
- To provide the CAMHS link and consultation model within the range of provision across Kirklees for the most vulnerable children.
- To ensure rapid access to CAMHS interventions for those children who are part of the Stronger Families Programme.
- To provide cohesive CAMHS provision on a regional basis for looked after children who are placed within the West Yorkshire Critical Commissioning Groups Commissioning Collaborative footprint.
- To work with Kirklees Safeguarding Child Board to undertake a 'deep dive' into the way in which vulnerable children and young people experience the CAMHS system, and use the learning to inform the development of discrete provision for vulnerable children.

Theme 4 – To be accountable and transparent

- To implement the lead commissioning arrangement for all CAMHS provision covered within the Transformation Plan, discharged through the Joint

Commissioning Manager and jointly funded by North Kirklees Clinical Commissioning Group, Greater Huddersfield Clinical Commissioning Group and Kirklees Council.

- To use the Transformation Plan as the basis for commissioning priorities over the next five years.
- To embed responsibility for overseeing the commissioning intentions within the Health and Wellbeing Board work plan and oversight function.
- To ensure that the Integrated Commissioning Group is overseeing the implementation of the Future in Mind detailed operational commissioning plan.
- To ensure that commissioned services are evidence based and that the National Institute for Health and Care Excellence guidelines are implemented throughout service provision.
- To ensure that the Integrated Commissioning Group closely monitor the CAMHS minimum dataset and waiting time standards, whilst developing a rigorous outcome based dataset to monitor and improve performance across the system.
- To implement clear and transparent outcome monitoring supported by membership of CAMHS Outcomes Research Consortium, and the implementation of session by session outcome monitoring across CAMHS provisions.
- To receive quarterly service feedback from children, young people and families in all performance reporting to the Integrated Commissioning Group.

Theme 5 – Developing the workforce

- To ensure that Tier 2 and Tier 3 providers are fully participating in children and young person's Improving Access to Psychological Therapies (CYP IAPT) core curriculum 2016/2017.
- To ensure that Tier 2 and Tier 3 provider managers are involved in the introduction to CYP IAPT in 2015/2016.
- To ensure that where required, staff and parents receive appropriate training and continuing development opportunities to enable them to deliver relevant evidence based interventions.
- To develop a comprehensive workforce development strategy for CAMHS across Kirklees to inform and direct how workforce development would be supported and implemented.

The Panel was asked to consider whether the Transformation Plan addressed concerns regarding the provision of CAMHS services in Kirklees, and having regard

to various sources of evidence, present recommendations for further improvements to service provision.

2.

2.1 TERMS OF REFERENCE

The Terms of Reference of the Ad-Hoc Panel were;

- To scrutinise the performance of the Child and Adolescent mental Health Services in Kirklees, with a particular focus upon;
 - (i) Developing an understanding of the services provided by CAMHS and its current performance in line with national requirements
 - (ii) Scrutinising the CAMHS transformation plan and the supporting action plan
 - (iii) Seeking the views of service users and considering benchmarking information nationally on the provision of CAMHS services.

2.2 THE AD-HOC PANEL AND WORKING ARRANGEMENTS

The Ad-Hoc Panel comprised of the following Elected Members and Scrutiny Co-optees;

Councillor Cahal Burke (Chair)
Councillor Donna Bellamy
Councillor Andrew Cooper
Councillor Karen Rowling
Councillor Andrew Marchington (rep of the Health and Social Care Scrutiny Panel)
Rosa Vella (Co-optee)
Fatima Khan-Shah (Co-optee)

The Ad-Hoc Panel held a series of meetings between October 2015 and March 2016 in order to receive information and evidence from a range of individuals.

2.3 PROGRAM OF WORK AND SUMMARY OF EVIDENCE RECEIVED

The program of work carried out by the Panel is set out below;

Date	Purpose of Meeting
2 October 2015	<p data-bbox="491 488 699 526">Panel Meeting</p> <p data-bbox="491 562 1407 741">The Panel met with Tom Brailsford (Joint Commissioning Manager) and received an overview of the background, aims and priorities of the ‘ <i>Kirklees Future in Mind Transformation Plan – Children and Young People’s Mental Health and Wellbeing</i>’.</p> <p data-bbox="491 779 1342 817">The Panel received a draft copy of the Transformation Plan.</p> <p data-bbox="491 891 1407 965">The Panel noted the Terms of Reference of the Panel and considered possible areas of scrutiny focus;</p> <ul data-bbox="539 1003 1407 1189" style="list-style-type: none"> - Monitoring reduced waiting times for referrals - Improving Service User Experience (including service access by GPs, parents, teaching staff) - Monitoring the development of a tierless approach - Improving early intervention measures
16 October 2015	<p data-bbox="491 1227 1407 1301">Panel Meeting (date of submission of the final Transformation Plan to NHS England)</p> <p data-bbox="491 1339 1407 1525">The Panel met with Tom Brailsford (Joint Commissioning Manager) and Matthew Holland (Head of Children’s Trust) and received a finalised copy of the Transformation Plan. They gave consideration to areas of focus and timetable for evidence gathering.</p>
16 November 2015	<p data-bbox="491 1563 1007 1601">Panel Meeting (Evidence Gathering)</p> <p data-bbox="491 1637 1407 1816">The Panel met with Carol Thomas and Tracey McKellan Smith, representing PCAN (Parents of Children with Additional Needs) and received feedback and comments relating to the issues of waiting list times, access to services, the referral system and the assessment process.</p>
14 December 2015	<p data-bbox="491 1854 1007 1892">Panel Meeting (Evidence Gathering)</p> <p data-bbox="491 1928 1407 2040">The Panel met with representatives of CAMHS (Dave Ramsay, Dr Mini Pillay, Trish Greenwood) and received information on the role of the service and the management of service</p>

	<p>provision. Information was provided relating to the referral process, crisis response, waiting time assessments and proposals to gathering performance data.</p>
18 January 2016	<p>Panel Meeting (Evidence Gathering)</p> <p>The Panel met with Jayne Whitton (Principal Educational Psychologist) and Mandy Cameron (Deputy Assistant Director, Learning and Skills) and received information on the role of the Education Psychology Team and the current challenges facing the team in terms of service provision, and also schools in supporting young people whom may be experiencing mental health difficulties.</p>
1 February 2016	<p>Panel Meeting (Evidence Gathering)</p> <p>The Panel met with Helen Severns (North Kirklees CCG) and received information on the implementation and delivery of the Transformation Plan and key areas for improved service delivery.</p>
22 February 2016	<p>Panel Meeting (Evidence Gathering)</p> <p>The Panel met with Tom Brailsford (Joint Commissioning Manager) and received an update on the progress of the Transformation Plan.</p> <p>The Panel met with Laura Flynn, Deputy Head Teacher of Nortonthorpe Hall School, and received information regarding her experiences of working with young people with a variety of complex needs, and the difficulties faced by the young people in accessing post-16 studies.</p>
29 February	<p>Panel Meeting (Evidence Gathering)</p> <p>The Panel met with Dave Ramsey (CAMHS), Linda Moon (SWYFT) and Yvonne White (Northorpe Hall Service Manager) and received information on the establishment of ASK CAMHS, an initial single point of contact for those with concerns regarding a child/young person's emotional or mental health.</p> <p>The Panel met with Karen Butler, Head Teacher of Reinwood Infant and Nursery School, and Nikki Conquest, SENCO, to discuss their experiences of working with children with social and emotional needs, and their experiences of dealing with CAMHS in cases where pupils required such interventions.</p>

3. EVIDENCE GATHERED UNDER TERMS OF REFERENCE

Terms of Reference (1)

Developing an understanding of the services provided by CAMHS and its current performance in line with national requirements

3.1 The Panel have received information to give them a thorough understanding of the role of CAMHS and twice met with the Deputy Director of Operations to discuss matters relating to the provision of services.

The Panel noted that CAMHS currently operated within a 4 tier system;

Tier 1 – All children can access tier 1 services. Referrals could be made from a variety of methods, including via schools, GPs, health visitors, children's centres, social workers and early years practitioners.

Tier 1 services would provide advice and treatment of less severe problems, prevention measures and referrals. Over 50% of referrals are from GPs.

Tier 2 – Targeted services in education, social care and health for children vulnerable to mental health difficulties.

Tier 2 services are provided by Northorpe Hall and would include prevention and early intervention measures, consultation, referrals to specialists and training.

Tier 3 – Supporting moderate to severe mental health needs through specialist services.

Tier 3 services are provided by CAMHS and would provide access to specialist services including nursing, psychologists, psychiatrists and therapists for mental health issues such as depression, suicidality, self harm, obsessive compulsive disorder, severe anxiety, autistic spectrum disorder, psychosis, attention deficit hyperactivity disorder, eating disorders and traumatic experiences.

Tier 4 – Supporting severe/highly complex mental health needs through highly specialist inpatient services.

Tier 4 services are specialist intensive mental health interventions, which include day hospitals and inpatient psychiatric units. There is current no local provision at Tier 4 and any such cases are referred elsewhere. Locations include Leeds, Cheadle, York, Sheffield and Manchester.

3.2 The Panel were advised that the demands on services were increasing and complex and that there was a rise in the number of emergency referrals and routine referrals, which impacted upon resources and had created a situation where demand was greater than capacity. It was noted that limited resources had an impact on the operation of CAMHS, and that the demand on the service was greater as other sector providers had ceased to be able to provide support.

3.3 CAMHS comprises of 68 staff from a range of professions, and in a typical

month would receive, (based on data from the period April to November 2015) 134 routine or urgent referrals, and approximately 12 emergency referrals. (42% of these referrals were from GPs.) In a typical month CAMHS would see almost 40 young people for an initial assessment appointment, which would typically be less than 5 weeks from referral. In addition, there were over 300 'treatment' appointments. There were approximately 85 appointments where the client did not attend.

3.4 The Panel were informed that a new CAMHS Crisis and Home Intervention team was in the process of being established which would create additional staffing and specialist skills to target high end needs, which should allow capacity to be created and targeted at lower end needs.

3.5 In terms of performance, it was noted that benchmarking information had not previously been readily available as it had been too difficult to formulate due to comparisons not being equal, however, a new system was now being implemented. The Panel were informed that a National Data Set was to be established, commencing February 2017, which would provide regional comparisons and a useful tool for benchmarking. This would be an improvement on the current system which required individual areas to be contacted and asked if they would be willing to release information. It was anticipated that the first set of statistics could be expected in May 2017, which would enable effective benchmarking to be put in place.

Terms of Reference (2)

Scrutinising the CAMHS transformation plan and the supporting action plan

3.6 The Panel was supportive of the content of the Transformation Plan and welcomed the significant changes which it would drive in terms of improvements to service provision.

In particular, the Panel felt that the Theme 1 priority to implement clear pathways between schools and the provision was crucial in delivering a more effective and cohesive service. They also considered the Theme 2 priority of implementing Tier 2 and Tier 3 CAMHS link workers to directly work with and support schools, primary care and other universal provision to be integral to defining clearer pathways.

3.7 The Panel also noted and welcomed the proposal to implement a training programme to support the link roles within primary care, schools, Tier 2 and Tier 3 provision to support joined up working across services.

The Panel noted that, the implementation of the Transformation Action Plan would be continually monitored by the Health and Wellbeing Board and that updates on performance would be submitted to the meetings of the Board.

Terms of Reference (3)

Seeking the views of service users and considering benchmarking information nationally on the provision of CAMHS services.

3.8 A visit was undertaken to Northorpe Hall Child and Family Trust, where Panel members spoke with two young people who were service users. The services users, who were aged approximately 13 years and 17 years, provided information regarding their referral into the service and the levels of support that they had received.

3.9 In terms of benchmarking, a CAMHS benchmarking project was developed by NHS Benchmarking with an acknowledgement that CAMHS was a key theme in mental health services and an area that had not been subject to mainstream comparisons and performance analysis across the NHS.

The benchmarking project aimed to document approaches to delivering CAMHS tiers 1 to 3, and tier 4, and produce performance comparisons. However, this information was only available to Member organisations and therefore the Panel was unable to access this detail, for which a fee was payable. The establishment of the new National Data Set (as referred to in Terms of Reference 1), will enable a more transparent system of comparisons and allow more effective benchmarking to be put in place.

4. PANEL FINDINGS

4.1 The Panel have given detailed consideration to the Transformation Plan and the aims and priorities which it set out for Year 1. The Panel welcomed the content of the document and acknowledged that the delivery of the proposals within it would bring about improvements in the local delivery of service provision. The Panel supported the proposals for developing a 'tier free' service.

4.2 The Panel noted that the proposals in the Transformation Plan would improve transparency, particularly in relation to referral statistics and waiting times. It was acknowledged that waiting times for an initial assessment had now reduced to 3 weeks, in comparison to 10 weeks in April 2015 and so initial access to the service upon referral had therefore already improved. The Panel considered 3 weeks to be a satisfactory waiting time and noted that measures that had been put in place to achieve this reduction had therefore proved to be successful. The Panel wished to see this reduced initial waiting period to be sustained in the long term.

Following the initial assessment, the waiting period to the next intervention was approximately 10 months, or longer in the case of Autistic Spectrum Disorder

diagnoses. In terms of Autistic Spectrum Disorder diagnosis', the current assessment capacity was approximately 4 per week, which had led to a long backlog and 20 cases waiting for a period of over 2 years. In December 2015, there were 280 cases awaiting assessment.

During the 10 month wait period any referred cases would be aware that, should circumstances change, crisis situation responses would be robust. Crisis situations were deemed to be circumstances of suicidal ideation, high risk cases of self-harming, psychosis or presenting a risk to others. There would also be the option in all cases to access back into the service within the waiting period should the symptoms worsen, where a range of support would be available. CAMHS acknowledged that the current 10 month wait was too lengthy and that they were continually working to gradually reduce the waiting time, within the boundaries of resource pressures.

4.3 The Panel noted that at least 70% of Looked After Children required interventions and that the Plan aimed to establish a multi-agency team to focus on Looked After Children, cases of Child Sexual Exploitation (CSE), and those considered to be at risk of CSE.

4.4 The Panel received details of the establishment of ASK CAMHS, a new initial single contact point for those with concerns about a child/young person's emotional or mental health. The service would provide experienced workers to listen to concerns and provide information, advice and self-help resources. The service would operate between 9am and 5pm Monday to Friday, during which time telephone referral and support workers would be available. A support request could be logged out of these hours, up to 8.00pm, or on Saturdays between 9.30am and 1.30pm.

4.5 Information was provided on ChEWS, the Children's Emotional Wellbeing Service which forms part of CAMHS and provides short term targeted interventions around emotional health for children and young people in Kirklees. It was noted that the service provided support to children aged between 5 and 19 which had emotional needs impacting upon day to day life. These included early evidence of mood disorders, self-harm, early onset of eating disorders and emotional response to trauma. The Panel were informed that, between the period December 2014 and November 2015 (Year 3 of the ChEWS contract), 2243 requests for support were received, 1545 of which progressed to referral. The feedback process undertaken had reflected that 83% had reported improved outcomes after assessments. 985 hours of support had been provided to adults, the majority of which were adults accessing training to support children and young people.

The demographics of referrals reflected 54% female and 46% male. The Panel noted that 83% of the referrals were of white British ethnicity and considered that this may be reflective of the stigma of mental health issues within other communities.

4.5 Meeting with representatives of PCAN (Parents of Children with Additional Needs), the Panel noted the concerns of the organisation which included; ongoing issues with access to the service, lengthy waiting times, the need to improve support to parents and the need to provide 'customer service'. PCAN confirmed that they had been a consultee in the development of the Transformation Plan and had raised their

concerns and highlighted areas that they felt needed improvement.

4.6 Educational sector representatives raised a number of concerns regarding the support available for children/young people (providing examples), which included;

- parents/pupils experiencing barriers when trying to access the service
- a greater need for support for the area of sexualised behaviours, and to support staff working in this area
- a need to understand how the Education and Health Care Plans (EHCP) will link in with the role of CAMHS
- experiences of difficulties in securing places in post-16 education and a lack of accessible provision locally for pupils, which resulted in many travelling out of area and exacerbating the impact of social anxiety situations
- experiences of restricted course options for students whom are in need of additional support
- the need for school to college transition to be a supported and smooth process
- the need for a clear and defined pathway setting out how school staff could make a referral and follow through the process
- conflicting information is received regarding the referral requirements which causes confusion and a lack of understanding over the pathway process
- lack of availability of information to make a referral, access to paperwork/forms etc
- the process needs to provide effective support for the parent/carer as well as the child
- the knowledge and professional expertise of SENCOs and appropriate school staff should be integral to the assessment process to enable more informed considerations
- early intervention needs to be a priority and children shouldn't be considered 'too young' when certain behaviours have been identified, intervention at the earliest possible stage will have a significant positive impact in the longer term
- there needs to be proper communication while the child is on the waiting list so that the parent/carer is aware of the progress of the referral and the availability of support while they are waiting

The Panel has considered a broad range of issues and challenges relevant to CAMHS and the service users, and has sought evidence from a variety of sources.

5. PANEL CONCLUSIONS:

In conclusion, the Panel were of the view that;

- (a) Pathways

There continues to be a lack of clarity and significant confusion over the pathways and access into the CAMHS service and that this is an immediate priority which the Transformation Plan needs to address. Points of access into the service need to clearly be defined and all stakeholders need to be aware of how to raise concerns, make a referral and appropriately navigate the system so that the best possible support is made available to the child/young person, without incurring avoidable delay. School staff should be informed of how to make a referral and the process to do this should be easily accessible to them. There needs to be clarity as to what documents need to be completed by whom and that it is essential that the forms are easy to locate and submit.

To facilitate the above, a diagram should be available, clearly setting out the pathways and this should be sent to all schools, and also be available on line. This information should be age appropriate, and so should be available different formats to make it relevant and understandable to various age groups.

- (b) Referral Process and Early Intervention

- During the referral process, there needs to be clear communication with those involved at all stages, providing timescales and ongoing support information. A named point of contact should be provided during the 'waiting period' and throughout the process. This contact should be able to provide information on approximate timescales for assessments and treatments.

- Early intervention needs to be supported, and the service needs to improve engagement with schools, through more clearly defined pathways to support interventions at an early age in appropriate cases. There should be no case in which a child is automatically 'too young'. It was recognised that early intervention was key to long term prevention. The Panel considered that the input and expertise of teachers/teaching support and parents into the assessment process should be key and that the relationships between CAMHS and schools should be strengthened.

- (c) Online support

- Signposting to online support needs to be strengthened by the provision on online resources that can be accessed by anyone at any time. This could include links to a range of websites including areas for self-help and referral advice. The posting of VLOGs and BLOGs by people who have shared experiences may help in assisting others who are seeking advice or waiting for treatment. This would also be of benefit to parents/carers and would allow such information to be accessed privately and confidentially.

- **(d) Post 16 Provision**

- There is a current lack of support for post 16 students with emotional and behavioural difficulties. Priority needs to be given to looking at how this situation can be improved and set out recommendations for improvements.

Students should be encouraged and supported to access courses which they wish to pursue, and not be restricted in choice of options because they may require additional levels of support.

6. SCRUTINY PANEL RECOMMENDATIONS

Recommendation (1) - That the process for referrals into the system should become more accessible and transparent, and that the processes should be widely publicised, particularly amongst key stakeholders.

Rationale - The Panel felt that too many key stakeholders lacked a feeling of inclusion in the process of referrals, which prevented a holistic approach towards supporting a child/young persons who may have additional needs. The Panel considered that the involvement of partners (eg, GPs, schools) was essential to ensure high quality service provision and that the delivery of training courses on the function and operation of CAMHS, including how to make a referral, may be an effective way of embedding engagement of partners. The Panel felt that clarity of working relationships was fundamental to the provision of sound advice and support.

The Panel also considered that communication methods between CAMHS and the service users needed to be strengthened to enable a two way communication process from the point of initial referral, and then throughout the waiting time and the provision of treatment. Service users would benefit from having clear access points into the service at different stages, eg, to seek clarification on waiting times, links to support staff etc. At all stages of the process there should be ongoing communication with the referee/parent/carer/school/service user regarding the next steps and expected timeframes, which would assist in ensuring that the information held by CAMHS was relevant and up to date. The circulation of a regular generic email to those on the waiting list, providing relevant information, may also be

useful in acknowledging ongoing engagement with the process.

Recommendation (2) – That improved clarification be provided on the pathways both into and within the CAMHS system in order to provide transparency, access and understanding of the operation of service provision.

Rationale – The Panel considered that the mechanisms for referrals into CAMHS needed to be more clearly defined as there continued to be confusion and misunderstanding amongst service users and potential service users.

The Panel considered that a visual diagram should be published and readily available which set out potential links into the service, and approximations of waiting times at each stage. This should be distributed to schools, GPs and other key stakeholders, and also be available and easily accessible online.

ATTENDEES, WITNESSES AND SOURCES OF EVIDENCE

The Panel would like to convey thanks to all attendees/witnesses for the input that they have provided to inform the Panel's work;

Tom Brailsford - Joint Commissioning Manager, Commissioning, Health and Adult Social Care

Matthew Holland - Head of Children's Trust Management and Development

PCAN (Parents of Children with Additional Needs) Representatives - Carol Thomas and Tracey McKellan Smith

CAMHS Representatives - David Ramsay - Deputy Director Operations, Dr Mini Pillay – Consultant Child Psychologist, Trish Greenwood – Lead Nurse

Helen Severns – Head of Transformation and Integration, NHS North Kirklees

Clinical Commissioning Group

Mandy Cameron – Deputy Assistant Director, Learning and Skills

Jayne Whitton – Principal Educational Psychologist

Laura Flynn – Deputy Head Teacher, Nortonthorpe Hall School

Yvonne White – Service Manager, Northorpe Hall Child and Family Trust

Linda Moon – Tier 3 Service Manager, South West Yorkshire Foundation Trust

Karen Butler - Head Teacher, Reinwood Infant and Nursery School

Nikki Conquest – Special Educational Needs Co-Ordinator, Reinwood Infant and Nursery School

Service Users – Northorpe Hall -Child and Family Trust

Documents;

Future In Mind, Department of Health, 2015

Kirklees in Mind – Transformation Plan, 2015

SCRUTINY ACTION PLAN - CAMHS

			FOR COMPLETION			
No.	Recommendation	Directorate/ Cabinet Member(s)/ Organisations asked to coordinate the response to the recommendation?	Do you agree with the recommendation? If no, please explain why.	How will this be implemented?	Who will be responsible for implementation?	What is the estimated timescale for implementation?
1	That the process for referrals into the system should become more accessible and transparent, and that the processes should be widely publicised, particularly amongst key stakeholders.	Commissioning & Health Partnerships	YES	As part of the Transformation Plan Communication Strategy a pilot pathways document will be made available to the public and professionals via the Council website. The information will also be disseminated by the Communications Teams from North Kirklees CCG and Kirklees Council. This will be further supported by sharing communication material produced by the service provider. Links will also be made with CCG websites, CAMHS providers, stakeholders Local Offer and 3rd sector providers. Early feedback will inform of any amendments for Recommendation 2.	Tom Brailsford	May 2016
2	That improved clarification is provided on the pathways both into and within the CAMHS system in order to provide transparency, access and understanding of the operation of service provision.	Commissioning & Health Partnerships	YES	The pathways document will be further developed as the pilot progresses as a result of lessons learned to include an interactive electronic form which will enhance information and respond to this recommendation. The referral pathways element is being incorporated into the 0-19 Health Child Programme review of CAMHS for April 2017.	Tom Brailsford	July 2016 and ongoing to April 2017

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**MINUTES OF THE MEETING OF THE
WEST YORKSHIRE COMBINED AUTHORITY
HELD ON THURSDAY 4 FEBRUARY 2016 AT WELLINGTON HOUSE, LEEDS**

Present:	Cllr Peter Box (Chair)	-	Wakefield MDC
	Cllr Tim Swift (Dep Chair)	-	Calderdale MBC
	Cllr David Green	-	City of Bradford MBC
	Cllr David Sheard	-	Kirklees MC
	Cllr Judith Blake	-	Leeds City Council
	Cllr Keith Aspden	-	City of York Council
	Cllr Jeanette Sunderland	-	Liberal Democrat Representative (City of Bradford MBC)
	Cllr Stephen Baines	-	Conservative Representative (Calderdale MBC)
	Cllr Stewart Golton	-	Liberal Democrat Representative (Leeds City Council)
	Cllr Andrew Carter	-	Conservative Representative (Leeds City Council)
	Roger Marsh	-	Leeds City Region LEP
In attendance:	Cllr Keith Wakefield	-	Chair of WYCA Transport Committee
	Ben Still	-	WYCA
	Angela Taylor	-	WYCA
	Nick Winney	-	WYCA
	Angela Shearon	-	WYCA

59. Apologies for Absence

There were no apologies for absence.

60. Declarations of Disclosable Pecuniary Interests

There were no pecuniary interests declared by members at the meeting.

61. Exclusion of the Press and Public

There were no items on the agenda requiring exclusion of the press and public.

62. Minutes of the Meeting held on 20 November 2015

Resolved: That the minutes of the meeting of the WYCA held on 20 November 2015 be approved and signed by the Chair.

63. Business Flood Recovery Fund

The Authority considered a report seeking approval to establish a Business Flood Recovery Fund to support critical capital investment by those businesses in the Leeds City Region affected by the recent flooding and approval for making an initial investment to the fund from WYCA's Local Growth Fund allocation in 2015/16 and an additional allocation in 2016/17.

Members discussed the effects of Storm Eva which hit the city region in late December 2015 and resulted in severe flooding affecting homes, communities and businesses. The response of Local Authorities across the region who worked collaboratively and speedily to help victims of the floods was commended; in particular help provided by staff, elected members and volunteers, some of whom cancelled holiday plans to offer assistance, was acknowledged.

It was reported that initial assessments suggested that the economic impact to businesses could be between £280m and £365m. Around 2,200 businesses had been affected, the majority within Calderdale, with severe disruption in parts of Leeds, York and Bradford. The level of impact varied but many businesses, including key manufacturers with significant numbers of employees and supply chain linkages, had premises and equipment damaged or completely written-off. Members discussed the damaging economic impact of the floods and the potential job losses across the city region.

Funding was available to flood affected businesses in some Districts via Local Authorities in the form of Business Recovery Grants of up to £2,500, Business Rates Relief for three months and Flood Resilience Grants of up to £5,000, although it was acknowledged that, due to the devastating financial impact on businesses, additional financial support was desperately needed. To complement the funding currently available, it was proposed that a new fund be established primarily aimed at supporting those businesses in the worst affected areas that need to make significant capital investment in machinery, equipment or premises in order to recommence or maintain their operations.

Details of the new fund were currently being developed, but it was proposed to offer grants of between £5,000 and £100,000 to affected businesses to contribute towards capital investment in new equipment, machinery or premises. The criteria for application were set out in paragraph 2.16 of the submitted report. The new

fund would operate along similar lines to the existing LGF-funded Business Growth Programme (BGP) with the focus being on safeguarding jobs as opposed to job creation.

It was proposed that the fund would be supported by an initial allocation of up to £1.4m from the 2015/16 Business Growth Programme (BGP) budget, with an additional amount of up to £3.6m proposed from the BGP allocation for 2016/17 which would be dependent on demand for, and take-up of, the funding. Allocation of funds as proposed would leave the BGP with only £2.4m of its original £6m budget for 16/17. It was reported that based on past and current experience, it was likely that this amount would not meet the ongoing high demand and take-up from businesses. It was therefore proposed that WYCA consider an additional allocation to the BGP from the wider Local Growth Fund allocation for 2016/17 of approximately £3.6m.

The proposal to establish a Business Flood Recovery Fund was welcomed by members who acknowledged that the resilience grants currently available, although going some way to help, were largely insufficient to mitigate the financial loss to businesses. Members were keen to ensure that affected businesses were made aware of the financial help available both via the existing Local Authority held grants and the newly proposed fund and that all efforts be made to encourage them to come forward and take up the help being offered.

Members highlighted issues of concern following the recent flooding, including the urgent need for the Environment Agency to identify flood risk and put in place defences to prevent rivers from breaching their banks, Yorkshire Water's reservoir management policy, the inadequate response to the floods by the electric companies, and the need for an urgent review of the Environment Agency's outdated formula for calculating financial support to residents.

Members felt that it was crucial for the future preservation of businesses in the city region that a co-ordinated approach to flood resilience be developed involving key stakeholders. It was suggested that authorities should work collaboratively, and with other neighbouring authorities such as North Yorkshire, to formulate a collective response on the economic impact of the floods which could be fed into the Government's Review of National Flood Resilience, to be chaired by Oliver Letwin.

Resolved –

- (i) That the establishment of a new Business Flood Recovery Fund using up to £5m of WYCA's Local Growth Fund allocation for 2015/16 and 2016/17 be approved, subject to the following conditions:
 - That the fund uses up to an initial £1.4m of funding from the LGF-funded Business Growth Programme in 2015/16, with additional funding of up to £3.6m made available from 2016/17 LGF monies depending on demand for, and take-up of, the support.

- That the fund be used to support businesses in the city region affected by the recent floods with capital investment grants of between £5,000 and £100,000.
 - That any business supported has a recovery plan in place that clearly sets out the funding gap to be filled and its insurance position.
 - That the funding awarded to a business does not duplicate any public funds already received to support flood recovery or resilience.
 - That the fund operate along similar lines as the BGP, but with a higher intervention rate (possibly up to 75%) and a focus on jobs safeguarded as opposed to jobs created.
- (ii) That, subject to the above recommendations, the fund be opened and proactively promoted to target businesses as soon as possible.
- (iii) That the Head of Economic Strategy & LEP Director, in consultation with the Director of Resources develop a returnable financial facility aimed at assisting the cash flow of businesses, particularly those not directly affected by flooding, but suffering hardship by virtue of being within the supply chain, this facility to be funded as part of the Business Flood Recovery Fund as set out above.
- (iv) That the approval of the draft financial facility be delegated to the Head of Economic Strategy & LEP Director, in consultation with the Chair of the Investment Committee.

64. Growth Deal Approvals

The Authority considered a report seeking approval to the gateway stages for the Growth Deal schemes outlined in the submitted report.

Leeds City Centre

The Leeds City Centre scheme comprises of a number of changes to the existing network in and around Leeds City Centre and is focussed on supporting the continued development and regeneration of the city. A summary business case and value for money statement was attached as Appendices 1a and 1b to the submitted report.

Approval was sought from the Authority to progress the project from Gateway 1 to 2 and for expenditure of £3.455m.

Glasshoughton Southern Link Road

The Glasshoughton Southern Link Road scheme will provide a 7.3m carriageway, with footways and a segregated cycle route from the roundabout at Whistler Drive/Colorado Way extending the existing Whistler Drive and linking to the

Coalfields Link Road at Flass Lane. A summary business was attached as Appendix 2 to the submitted report.

Approval was sought from the Authority to progress the project from Gateway 1 to 2 and for expenditure of £723,000.

Rail Station Car Parks

A package of extensions has been identified to car parks at selected rail stations to enhance connectivity to, from and within West Yorkshire. For the purpose of delivery, the work programme has been split into two tranches. A summary business case and value for money statement was attached as Appendices 3a and 3b to the submitted report.

Approval was sought from the Authority to progress Tranche 1 (4 sites) through Gateway 2 to Gateway 3; and Tranche 2 (7 sites) through Gateway 1 to Gateway 2 and for expenditure of £732,339.

A629 Halifax to Huddersfield Phase 1b

The A629 Halifax to Huddersfield Phase 1b scheme will deliver improvements on the A629 corridor, particularly targeting the pinch point of the Calder & Hebble junction. A summary business case and value for money statement was attached as Appendices 4a and 4b to the submitted report.

Approval was sought from the Authority to progress the project from Gateway 1 to 2 and 3 and for expenditure of £1,125,394.

Halifax to Huddersfield A629 Phase 2

The A629 Halifax to Huddersfield Phase 2 scheme will address key route traffic use through and around Halifax Town Centre and unlock and improve access to development sites to encourage economic growth. A summary business case and value for money statement was attached as Appendices 5a and 5b to the submitted report.

Approval was sought for an initial £700,000 to fund essential survey work in advance of seeking approval for Gateway 1 in the future.

Revised Budgets

Approval was also sought to revise budgets in respect of the following projects:-

- An additional £135,000 to progress the Tong Street project to Gateway 1.
- An additional £600,000 to progress the Airport Link Road project to Gateway 1.
- An allocation of £80,000 to allow key work streams to commence on the Bradford Interchange Gateway project.

Resolved:

- (i) That progression of Leeds City Centre through Gateway 1 and expenditure of up to £3.455m to progress the project from Gateway 1 to 2 be approved.
- (ii) That progression of Glasshoughton Southern Link Road through Gateway 1 and expenditure of up to £723,000 to progress the project from Gateway 1 to 2 be approved.
- (iii) That progression of Rail Station Car Parks – Phase 1 through Gateway 2 be approved.
- (iv) That progression of the Rail Station Car Parks – Phase 2 through Gateway 1 be approved.
- (v) That expenditure of up to £732,339 to progress Phase 1 through Gateway 2; and Phase 2 through Gateway 1 be approved.
- (vi) That progression of A629 phase 1b through Gateway 1 and expenditure of up to £1,125,394 to progress the project from Gateway 1 to Gateway 2 and 3 be approved.
- (vii) That the initial funding allocation of up to £700,000 for the A629 Phase 2 to fund critical survey work be approved.
- (viii) That additional expenditure of up to £135,000 to progress Tong Street to Gateway 1 be approved.
- (ix) That additional expenditure of up to £600,000 to progress the A65 LBIA link road to Gateway 1 be approved.
- (x) That pre-mandate expenditure of up to £80,000 for master plan work to commence on Bradford Interchange be approved.

65. Business Plan and Budget 2016/17

The Authority considered a report:

- setting out the outline business plan for the West Yorkshire Combined Authority for 2016/17 and its strategic aims on behalf of local people;
- seeking approval to the proposed revenue budget and transport levy for 2016/17, the indicative three year capital programme and the treasury management statement.

Business Plan 2016/17

The Business Plan, which was currently in the process of being developed, set out the practical actions for the Authority in 2016 that would assist in delivering its aspirations in support of those put forward in the SEP. The outline of the Business Plan was appended to the submitted report at Appendix A, and set out a number of key actions, including agreeing and implementing the proposed devolution deal, moving to the delivery phase of the Growth Deal and West Yorkshire plus Transport Fund and supporting the work on connectivity.

Revenue Budget 2016/17

Members were asked to consider the revenue budget and transport levy for 2016/17. The budget, as presented to members, was the first budget to include the economic activities of the LCR Enterprise Partnership, in addition to transport activities.

It was reported that the proposed budget allowed for the continuation of current activities and allowed some capacity to respond to a growing agenda. It assumes that the transport levy and LEP contributions from District Council partners will remain unchanged and proposes that, as closing reserves are above the level required by the reserves policy, reserves be used to balance the budget. Reserves would be utilised to support the general budget and also to manage the timing difference relating to the business rates income from the Enterprise Zone at the Aire Valley.

Capital Programme 2015/16 and 2016/17

The capital programme for 2015/16 and 2016/17 set out significant amounts of funding and a large programme of projects reflecting the success of the Growth Deal award. It was noted that a number of capital projects had been completed during 2015/16 including the Leeds Station Southern Entrance and Apperley Bridge Rail Station and that work was underway on two further rail stations and on improvement works at a number of FE colleges. The report set out details of how the Authority would make the best use of the funding available, whilst ensuring it was used to deliver projects in accordance with the conditions attached to the funding streams. It was reported that the Investment Committee had overseen this work and endorsed the approach whereby Growth Deal funding, which must be used in the year it is awarded, is applied to a range of infrastructure projects with the funding for those (mainly Local Transport Plan Integrated Transport Block) being carried forward to be applied to Growth Deal projects in 2016/17.

Treasury Management

Members noted, at Appendix C, the annual Prudential Statement which the Authority was required to prepare and which set out treasury management activity in the year, the arrangements in place and details of the funding position. It was reported that the Prudential Statement proposed amendments to investment

criteria to enable more effective management of the cash balances held by the Authority.

Resolved –

- (i) That the revised budget for the WYCA for 2015/16 and the proposed budget for 2016/17 be approved.
- (ii) That the indicative capital programme for 2016/17 - 2018/19 be approved.
- (iii) That the Transport Committee be delegated to approve individual schemes within the Integrated Transport Block of the 2016/17 capital programme up to a maximum cost of £3m.
- (iv) That, in accordance with the powers contained in the Local Government Finance Act 1988 (as amended) and by virtue of article 9(6) of the West Yorkshire Combined Authority Order and the Transport Levying Bodies Regulations 2015 (as amended), a levy of £107m be determined for the year ended 31 March 2017.
- (v) That the Chief Financial Officer be authorised to issue the levy letter in respect of the financial year ending 31 March 2017 to the five District Councils in West Yorkshire.
- (vi) That a payment of £5.099m be made to the District Councils in accordance with Table 4 of the submitted report.
- (vii) That the Chief Financial Officer be authorised to arrange appropriate funding for all expenditure in 2015/16 and 2016/17 subject to statutory limitation, including the most appropriate application of capital funding as set out in the report.
- (viii) That the adoption of the CIPFA Code of Practice for Treasury Management in Public Services be reaffirmed.
- (ix) That the treasury management policy, as set out in Appendix C of the submitted report, be approved.
- (x) That the prudential limits for the next three years, as set out in Appendix C of the submitted report, be adopted.

66. Officer Arrangements – Officer Delegation Scheme

The Authority considered a report on variations to the Officer Scheme of Delegation following the creation of, and appointment to, the post of Managing Director.

Members noted that with the appointment of Ben Still to the post of Managing Director of the WYCA, it was recommended that all functions not reserved to the

WYCA or delegated to a committee or the other Statutory Officers be delegated to him. The Managing Director may then sub-delegate those functions to Directors as appropriate. This would ensure that, as Head of Paid Service, the Managing Director will be empowered to carry out all of the functions of the Authority that it has not specifically reserved to itself.

The proposed new Officer Delegation Scheme reflecting the proposals detailed in figure 2 of the submitted report was attached as Appendix 1.

Resolved:

- (i) That the proposals for changes to the Officer Delegation Scheme, as detailed in figure 2 of the submitted report, be approved.
- (ii) That the Secretary and Solicitor revise the Officer Delegation Scheme and the Standing Orders to reflect the approved changes.

67. Rail North and Transport for the North

The Authority considered a report providing an update in relation to Rail North and Transport for the North.

Rail North

It was reported that Rail North Ltd, comprising 29 northern transport authorities, will be jointly responsible, with the Department for Transport, for managing the new Northern and Trans-Pennine rail franchises, which both commence on 1 April. Both franchise awards will provide significant economic benefit to the Leeds City Region. The service enhancement and plans for new trains were detailed in Appendix 1 of the submitted report. It was noted that a formal Partnership Agreement had been signed between Rail North and the Secretary of State for Transport setting out Rail North's level of engagement in the franchise management process which was seen as the first step towards the further devolution of rail franchising powers.

Transport for the North

It was reported that legislation to establish Transport for the North as a statutory sub national transport body had now received Royal Assent and that further work was underway to determine the powers that would be devolved to Transport for the North. Work was progressing on a number of work-streams, some of which were being led by WYCA, including Strategic Local Connectivity and Integrated Smart Travel. The Strategic Local Connectivity work-stream would consider whether any additional interventions should become part of the Transport for the North work programme. It was reported that WYCA's Transport Committee had endorsed the Calder Valley line electrification, the proposal for a 'metro-style one system network' and HS2 integrated rail hubs for consideration through this work-stream.

Members discussed the importance of the economic case for investment in rail connectivity for the Calder Valley Line, whilst acknowledging that there was still much work to be done. It was noted that in response to proposals submitted to the Secretary of State by the Electrification Task Force in respect of a prioritised north of England electrification programme, the Calder Valley line had achieved the highest score in the prioritisation of all the North of England's rail routes and was recommended for further development and assessment.

Members noted that a meeting had been arranged for them to meet with the Chair and Chief Executive of Transport for the North on 10 February in Leeds.

Resolved: That the developments with Rail North and Transport for the North, as detailed in the submitted report, be noted.

68. Strategic Economic Plan Refresh

The Authority considered a report providing an update on the progress of work to revise the Leeds City Region Strategic Economic Plan.

It was reported that a first working draft of the revised Strategic Economic Plan had been produced and was appended to the submitted report for consideration by members. Work to date on updating the SEP had included updating the economic evidence base underpinning the strategy, internal consultation on the policy areas of skills, business, energy/resource efficiency, housing, regeneration and transport, together with external consultation which afforded stakeholders the opportunity to share, shape and influence the Plan.

The draft Plan had been considered by the LEP Board at its meeting on 26 January and had now been brought before the Authority for consideration and feedback. Following the meeting of the Authority, it was proposed that further external consultation would commence with businesses, wider public sector stakeholders and members of the public, along with elected members and officers across the City Region's local authorities. The intention was that a final draft would be considered by the LEP Board at its meeting on 5 April.

Members considered and discussed the contents of the draft Plan and expressed their support for the defining concept to support good growth.

Resolved: That progress to date on the revision of the Leeds City Region Strategic Economic Plan be noted.

69. Feedback from Combined Authority Spokespersons Representing the WYCA on External Bodies

The Committee were provided with feedback from the meeting of the Association of Rail North Partner Authorities held on 12 January attended by Councillor Keith Wakefield, Chair of WYCA's Transport Committee.

Councillor Wakefield reported that the Association had met to review the outcome of the new rail franchises which had been awarded to Arriva and First in December 2015. Through Rail North's influence, the outcome of the franchise process had secured additional train capacity, enhanced services and new rolling stock for West Yorkshire's rail network. It was reported that rail passengers in the region would start to see the benefits from 2017 with all of the planned enhancements in place by 2020. The team managing the new franchises would be established in WYCA offices in Leeds in preparation for the commencement of the franchises on 1 April 2016.

It was reported that the Association had, at their meeting, received presentations from representatives of both First Transpennine and Arriva Rail North who had set out their companies' plans for the new franchises. The Association were keen to ensure that Rail North continued to be ambitious to develop the franchises further in line with the Rail North Long Term Rail Strategy adopted in 2014.

Members discussed the importance of a communications strategy to ensure that members of the public were made aware of the benefits which would be delivered via the new rail franchises.

Resolved: That feedback provided by Councillor Wakefield be noted.

70. Minutes of the meeting of the Overview and Scrutiny Committee held on 23 September 2015

Resolved: That the minutes of the meeting of the Overview and Scrutiny Committee held on 23 September 2015 be noted.

71. Minutes of the meeting of the Transport Committee held on 9 October 2015

Resolved: That the minutes of the meeting of the Transport Committee held on 9 October 2015 be noted.

72. Minutes of the meeting of the West Yorkshire & York Investment Committee held on 3 November 2015

Resolved: That the minutes of the meeting of the West Yorkshire & York Investment Committee held on 3 November 2015 be noted.

73. Draft Minutes of the Meeting of the Governance & Audit Committee held on 19 November 2015

Resolved: That the draft minutes of the meeting of the Governance & Audit Committee held on 19 November 2015 be noted.

74. Draft Minutes of the meeting of the Overview and Scrutiny Committee held on 2 December 2015

Resolved: That the draft minutes of the meeting of the Overview and Scrutiny Committee held on 2 December 2015 be noted.

75. Draft Minutes of the meeting of the Transport Committee held on 11 December 2015

Resolved: That the draft minutes of the meeting of the Transport Committee held on 11 December 2015 be noted.

Contact Officer: Yolande Myers

KIRKLEES COUNCIL

APPEALS PANEL - EDUCATION SCHOOL TRANSPORT

Thursday 14th April 2016

Present: Councillor Christine Iredale (Chair)
Councillor Hilary Richards

Apologies:

In attendance:

Observers:

APPOINTMENT OF CHAIR

Councillor Iredale was appointed Chair of the meeting.

1 Minutes of Previous Meeting

That the Minutes of the meeting held on 20 October 2015 be approved as a correct record.

2 Interests

No interests were declared.

3 Exclusion of the Public

RESOLVED - That acting under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act, as specifically stated in the undermentioned Minute.

4 School Transport appeal (BD)

(Exempt information relating to the identity of an individual seeking financial assistance from the Authority. The public interest in maintaining the exemption, which would protect the rights of an individual under the Data Protection Act 1988, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making)

The Panel considered the information in the report and information received from the Service and the appellant and:

(At this point, the meeting was adjourned to allow information to be supplied that was required for a decision to be made in relation to this appeal.

The meeting was subsequently re-convened on Tuesday 24 May 2016.)

RESOLVED – That the appeal be dismissed.

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

Friday 11th March 2016

Present: Councillor Hilary Richards (Chair)
Councillor Robert Barraclough
Councillor Naheed Mather
Councillor Andrew Palfreeman
Councillor Kath Pinnock
Councillor John Taylor
Councillor Linda Wilkinson

- 1 Minutes of Previous Meeting**
RESOLVED – That the Minutes of the meeting held on 29 January 2016 were approved as a correct record.
- 2 Membership of the Committee**
All Committee members were present.
- 3 Interests**
No interests were declared.
- 4 Admission of the Public**
It was noted that all agenda items would be considered in public session.
- 5 Deputations/Petitions**
No deputations or petitions were received.
- 6 Public Question Time**
No questions were asked.
- 7 Report of Members Allowances Independent Review Panel**
The Committee gave consideration to the report of the Members' Allowances Scheme for 2016/2017, which set out the recommendations proposed by the Members' Allowances Independent Review Panel regarding the payment of allowances. The report of the Panel, which was attached at Appendix A of the report set out several recommendations, including the increase of a basic allowances payment to Councillors by 3.2% with effect from 1 April 2016. The draft Members'

Allowances Scheme for 2016/2017, taking account of the recommendations, was attached at Appendix B.

Following detailed discussion on the content of the report and the recommendations of the Panel, the Committee were of the view that the recommendation to Council should be for Council to determine whether or not to adopt the recommendations, taking into account the financial pressures currently facing the Council.

RESOLVED -

(1) That the report of the Members Allowances Independent Review Panel be received and noted.

(2) That the report be submitted to the meeting of Council on 23 March 2016 with the recommendation that Council's consideration of the report is mindful of the financial pressures currently facing the Council, and the pending implications of the work of the Democracy Commission.

8 Review of Planning Committees - Progress Update

The Committee received a report which set out an overview of the first year of the operation of the Planning Committee structure to incorporate the establishment of Strategic Planning Committee. The report provided information on the review and potential changes and clarifications to terms of reference and officer delegation. It was noted that a report formulating recommendations from the issues arising within the report would be submitted to a future meeting of the Committee.

The Committee noted the content of the report and commented that, in terms of cross boundary applications, it may be appropriate to determine whether an application needs to be considered at a Committee meeting through consultation with ward members, rather than automatically submitting it to Committee.

RESOLVED -

(1) That the Planning Committee Review Update be received.

(2) That the comments of the Committee regarding the content of the report be noted.

9 Certification of Grants Annual Report 2014/2015

The Committee received the KPMG Annual Report on grants and returns work 2014/2015. The report summarised the results of work that the Council's External Auditor, KPMG, had carried out on the Council's 2014/2015 grant claims and returns, which included the work that had been completed under the Public Sector Audit Appointment certification arrangements, and the work that has been completed on other grants/returns.

RESOLVED - That the Certification of Grants Annual Report 2014/2015 be received and noted.

10 Final Audit Plan 2015/2016

The Committee received the External Audit Plan for 2015/2016. The report set out information on financial statements audit planning and value for money

Corporate Governance and Audit Committee - 11 March 2016

arrangements work. The report advised that, planning work that took place during January and February 2016 involved risk management, determining materiality level and issuing the audit plan to communicate the audit strategy. Appendices to the report set out the key elements of the financial statements audit approach and also independence and objectivity requirements.

RESOLVED - That the Final Audit Plan 2015/2016 be received and noted.

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Public Document Pack

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

CORPORATE GOVERNANCE AND AUDIT COMMITTEE

Friday 22nd April 2016

Present: Councillor Hilary Richards (Chair)
Councillor Naheed Mather
Councillor Andrew Palfreeman
Councillor Kath Pinnock
Councillor John Taylor
Councillor Linda Wilkinson

Apologies: Councillor Robert Barraclough

In attendance:

Observers:

11 Membership of the Committee

Apologies for absence were submitted by Councillor R Barraclough.

12 Minutes of Previous Meeting

Minutes of the meeting held on 11 March 2016 agreed as a correct record.

13 Interests

No interests were declared at the meeting.

14 Admission of the Public

All items considered in public session with the exception of agenda item 16 – Quarterly Report of Internal Audit 2015/16, which was considered in private due to the report containing exempt information.

15 Deputations/Petitions

No deputations or petitions were received.

16 External Audit Progress Report and Technical Update - April 2016

The Committee received the latest External Audit Report and Technical Update and Alistair Newell attended the meeting to present the report, which included information on the key issues arising from the external audit work.

RESOLVED – That the content of the external audit progress report and technical update as at April 2016 be noted.

17 Internal Audit - Annual Report 2015/2016 and Audit Plan 2016/2017

Committee considered a report providing information about internal audit activity in the year 2015/16 together with an opinion on the adequacy and effectiveness in the

council's framework of governance, risk management and control. The report indicated that it was the opinion of internal audit that the overall framework of the council's financial and business control systems, processes and its management of assets was sufficiently sound to provide an adequate control environment.

The report went on to provide information on compliance with the requirements of the public sector internal audit standard together with information on the audit plan 2016/17.

Discussion took place on the proposals for an external audit evaluation of internal audit to be carried out in 2016/17 and it was proposed that this be carried out by a nominee of the South and West Yorkshire Audit Group.

RESOLVED –

(1) That the effectiveness of the council's internal audit function be confirmed together with coherence to public sector internal audit standard.

(2) That the content of the report be noted

(3) That the audit plan for 2016/17, as set out in the considered report, be approved

(4) That the Head of Audit and Risk be given delegated authority to amend the audit plan to take account of unplanned work and investigations and that variations be reported as part of quarterly reporting to Corporate Governance and Audit Committee

(5) That the audit charge for 2016/17 as set out in the considered report be reaffirmed

(6) That approval be given to the current intention that the external evaluation of internal audit will be carried out by the nominee of the South and West Yorkshire Audit Group during the first quarter of 2017/18.

18 Internal Audit - Annual Governance Statement 2015/2016

The Committee considered a report seeking approval of the draft 2015/16 Annual Governance Statement, prior to it being signed off by the Chief Executive and Leader of the Council, to accompany the Annual Statement of Accounts, that will be presented to the September meeting of the Corporate Governance and Audit Committee. The report indicated that it was a statutory requirement to produce an annual Governance statement and that it accompanies the statement of accounts in order to provide assurance as part of the governance and internal control environment in which the accounts had been compiled and which they relate.

The report provided a copy of the annual governance statement 2015/16 which highlighted a number of what were termed significant governance issues which relate to the period covered by the statement of account, all of which were ongoing issues brought forward from the 2014/15 statement. The report also went on to give details of the actions and controls the Council was taking to address the concerns and issues raised.

RESOLVED – That the draft 2016/17 annual governance statements were approved.

19 Whistleblowing Policy

The Committee considered report setting out information on the ongoing work on the council's whistleblowing policy and recommendations made by the Council Panel considering matters relating to Child Sexual Exploitation and Safeguarding in connection with the whistleblowing policy. It was noted that the Council Panel had concluded its considerations in January 2016 and had made recommendations on aspects of the wording of the council's existing whistleblowing policy which may benefit from revisions. The proposed text changes were incorporated and highlighted within the considered report at appendix 1 and the committee were asked to consider the approval of the revised whistleblowing policy.

RESOLVED – Approval will be given to the amendments of the whistleblowing policy as set out in the considered report.

20 Proposed Amendments to Financial Procedure Rules

The Committee considered a report setting out proposed changes to Financial Procedure Rules (FPRs) which were recommended for consideration at the annual meeting of council to take place in May 2016. The proposed change to Financial Procedure Rules were highlighted within the considered report and the Committee were asked to consider these and make comment on any proposed changes they may wish to recommend to the annual meeting.

The committee agreed to recommend approval to changes to Financial Procedure Rules subject to the retention to the existing wording of the rules at paragraph 2.10, relating to the reporting of revenue monitoring information to Council.

RESOLVED – That changes to Financial Procedure Rules as set out in the considered report be approved and referred to council for consideration, subject to the retention of paragraph 2.10 and any consequential changes arising there from.

21 Proposed Amendments to Council Procedure Rules

The committee considered the report setting out proposals to make amendments to Council Procedure Rules. The considered report set out the key changes that were proposed within Council Procedure Rules, all of which were as a result of issues that had been identified on an ongoing basis during the current municipal year.

Giving its approval to council procedure rule changes set out in the report the committee agreed that the Chief Executive and Leading Members meeting should be requested to give early consideration to issues relating to the timing of debates on petitions at Council meetings in accordance with the Council's Petition Policy, the time allocated to dealing with motions at council meetings and reporting by Cabinet members to Council meetings. The committee also agreed that future holding executive to account council meetings, including questions to Chairs of Committees and Sub-Committees, etc be dealt with on a rotating basis so as to ensure an opportunity that all chairs can be questioned within the available time.

RESOLVED –

(1) That proposed amendments to Council Procedure Rules as set out in the considered report be approved and referred to council for consideration

(2) That the Chief Executive and Leading Members meeting be requested to give consideration to issues relating to the timing of debates on petitions at Council meetings in accordance with the Council's Petition Policy, the time allocated to dealing with motions at Council meetings and reporting by Cabinet members to Council meetings.

(3) That at future holding executive to account meetings, questions to Chairs of Committees and Sub-Committees etc be dealt with on a rotating basis so as to ensure an opportunity that all chairs can be questioned within the available time.

22 Proposed Dates of Council - 2016/2017

The committee considered a schedule of proposed dates for meetings of council to take place during the year 2016/17 for recommendation to the annual meeting.

RESOLVED – That the proposed dates for Council meetings for 2016/17 be approved and referred to Council for consideration, subject to officers changing the sequence of key discussions/holding executive to account meetings to ensure they take place on a consecutive basis.

23 Update on Outside Bodies Representation

The Committee received an update on appointments made at District Committees in relation to the Councillors representation on outside bodies.

RESOLVED – That the report updating on outside bodies representation be noted.

24 Request from Local Government Association to express an interest in collective purchase of External Audit

The committee considered a report from the Director of Resources asking for consideration as to whether the Council wished to express an interest in the Local Government Association's offer to participate in a collective purchase of external audit post 2018. The report indicated that work would need to commence on an option to collectively purchase external audit as new appointments to auditors would need to be made by 31st December 2017.

The report set out information on the options under consideration and highlighted that, at this stage, as no firm commitment was required, the balance of advantage would be to express an interest in joining a collective purchase process which could procure a lower cost of audit and stand alone arrangements.

RESOLVED – That the Director of Resources be requested to write to the Local Government Association expressing early interest in the collective purchase of Local Government Audit.

25 Exclusion of the Public

RESOLVED - That acting under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on

the grounds that it involves the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act, as specifically stated in the undermentioned Minute.

26 Quarterly Report of Internal Audit 2015/2016 (Quarter 2: January to March 2016)

(Exempt information relating to financial and business affairs of any particular person. The public interest in maintaining the exemption outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making)

The committee considered a report providing information on the activity and findings from Internal Audit work completed during the quarter 1st Jan to 31st March 2016. The committee were asked to identify any further action that was required in relation to any of the matters that were reported.

RESOLVED – That the quarter 4 annual audit report for 2015/16 for the period January to March 2016 be noted.

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Contact Officer: Tish Barker

KIRKLEES COUNCIL

CORPORATE PARENTING BOARD

Monday 18th January 2016

Present:

Councillor Erin Hill
Councillor Lisa Holmes
Councillor Phil Scott
Marion Gray
Martin Green
Janet Tolley
Bev Paris
Jacqui Gedman
Matthew Holland
Steve Collins

Apologies: Councillor Karen Allison
Carly Speechley

12 Membership of the Board/Apologies

Apologies were received from Councillor Karen Allison and Carly Speechley.

13 Minutes of previous meeting

The Minutes of the meeting held on 1 October 2015 were agreed as a correct record.

14 Interests

No interests were declared at the meeting.

15 Admission of the Public

All items were considered in public session.

16 Deputations/Petitions

No deputations or petitions were received.

17 Public Question Time

No public questions were asked.

18 Kirklees Council's Projects to support Care Leavers

Ian Stewart-Watson, Project Manager, introduced the report detailing the Council's Projects to support Leavers and highlighted the two major projects, New Belongings and The Transformation Challenge Award.

The focus on the New Belongings project would be to:

- Establish a care leaver's forum
- Work closely with the partner agencies to improve EET opportunities for young people
- Improve pathway planning.

The Transformation Challenge Award, funded by the Department of Communities and Local Government, aimed to encourage and support the redesign of how services would be delivered within councils, across local public services and the voluntary and community sector to deliver better outcomes for citizens. The award of £400,000 would allow a series of changes which would include:

- The development of a peer mentoring scheme
- Pro bono support from community organisations
- Improvement of mobile connectivity for care leavers

The Board noted the key points and the New Belongings and Transformation Challenge Award action plan as set out in the report.

RESOLVED - That the Kirklees Council's Projects to Support Care Leavers report be noted.

19 CAMHS provision for Looked after Children

Tom Brailsford, Joint Commissioning Manager, updated the panel on the current CAMHS service provision for Looked After Children and Care Leavers and highlighted the service development that had resulted from the Kirklees CAMHS Transformation Plan.

The Board were informed of the need to provide both targeted and specialist mental health interventions, to those children most at risk of developing poor mental health, as an essential aspect of any CAMHS system. The main vulnerable groups that had been agreed to focus on in Kirklees would be Looked After Children (LAC), children subject to a child protection plan, young people involved in the youth justice system and those at risk of or experiencing child sexual exploitation.

It was reported that work was ongoing with Kirklees Safeguarding Children Board in relation to local CAMHS provision. The Safeguarding Board had agreed to fund a piece of research to support the improvement and transformation of provision for vulnerable children and young people.

The report also highlighted the significant under representation of LAC in CAMHS provision and this had been identified as a key priority to increase the number of LAC receiving interventions through our CAMHS. In the interim, it was noted that escalation protocols had been established between children's social care and the CAMHS provider to raise issues of LAC whose needs needed to be escalated to ensure they received the appropriate interventions.

Information was shared of the work ongoing to simplify the system and establish a single point of access and increase capacity and response times.

The Board noted:

- The development of the transformation plan priority objectives and investment
- The development of the new multiagency CAMHS team for LAC and other vulnerable groups.

RESOLVED - That the CAHMS provision for Looked after Children report be noted.

20 Virtual School Annual Report

Janet Tolley, Virtual School Headteacher, introduced the Virtual School Annual Report. The board were informed the Virtual School was in a transitional phase having moved from the Education Support Team for Looked after Children based in Kirklees Learning Support to become the Kirklees Virtual School for Children and Young People who are in care.

The Virtual School Headteacher was appointed in November 2014. The role of the Virtual School Headteacher was to track, monitor and ensure support for the progress of every looked after child (LAC), belonging to their local authority, as if they attended a single school, as well as to give support to professionals working with LAC placed in Kirklees by other local authorities.

The report was received by the Board and discussion took place concerning the support for LAC in schools and the provision of training for foster carers.

The Board identified the reporting requirements for future reports to the Corporate Parenting Board:

Annual Report: Attainment data and analysis – Virtual School to determine the relevant information

All meetings: Brief exception report including exclusions and children receiving less than 25 hours education a week

The Board requested selected ongoing cross service case studies, selected at random, to be presented to the Board on a regular basis.

RESOLVED - That the Virtual School Annual Report be noted.

21 Fostering Agency Report: 1 July to 30 September 2015

The Board received the Fostering Agency quarterly report and noted its content.

Particular reference was made to the challenge faced in recruiting inhouse foster carers for Kirklees Looked after Children, particularly for children aged 10 plus and sibling groups. A review and update of the marketing and recruitment strategy was to take place to utilise every opportunity/event to promote fostering for Kirklees.

RESOLVED - That the Fostering Agency Report: 1 July to 30 September 2015 be noted.

22 Adoption Agency Report: April to September 2015

The Board received the Adoption Agency Annual Report and noted its content.

The Board noted the reducing number of children with a plan for adoption, which was in line with the regional and national picture. The Adoption Service continued to recruit adopters and support them in finding the right match, whether this was a Kirklees child or a child from another Local Authority. Challenges with the performance on the Adoption Score Card continued, which had been worked on and was closely monitored, with the emphasis always on the children and their needs.

The next steps would be to continue to rigorously pursue adoption plans for children in Kirklees, to maximise the use of the Adoption Support Fund and to play a key role in the regionalisation of adoption.

RESOLVED - That the Adoption Agency Report: April to September 2015 be noted.

23 Management Information

The Board received the Children's Social Care Management Information Report for Quarter 3, 2015-16.

RESOLVED - That the Quarter 3 2015-16 Management Information report be noted.

Contact Officer: Tish Barker

KIRKLEES COUNCIL

CORPORATE PARENTING BOARD

Monday 18th April 2016

Present: Councillor Erin Hill (Chair)
Councillor Karen Allison
Councillor Lisa Holmes
Jacqui Gedman
Steve Collins
Andrew Carden
Marion Gray
Janet Tolley
Matthew Holland
Toni Traynor

Apologise Councillor Phil Scott
Rachel Spencer-Henshall
Martin Green

24 Minutes of previous meeting

The Board considered the Minutes of the meeting held on 18 January 2016. There followed a brief discussion on the issue of on-going case studies that had been raised at the January meeting.

RESOLVED -

(1) The Minutes of the meeting held on 18 January 2016 were agreed as a correct record.

(2) That Councillor Hill and Toni Traynor, Head of Service, Corporate Parenting, give further consideration as to how anonymised cases can be followed throughout their school careers to understand the impact of the care system on looked after children.

25 Interests

There were no interests declared.

26 Admission of the Public

It was agreed that all items be considered in public session.

27 Virtual School

Janet Tolley, Virtual School Headteacher presented outcome data, validated externally that provided performance information on Looked After Children at Key Stage 1, 2 and 4. In addition there was information on exclusions and absence for the period together with Looked After Children by Special Educational Needs. The data covered the last academic year and provide statistical comparisons on a sub-regional, regional, and statistical neighbours basis.

In considering the report the Board recognised the limitations of the data provided nationally but felt that locally further breakdowns were required to clarify and provide more context to information. It was suggested that if possible a gender split should be included as part of the statistical data. There were also concerns about the length of time it took for data to be filtered through to a local level as it did not represent an accurate picture of the current position and concerns.

The Board felt there was more merit in being able to look at the child's experience throughout school rather than as part of a cohort. The Board needed to be in a place where it had statistical and narrative information to understand the position with children looked after by the Authority.

The Board noted the position regarding long term foster placements outside of Kirklees and questioned the sufficiency of placements within the borough and local options. The Board also noted the volume of children coming into the care system and requested an LAC profile so they could understand where in Kirklees children were coming from as well as the picture of children leaving care.

The Board felt it would be appropriate to consider the Virtual School update on a termly basis, with the ability to track changes and trends within the statistical information.

Also appended to the report was a summary of information from a conference run by the Rees Centre of Research in Fostering and Education at the University of Oxford, which presented the findings of a research project which explored the relationship between educational outcomes, young people's care histories and individual characteristics. It was suggested that officers give further consideration to the key findings and policy and practice implications of the research and bring a further paper for consideration by the Board on how this might be used by Children's Services.

RESOLVED -

(1) That the update report from Janet Tolley, Virtual School Headteacher be received and noted.

(2) That where possible the gender split between boys and girls be included within statistics both at a local level and nationally.

(3) That future data information include an up to date position statement that clarifies the statistics, for example identifying hot spots, contributory factors and actions going forward.

(4) That with the proposed increase in meetings of the board in the new municipal year, the information be provided on a termly basis. The information will also track changes and trends.

(5) That information provided by the Rees Centre be given further consideration by officers with proposals to a future Board meeting as to how the information and learning from other local authorities might be used.

28 **Looked After Children Strategy**

Toni Traynor, Head of Service, Corporate Parenting provided a briefing for the Board on proposals to develop a Looked After Children Strategy.

The Strategy would include the duties, powers and responsibilities in relation to Looked After Children and care leavers as well as the contribution that the Authority and partners make throughout a child's life. It would also include reference to the profile of Looked After Children in Kirklees and what those children said about the care system. The pledge to children, together with Governance arrangements would also be set out within the Strategy. It was noted that the pledge would be updated as part of the work.

It was suggested that there be further discussions with the Board about the delivery of the Strategy including any action plan and timescales. An engagement plan would also be drawn up to ensure that key partners had the opportunity to inform the Strategy.

The Board recognised the need to have a Strategy in place as soon as possible but agreed that further work would be ongoing to continue to refine the Strategy and use feedback from engagement to inform the final version.

RESOLVED -

(1) That proposals to produce a Looked After Children Strategy be approved.

(2) That the concerns of the Board regarding the scope of engagement be considered as part of further work once the initial strategy has been put in place.

(3) That a further report on the strategy be considered at a meeting in the new municipal year.

29 **Fostering and Adoption Position Statements**

The Corporate Parenting Board considered a briefing on the National Adoption Scorecard 2012-2015 which had been published in March 2016 and was based on data for the 3 years to March 2015. It was noted that the Scorecard covered three key indicators;

- Average time between a child entering care and moving in with its adoptive family for children who have been adopted
- Average time between a Local Authority receiving Court Authority to place a child (Placement Order) and the Local Authority deciding on a match
- Percentage of children who wait less than X months between entering care and moving in with their adoptive family

The data in respect of indicator 1 indicated a 67 days improvement, representing a 9.5% reduction, compared to the 2011-2014 scorecard. The second indicator had improved by 14 days or 4.2%, and the third indicator had reduced from 42% to 37% against a more challenging timescale target. The report also included statistical benchmarking information with neighbouring authorities. The report continued to provide information on the adoption work flow and some pen pictures of children awaiting placements.

There followed similar information on fostering services at April 2016. The Board was pleased to note that the first pilot of Pillars of Parenting, a therapeutic parenting model, was launched in April 2016. A group of children and young people, placed with Kirklees foster carers, were part of the pilot. Linda Patterson, Service Manager attended the Board meeting to present the information and answer Members questions.

There Board discussed how Kirklees was attracting foster carers and it was noted that officers were part of a regional group which looked to develop comparable support packages. Toni Traynor confirmed that a new Head of Service had been appointed and would be looking at sufficiency issues as part of a complete review to determine the way forward.

RESOLVED -

(1) That Linda Patterson, Service Manager be thanked for attending the Board meeting.

(2) That the briefing on the Adoption Score Card and Fostering Agency Report be received and noted.

(3) That the use of case studies to help the Board's understanding of fostering and adoption cases be welcomed.

30 Looked After Children Profile

The Board considered as a late urgent item, a first draft of a Looked After Children Profile for the Kirklees area. The profile presented statistical information on monthly trends in the number of Looked After Children, age and gender information and the length of time looked after by age. It continued to set out starter and leaver information for 2015/2016 with explanatory notes; legal status and placement type; placement location and the ethnicity of Looked After Children.

Matthew Holland, Head of Children's Trust Management and Development and Toni Traynor presented the information and sought the views of the Board on areas for inclusion. It was recognised that case studies had already been identified as adding meaning and context to discussions. It was suggested that further clarification of the decision making categories was required.

Overall the Board supported the introduction of a Looked After Children Profile subject to inclusion of more narrative information. It was agreed that officers would continue to develop the profile information and bring it to future Board meetings.

Corporate Parenting Board - 18 April 2016

In closing the Board was informed that there was a Pillars of Parenting Managers session being run on 26 April 2016 at the Textile Centre, Huddersfield. An invitation was extended to any Board Member to attend. Further information would be circulated by the Governance Officer following the meeting.

RESOLVED -

(1) That the approach to producing a Looked After Children Profile for Kirklees be welcomed and noted.

(2) That information on the categories of decision making, for example Section 20, be included in future information.

(3) That where appropriate a narrative be included within the profile to add additional context to statistical information.

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KIRKLEES COUNCIL

DISTRICT COMMITTEE - BATLEY AND SPEN

Thursday 21st January 2016

Present: Councillor Gwen Lowe (Chair)
Councillors M Akhtar, H Mayet, S Pandor, V Kendrick,
J Lawson, S Alvy, D Hall, S Hall, L Holmes, A Pinnock,
K Pinnock, D Sheard, E Smaje and A Stublely

Apologies: M O'Neill, R Light and A Palfreeman

In attendance:

1 Welcomes and Introductions

The Chair welcomed everyone to the meeting and committee members introduced themselves.

The committee held a minute silence in tribute to former Councillor Peter O'Neill.

2 Minutes of previous meeting

RESOLVED – That the Minutes of the meeting of the Committee held on Wednesday 2 December 2015 be approved as a correct record.

3 Interests

Councillor David Sheard declared an 'other' interest in the 'mobile shelving for Heckmondwike Library' project at item 11 in the Budget Report, as a member of Friends of Heckmondwike Library.

4 Admission of the public

RESOLVED – That all items were for consideration in public.

5 Deputations / Petitions

No deputations or petitions were received.

6 Public Question Time

Responses were given to the following questions:-

- (a) Liversedge Football Club had been unable to play since October due to drainage issues. Other sports teams would be similarly affected. Was there anything that could be done?

It had been exceptionally wet and pitches right across Kirklees were affected unfortunately. Drainage schemes were expensive so were unlikely. Rob Dalby welcomed further discussion with affected groups.

District Committee - Batley and Spen - 21 January 2016

A suggestion put forward by a community group representative was willow tree planting.

- (b) Was there an intention to debate the draft Local Plan at a district committee Meeting?

The Local Plan was determined by the Council. Residents were encouraged to submit all responses directly through the consultation process by the deadline of 2 February 2016.

7 Neighbourhood Policing

Inspector Rauf outlined the staffing structure across the district, and the role of the Police Community Support Officers which included dealing with anti-social behaviour, and hate crime, linking with the Safer Communities Officer and problem solving.

Traffic Officers are deployed from Wakefield if needed.

The Neighbourhood Policing Team engaged with the public as much as possible within the resources available.

Inspector Rauf gave an update on current crime trends, highlighting that burglary had reduced.

Rates of theft from motor vehicles, shed break in's, and theft from commercial premises had not reduced. Patrols were being made in the areas affected and officers were working closely with Bradford Police.

Some arrests had been made with a spate of home invasion burglaries and further arrests were anticipated.

Officers were offering advice on crime prevention and safeguarding of commercial premises. Arrests had been made and investigations were ongoing.

A question and answer session followed relating to:-

- (a) Cross border crime and the police use of automatic number plate recognition and joint working arrangements with Bradford Police.
- (b) The issue of supermarket promotions being placed near store exits. The Neighbourhood Police Team were advising on crime prevention.
- (c) Home invasion crime and the Police strategy. The Police strategy included use of covert intelligence, closed circuit television, and automated number plate recognition.

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- (d) The Britain First Demonstration. Police liaise with demonstrating groups on their arrangements. Councillors were to be kept informed.
- (e) The Neighbourhood Policing Team ward arrangements were to commence on 15 February 2016. Although Liversedge and Gomersal ward and Cleckheaton ward arrangements were unlike the other wards in the district, cover was flexible and responsive to need.

Inspector Rauf was thanked for his presentation to the committee.

8 **Call Handling and Crime Management**

Sergeant Andrew Lockwood wished to raise public awareness of the standards that could be expected of Police response times.

The presentation outlined the standards that could be expected for the following categories of call – ‘emergency’, ‘priority’, ‘standard’ and ‘other’.

The criteria for categorising calls, was also explained.

Sergeant Lockwood emphasised that the Police aimed to respond within these time frames but issues such as volume of calls or location of resources could affect the response times.

Sergeant Lockwood defined potential critical incidents, explained issues that affected the deployment of officers and outlined some of the partnership arrangements in place.

The Police appointment system had been changed as missed appointments wasted Police resources. Police Officers may still arrange appointments if necessary.

Sergeant Lockwood invited the public to work with the Police to provide input relating to satisfaction levels or matters of concern.

A question and answer session followed relating to wasted appointments, Kirklees response times, 999 and 101 call logging arrangements, and perception of residents living on Kirklees border.

There was praise for the Neighbourhood Management Group arrangements.

Sergeant Lockwood was thanked for his informative presentation, and congratulated on his recent promotion.

Following the presentation, the committee and members of the public would assist in raising awareness of call handling and crime management.

The standards were made available on the Police website.

9 Grounds Maintenance Service Standards - Greenspaces

Rob Dalby explained the Gold, Silver, Bronze and Natural standards applied to parks and open spaces.

The standards were to be reviewed on an annual basis.

Natural areas still have management – officers were working with Yorkshire Wildlife Trust to get the maximum benefits from the Natural areas.

Work was ongoing to increase the influence and activity of friends groups which may release some service capacity.

It was important that the service and groups worked closely together to determine the tasks that could be completed by the service and those best undertaken by friends groups.

Rob Dalby responded to questions and explained that there would be site based management plans in place which would identify works required and how these might be delivered. Groups could be supported in kind but financial support would be more difficult.

Rob Dalby clarified that the report referred to schemes only under his management and not those vested in Housing Services etcetera.

The wet conditions had prevented grass cutting so areas appeared scruffy at present. That would be addressed as soon as possible.

The need for close liaison between Friends of Park groups and the service to ensure planting doesn't create issue with mowing was reiterated.

It was also highlighted by a member of the public that group insurance schemes were available and may be less costly than separate group insurance schemes.

The schedule of schemes and associated standards was endorsed by the committee and Rob Dalby was thanked for his presentation.

10 Estates and Environmental Works Budget

Noreen Beck explained the background to the report coming to the committee and the outcome of voting on proposed schemes at the Batley and Spen Valley Forum held on 3 December 2015.

The schemes highlighted in green were those being presented for approval. Other schemes still required further exploration and funding.

Noreen Beck acknowledged that the timescales to get the green schemes ready for approval had been very tight in order to ensure some allocation of funding this financial year. Future rounds hopefully would not be as tight in timescales.

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Noreen clarified that the intention to cost up other schemes and bring viable schemes, voted on at the next area forum meeting, to the committee for approval.

Consultation was through the area forum. All Councillors were invited to comment and attend.

The committee approved funding from the Estate and Environmental works budget, of all schemes highlighted in green, as set out in the report.

Noreen Beck was thanked for presenting the report.

11 Committee Budget Report

Budget balances were highlighted.

RESOLVED:-

Capital Approved –

Mobile Shelving for Heckmondwike Library - £6,588

Councillor David Sheard declared an 'other' interest as a member of Friends of Heckmondwike Library and did not take part in the decision making.

Revenue Approved –

Kirklees Dementia Action Alliance – development work in Batley and Spen district - £2,500 (£416.66 per ward).

12 Dates of Future Meetings

The next Batley and Spen District Committee meeting takes place on Tuesday 15 March 2016 at 7pm at Batley Town Hall.

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KIRKLEES COUNCIL

DISTRICT COMMITTEE - HUDDERSFIELD

Tuesday 2nd February 2016

Present: Councillor Naheed Mather (Chair)
Councillors C Burke, A Cooper, J Hughes, M Khan,
P McBride, A U Pinnock, P Scott, K Smith, M Sokhal,
J Stewart-Turner, S Ullah, L Wilkinson and G Wilson

Apologies: K Allison, J Calvert, M Hemingway, E Hill, C Pattison and
M Walton

In attendance: Approximately 30 members of the public

1 Welcomes and Introductions

The Chair welcomed everyone to the meeting and Councillors introduced themselves.

The Committee agreed to accept a late urgent item from Pub is the Hub (non-profit making organisation) who are supporting the Licensee at the Sun Pub in Lepton to develop a micro library for the village as the main Council Library is due to close early March. The grant application was considered under item 11 – devolved budget report.

2 Minutes of previous meeting

RESOLVED – That the minutes of the meeting of the Committee held on 1 December 2015 were approved as a correct record.

3 Interests

Councillor Burke declared an other interest in Agenda item 11 Committee Budget Report, Lindley Community Group grant for the reason that he is the chair of the group, and left the meeting during consideration of the item.

4 Admission of the public

RESOLVED – That all items be considered in public session.

5 Deputations / Petitions

There were no deputations or petitions.

6 Greenspace Service Standards

Rob Dalby, Parks and Greenspaces Manager at Kirklees Council explained the difference between Gold, Silver, Bronze and Natural maintenance standards to be applied to parks and greenspaces in 2016/2017. Each Councillor has been consulted on the service standards from each of the seven wards and changes have

District Committee - Huddersfield - 2 February 2016

been made accordingly. Councillor Scott identified one site in the Almondbury Ward, which was incorrect in the report which the officer agreed to address.

A number of questions were raised by the public which the Officer responded to. He emphasised that a range of groups and organisations will be engaged going forward to ensure a 'site based management approach' is adopted which takes into account the needs and aspirations for the future use and maintenance of our greenspaces with the community. He stressed the sites will be revisited in October 2016 to see if any changes need to be made.

RESOLVED - The District Committee noted the outcome of the consultation and endorsed the schedule of service standards for the district in 2016/2017.

7 **Police Call Handling and Crime Management**

In the absence of Sgt Andrew Lockwood – Sgt Graham Watson agreed at short notice to take the District Committee through the presentation setting out the differences between emergency, priority, standard and other responses when the Police receive calls from the public. He also explained what happens when an officer is deployed (or not) in order to ensure the public are fully aware of how all crimes are recorded and managed. Issues to be considered in categorising include; threat, harm, risk, investigation, vulnerability and engagement (THRIVE). The Crime Tasking Sergeant reviews all crimes that come in and ensures they have been recorded correctly and feed into the categorisation and response process.

A number of questions were raised by the public about the priority of responses. The Sergeant stressed emergency responses are a top priority and responded to as soon as possible, priority incidents are responded to within the hour.

RESOLVED – The Chair thanked Sgt Watson for his presentation and welcomed further updates from the Police on how the new procedures are working.

8 **Huddersfield Town Centre**

Andrew Jackson from Investment and Regeneration, Kirklees Council gave an update on key developments in the town centre. He gave an overview of the different levels of intervention and connections between Leeds City Region, Kirklees and the District Committee including the seven wards in which it serves and outlined the key strategic priorities for stimulating growth. Councillor Cooper asked how the District Committee will be involved in the future shaping of the town given Dewsbury District Committee appears to have more involvement in shaping their town. He went on to ask if Huddersfield District Committee will be engaged as a key driving body or a consultative one. Councillor McBride responded by stating the Huddersfield District Committee will be a consultative body only.

Councillor McBride also contributed by explaining how the priorities for Huddersfield are fed into the Combined Authority and the Leeds City Region.

RESOLVED - The Chair encouraged the public to contribute their views on 'what's good' about the town and informed the District Committee that a workshop will be arranged for the Huddersfield District Committee Members to enable further

discussions to take place on the future visioning for the town and the role of the District Committee going forward.

9 Estate and Environmental Works Budget (Housing Revenue Account)

Lisa White from Kirklees Neighbourhood Housing provided an update on progress following the recent Huddersfield Special Area Forum held on the 14 December 2015 where tenants and residents and Elected Members took part in a consultation and voting exercise on bids submitted for funding from the Estates and Environmental Works Budget.

RESOLVED - Members considered the report and approved funding for the schemes as voted on and prioritised by the Forum on the 14 December. Councillor Pinnock requested that the Stutely Grove Fencing Scheme in the Ashbrow ward be removed from the schedule of works in order to enable the funding to be used to upgrade the Farfield Road Fencing Scheme from wooden to metal in the Almondbury Ward. The Committee agreed this change to the list of schemes coming forward for approval.

10 Pub in the hub (not for profit organisation)

Trisha Hughes from 'Pub is the Hub' (a not for profit making organisation initiated through HRH the Prince of Wales in 2001) gave an informative presentation on the organisations aims and activities. The hubs experienced advisors help pubs across the country by encouraging the provision of viable local services eg micro libraries, cafés, post offices, cinemas, shops, computer training. The organisation has been asked to work with the Licensee from the Sun Pub in Lepton to establish a mirco library given the Council's library service in the village is closing in March 2016. The project has received a wide range of support from; local residents, the Council's library service, Parish Council, local Councillors and local community groups and organisations.

Councillor Scott asked if children and young people can access provision established in pubs which Trisha and the Licensee from the Sun Pub in Lepton responded to and provided reassurance that all issues of access, safe guarding and risk assessments are built into the process.

RESOLVED – The Chair thanked Trisha Hughes for the presentation and welcomed further updates if more establishments across the District take up the 'pub is the hub' model.

11 Committee Budget Report

Councillor Burke declared an other interest in Agenda item 11 Committee Budget Report, Lindley Community Group grant for the reason that he is the chair of the group, and left the meeting during consideration of the item.

The Committee budget balances were noted and applications for funding were considered.

The Committee noted the following:

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Fast Track commission – Ashbrow Ward – venue hire for the Ashbrow and Bradley Forum Meetings for 2016 - £1,000 revenue

Discretionary Grant – Ashbrow Ward – Whitehead Homes for environmental improvements - £100 revenue

Discretionary Grant – Ashbrow Ward – Chestnut Family Forum for an adult training course at Northern College - £500 revenue

Discretionary Grant – Lindley Ward – Cliffities Amateur Dramatic Group for a BSL interpreter - £200 revenue

RESOLVED – That the following applications be approved:

- (1) Late Urgent Item - £3,829.20 revenue grant – Pub is the Hub – Lepton Sun Pub - development of a micro library – Almondbury Ward. Councillor Wilkinson asked that it be noted she had not been consulted on this proposal and abstained from voting.
- (2) £5,200 – revenue grant to Lindley Community Group to host the 2016 Carnival and community 10k run – Lindley Ward. Councillor Wilson asked the secretary of the group, if they would welcome additional help in the planning and running the events. He emphasised that support from all ward councillors would be welcomed along with any other offers of help from local volunteers.
- (3) £28,000 – New Homes Bonus – Weatherhill Road Footway Development – Lindley Ward
- (4) £2,500 – New Homes Bonus – Kirklees Dementia Action Alliance – Raise awareness of dementia and create dementia friendly places across the district.
- (5) £52,000.00 – Capital – Streetscene Improvements to Woburn Drive – Waterloo and The Paddock – Kirkheaton – Dalton Ward

12 Public Question Time

Three questions were asked by the public:

What happens with the Japanese Knotweed, which has been untreated on/by Thewliss Lane Open Space – has the Council a responsibility to address this problem? Can the issue be investigated as soon as possible?

What is the Council doing about the increasing problem of vegetation growing over paths and roads around our public open spaces – what is the Council's position on maintaining these public areas and responding to issues raised by the public, particularly when signage is being affected?

Who built the lift in the Packhorse Centre – there are problems with closing the lift doors – can this be resolved?

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RESOLVED - The Chair asked that the questions be referred onto the relevant team in the Council and the Manager of the Packhorse Centre to respond directly to the residents.

13 Dates of future meetings

RESOLVED - the last public meeting of this municipal year will be on 22 March, 7pm at Huddersfield Town Hall – everyone welcome.

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KIRKLEES COUNCIL

DISTRICT COMMITTEE - KIRKLEES RURAL

Thursday 25th February 2016

Present: Councillor Edgar Holroyd-Doveton (Chair)
Councillors B Armer, D Bellamy, J Dodds, D Firth, C Greaves,
C Iredale, T Lyons, A Marchington, H Richards, J Taylor, G Turner,
N Turner, M Watson, Armitage, Blanshard, Brook and Moores

Co-optees: K Armitage, Blanshard, Brook and Moores

Parish Council Representatives: M Blanshard and R Brook

Apologies: R Barraclough, N Patrick, D Ridgway and K Sims

In attendance: Approximately 22 members of public

1 Welcomes and Introductions

Committee members introduced themselves. Thanks were recorded to Robert Bamforth for his contribution as a co-opted member of the committee.

2 Minutes of previous meeting

RESOLVED – That the minutes of the meeting of the Committee held on 26 November 2015 be approved as a correct record.

3 Interests

Councillor G Turner declared an other interest in item 8, grant application regarding Skelmanthorpe Library building by Denby Dale Parish Council, as a member of the Parish Council, and remained in the meeting.

Parish Council representative R Brook declared an other interest in item 8, grant application regarding Skelmanthorpe Library building by Denby Dale Parish Council, as a member of the Parish Council, and remained in the meeting.

Parish Council representative M Blanshard declared an other interest in item 8, grant application regarding Skelmanthorpe Library building by Denby Dale Parish Council, as a member of the Parish Council, and remained in the meeting.

4 Admission of the public

It was agreed that all items would be discussed in public session.

5 Deputations / Petitions

No deputations or petitions were received.

6 Neighbourhood Policing Team Update

Sergeant Hayley Marsland and Police Constable Sally Baines gave an update on crime and safety initiatives in the Kirklees Rural area.

Police Officers in the rural team were designated to specific wards. Police Constable Baines gave an update for the Dearne Valley (Denby Dale and Kirkburton). There were some incidents of youths hanging around in different areas. Police Constable Baines undertook to investigate illegal parking on the pavement in Flockton and to carry out speed enforcement checks at the Sovereign Cross Roads.

RESOLVED – That Sergeant Marsland and Police Constable Baines be thanked for their update.

7 Greenspace Service Standards - Rural District

The Committee considered a report by Nigel Hancock, Streetscene and Housing Service which informed of the service standards to be applied to maintenance of parks greenspaces in 2016.

Following a trial of revised standards in 2015 Councillors were consulted on their own wards in the district area. As a result changes have been made. Volunteer groups will be encouraged to work with the Council and there will be a further review of standards in September/ October 2016. Kirklees Natural Wildlife Trust would be working with the Council to ensure that natural areas are clear for people to use, there would be a rigorous maintenance regime.

A ward level breakdown will be sent to Councillors for information. A catalogue will be available of sites where work will be delayed at the start of the season due to the wet weather and risk of damage to machinery.

Where a gold, silver or bronze area is adjacent to a natural area, if it is by properties or facilities the boundary will be mown but if by woodland the boundary will not be mown.

Nigel undertook to look into cutting of brambles on the bank at Shelley Green Meadow and the cutting of hedges in the field at Coal Pit Lane, New Mill (by the Scout Hut).

RESOLVED – That the outcome of the consultation on service standards which will be implemented in April 2016 be noted.

8 District Committee Delegated Budgets

(Councillor G Turner declared an other interest in item 8, grant application regarding Skelmanthorpe Library building by Denby Dale Parish Council, as a member of the Parish Council, and remained in the meeting.

Parish Council representative R Brook declared an other interest in item 8, grant application regarding Skelmanthorpe Library building by Denby Dale Parish Council, as a member of the Parish Council, and remained in the meeting.

District Committee - Kirklees Rural - 25 February 2016

Parish Council representative M Blanshard declared an other interest in item 8, grant application regarding Skelmanthorpe Library building by Denby Dale Parish Council, as a member of the Parish Council, and remained in the meeting).

The Committee considered applications for funding and made the following decisions.

RESOLVED :-

- (1) That the following applications be approved as follows:
 - (a) £30k (revenue £4,661.43 and capital £25,339.57) for streetscene improvement in Holme Valley North Ward, the work done to be reported to the Committee.
 - (b) £19,800 (New Homes Bonus) grant to Denby Dale Parish Council for new doors and windows at Skelmanthorpe Library building.
 - (c) £19,000 (New Homes Bonus) to resurface footpath off Wessenden Head Road, Meltham.
 - (d) £2,500 grant to Kirklees Dementia Alliance to raise awareness of dementia with local communities across the Kirklees Rural district.
 - (e) £2,000 to resurface a section of footpath off Wood Lane, Thunderbridge.
 - (f) £900 grant to Aspire Co-operative Learning Trust for a mobile exhibition for the Life of Wilson project.
 - (g) £800 for speed indicator devices in the Holme Valley North Ward in 2015 – 2016.
 - (h) £350 for Heroes are Welcome stickers for display in shops and organisations in the Denby Dale Ward.
 - (i) £300 for a litter bin on River Street, Milnsbridge.
- (2) That the following decisions be noted:
 - (a) £500 discretionary grant to Marsden Football Club.
 - (b) £500 discretionary grant to Holme Residents Association towards transfer of public toilets.
 - (c) £414 underspend to return to committee budget regarding Marsden Walkers are Welcome project approved on 30 July 2013.

District Committee - Kirklees Rural - 25 February 2016

The Committee considered schemes put forward from the area forum meeting held on 16th December 2015.

RESOLVED - That the following schemes be approved, and noted that the schemes without costings will be put forward to a future committee meeting for decision:

- (a) £14,672 for metal fencing to communal boundaries at Burhouse Court, Honley.
- (b) £4,050 for replacement surface to footpath Lime Grove, Golcar.
- (c) £6,000 for environmental works at Deacon Close, Meltham.
- (d) £7,640 for improvements to fencing at Beech Avenue, Golcar.
- (e) £5,000 to create a green walkway on the Woods Estate, Marsden.
- (f) £8,600 for re-surfacing of lane to rear of Barnsley Road, Flockton.

10

Calderdale and Huddersfield Hospital Proposals for Service Changes

The Chair explained that the Committee's Health Portfolio Group had felt it important that the rural district should have the opportunity to put forward views on how hospital service changes will affect local residents and local communities.

Technically there were not yet any proposals in the public domain as the public consultation has not yet been announced.

Councillor Andrew Marchington provided information on the forthcoming public consultation process, the role of scrutiny and how people could put their views forward. Both Councillors Marchington and Robert Barraclough are members of the Joint Calderdale and Kirklees Health Scrutiny Panel which will look at and comment on the proposals put forward by the Greater Huddersfield Clinical Commissioning Group (CCG). If the Scrutiny Panel does not agree with the proposal it can refer them to an independent adjudicator for final decision.

As part of the consultation process the Clinical Commissioning Group would be holding local roadshows to answer questions and concerns from the public including Shepley, Skelmanthorpe, Emley, Clayton West, Holmfirth, Honley, Meltham and Milnsbridge. Email addresses would be provided to feed in views. The Scrutiny Panel would be holding six meetings in public to look at specific themes as well as two meetings to receive deputations from the public.

There are issues of particular concern to the rural area. Scrutiny has asked the Clinical Commissioning Group for a detailed travel analysis from specific locations and villages to services for users and their families. The impact on neighbouring local authorities will be looked at. The work by Scrutiny will be evidence based. Any views submitted to the consultation should include how the proposals impact on use of services or examples of experiences.

District Committee - Kirklees Rural - 25 February 2016

Points and questions made at the meeting were:

- (a) Will the travel analysis be about clinical impact only or include a broader impact on the local economy and whether more transport resources will be needed. The Ambulance Service will be consulted and asked how they will deliver to rural areas.
- (b) If there are more car journeys to services will the impact on congestion and air pollution be taken into account.
- (c) How will the “golden hour” in which to treat people be met from parts of the rural area like Denby Dale and Kirkburton if it is rush hour traffic.
- (d) Strokes cannot be treated in ambulances, people need to get to hospital to get the right drugs and time is important.
- (e) Similar questions had been asked of maternity services a few years ago, people were now going to Barnsley and Wakefield instead. In Kirkburton residents travel to Dewsbury, what is the impact there. The Joint Dewsbury and Wakefield scrutiny panel is looking at that.
- (f) Will ambulance service bases change so that travel works across the region and there needs to be consideration of Kirklees as a unit.
- (g) The parking of ambulances at Calderdale Hospital is a concern .
- (h) Bad weather or an accident on the M62 causes widespread grid lock, how will emergencies at these times be dealt with.
- (i) What will be the impact on elective surgery.
- (j) Ambulance response times to Holmfirth have not managed to meet the eight minute time limit for a number of years, how will they manage with the extra distances.

It was noted that the full Council meeting will discuss the proposal on 16th March 2016.

RESOLVED – That local residents be encouraged to feed their issues directly into the public consultation with evidence, that the issues raised in the meeting be forwarded to Scrutiny and that a representative from the Greater Huddersfield Clinical Commissioning Group be invited to the next meeting.

11 Public Question Time

The Committee was asked whether it has a view on the location of the proposed skate park in Highburton. Councillor Taylor gave a response.

District Committee - Kirklees Rural - 25 February 2016

The Committee was asked whether it monitored local lighting issues. Councillor Taylor responded that he is monitoring the issue raised in Highburton.

12 Date of Next Meeting

The date of the next meeting of the Committee on 24th March 2016 at 7pm was noted.

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

HEALTH AND WELLBEING BOARD

Thursday 25th February 2016

- Present: Councillor Viv Kendrick (Chair)
Councillor Donna Bellamy
Councillor Erin Hill
Kiran Bali
Rory Deighton
Chris Dowse
Carol McKenna
Dr Steve Ollerton
Richard Parry
Vanessa Stirum
Rachel Spencer-Henshall
- Apologies: Councillor Jean Calvert
Dr David Kelly
Alison O'Sullivan
Kathryn Hilliam
Chief Superintendent Steve Cotter
- In attendance: Robert Flack, Phil Longworth, Lyndon Peasley, Grace Duthie, Fatima Khan-Shah, Portia Roberts-Popham and Jenny Bryce-Chan

96 Membership of the Board/Apologies

The Board noted the following substitutions;

Catherine Riley for Owen Williams
Keith Smith for Alison O'Sullivan
Dr Nadeem Ghafoor for Dr David Kelly
Karen Taylor for Steven Michael
Ruth Unwin for Steven Eames

97 Minutes of previous meeting

The Minutes of the meeting held on 28 January 2016 were agreed as a correct record.

98 Interests

No interests were declared.

99 Admission of the Public

All Agenda items were considered in public session.

100 Deputations/Petitions

No deputations or petitions were received.

101 Public Question Time

No questions were asked.

102 Kirklees Carers Charter

Fatima Khan-Shah and Portia Roberts-Popham attended the meeting to present the Carers Charter (Kirklees). The Board was advised that health and social care is currently going through very big changes and carers are a pivotal part of the partnership not previously recognised. The cost to the economy if carers were unable to provide care would equate to an additional £856 million per year, therefore there is a business case for supporting carers.

The idea of the Carers Charter originated from a meeting with North Kirklees Commissioning Group and over the last few months it has developed into a partnership with carers, Kirklees Council, North Kirklees CCG and Greater Huddersfield CCG. The aim is to encourage organisations in Kirklees to adopt carer friendly practices and create a culture of positive change over time.

The intention is to target future NHS and social care users as carers are twice as likely to be permanently sick or disabled and need to receive the right support and timely interventions to prevent becoming service users themselves.

Investors in carers will develop as a social enterprise which owns and manages the Carers Charter. The aspiration is that it gets the same recognition as Investors in People. It has been created to encourage organisations that provide services to carers to become affiliated. If the Carers Panel think an organisation is doing well it will award the charter which lasts for one year.

In response to the information presented the Board asked how it could support the Charter and was advised that it could help by endorsing the approach, advocating on behalf of the Carers Charter and encouraging Board member organisations to sign up to the Charter.

The Board was informed that there would be a launch event and members were welcomed to attend.

RESOLVED:

- 1) That Fatima Khan-Shah and Portia Roberts-Popham be thanked for presenting information on the Carers Charter (Kirklees)
- 2) That the Board fully endorses the Carers Charter (Kirklees)
- 3) That a further update be provided at a future Board meeting.

103 Care Closer to Home Implementation Update

Robert Flack, Chief Executive, Locala, updated the Board on the Care Closer to Home Implementation. In summary, the Board was informed that since the contract was signed in September 2015, adult care provides a twenty four hour, 7 days a

week service and a single point of contact telephone line which includes clinicians. There were initial teething problems however things had since improved.

Employees are now spending much longer with patients on the first appointment to really get to know what they need and to put clear plans in place. Patients are also encouraged to play a more active role in decisions about their care.

There is a different skill mix amongst staff in the workforce and the intention is for them to work in a more joined up way with social care teams, local health partners including GPs and the Voluntary and Community Sector. In addition there are a number of social isolation teams based across Kirklees.

The Board was informed that video appointments are offered where appropriate and there has been some success with this. Respiratory service is still being developed and there is more to come and there is a target to see everyone deemed urgent within 2 hours.

RESOLVED:

- 1) That Mr Flack be thanked for providing an update on Care Closer to home.
- 2) That a further update be provided at a future Board meeting.

104 KSAB 3 Year Strategic Plan

Mike Houghton-Evans, Independent Chair of the Kirklees Safeguarding Adult Board (KSAB) attended the meeting to present the first KSAB 3 year Strategic Plan. The Board was advised that it is the first time that the KSAB has had an independent chair, and; in Kirklees there is a very strong shift to make it more independent.

Kirklees has a well-established Safeguarding Adults Board and the aim is to ensure that it provides sufficient challenge to safeguard the people of Kirklees whilst promoting an environment where abuse is prevented.

Mr Houghton-Evans explained that it is important that KSAB does not get bogged down in day to day issues and lose its strategic focus and work had started to enable the Board to be more outward focused. Meetings will take place with Chief Executive of each organisation to see if the membership of KSAB is right and relationships are already forming with Community Safety Partnership and the Children's Safeguarding Board.

The Board was informed that the Care Act requires KSAB to develop a 3-5 year strategic plan which sets out the Board's vision for the next few years, always looking 2 years forward and developed alongside a work programme. In developing the plan it is hoped that it is easy to read and written in plain language.

There is a plan and work programme therefore work can start to describe and map out what resources will be needed and who can contribute as it is important that members are able to commit resources.

Some of the areas of focus will be on genital mutilation, Child Sexual Exploitation and prevention will be a big part of the work.

The one area that stands out in Kirklees is having no input from police however this is being put addressed.

The Board was advised that Safeguarding week which is to be held jointly with the Children's Board and with other local authorities will be week commencing 17th October 2016.

RESOLVED:

- 1) That Mike Houghton-Evans be thanked for presenting the KSAB Strategic Plan 2015-18.
- 2) That a progress update will be provided at a future Board meeting

105 Minutes of CSE & Safeguarding Member Panel

The Board considered the minutes of the Child Sexual Exploitation and Safeguarding Panel held on the 9 December 2015 and 7 January 2016.

RESOLVED:

That the minutes of the Child Sexual Exploitation and Safeguarding Panel held on the 9 December 2015 and 7 January 2016 be received and noted by the Board.

106 Date of next meeting

RESOLVED:

The next meeting of the Health and Wellbeing Board will be held on the 31 March 2016 in The Council Chamber in Dewsbury.

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

HEALTH AND WELLBEING BOARD

Thursday 31st March 2016

Present: Councillor Viv Kendrick (Chair)
Councillor Erin Hill
Kiran Bali
Rory Deighton
Dr Steve Ollerton
Sarah Callaghan
Rachel Spencer-Henshall

Apologies: Alison O'Sullivan

Observers: Sharon Lowrie – Locala

107 Membership of the Board/Apologies

The Board noted the following substitutions:

Catherine Riley for Owen Williams
Dr Nadeem Ghafoor for Dr David Kelly
Vicky Dutchburn for Carol McKenna
Helen Severns for Chris Dowse
Sharon Lowrie for Robert Flack
Cllr Gemma Wilson for Cllr Donna Bellamy

The Board welcomed Sarah Callaghan, Director for Children and Young People, Kirklees Council and Martin Barkley Chief Executive from Mid Yorkshire Hospitals NHS Trust

Apologies for absence were received from: Cllr Donna Bellamy, Cllr Jean Calvert, Dr David Kelly, Chief Superintendent Steve Cotter, Robert Flack, Adrian Lythgo, Vanessa Stirum, Cllr Gemma Wilson and Karen Taylor

108 Minutes of previous meeting

RESOLVED – That the minutes of the meeting held on the 25 February 2016 be agreed subject to the correction of a grammatical error on page 3.

109 Interests

No interests were declared.

110 Admission of the Public

All agenda items were considered in public session.

111 Deputations/Petitions

No deputations or petitions were received.

112 Domestic Abuse Strategy

Lee Thompson, Head of Safeguarding and Social Work and Alexia Gray, Service Manager Domestic Abuse and Safeguarding Partnerships attended the meeting to present the Domestic Abuse Strategy 2015-18. In summary, the Board was informed that domestic abuse is a complex and controversial issue with children being present in a third of local domestic abuse incidents. Victims are often affected by other factors such as poverty, drugs, alcohol, mental ill health and poor parenting. Forced marriage, honour based violence and female genital mutilation is included in the definition of domestic abuse.

Domestic abuse is a priority for Kirklees and the strategy has been developed in partnership with the Police, Health Service, Probation Service and the voluntary sector. It links to wider Kirklees strategies including the Safer Kirklees Plan, Joint Health and Wellbeing Strategy and the work of the Local Safeguarding Children's Board and Adults Safeguarding Board. Maintaining regular links into Safeguarding Boards and the Health and Wellbeing Board is important.

The Board was informed that important areas of focus are on early intervention and prevention and targeting services working with victims adults and children to reduce the impact. It is also important to understand what services are available, pathways to access and to identify where services are working in isolation or if there is any duplication.

Data from a number of sources has been collated to provide an indication of prevalence and to start to map demand for services although it is believed there is underreporting particularly in respect of some groups. There is also a growing incidence of domestic abuse by children against parents. There is still work to do on data collection.

The Domestic Abuse action plan is currently being reviewed for the year ahead, however much progress has been made. Recruitment to the Service Manager post finished in February 2016. A successful campaign to raise awareness with the launch of a video on the 1st of March called 'it's never ok' has had a positive response. The action plan to support the Strategy is due to be refreshed at the next Domestic Abuse Strategy Group to identify year two actions.

The Board was advised that the Multi Agency Risk Assessment Co-ordinator role only has funding in place until 2017. Whilst collective partnership efforts have ensured funding for five Independent Domestic Abuse Advocates longer term the service cannot be sustained beyond this.

Board members were asked to note the information presented and assist in the identification of partnership funding opportunities to support the implementation of the Strategy.

RESOLVED -

(a) That the Board notes the progress of the work undertaken to address priorities in the Strategy

(b) That the financial implications be noted

(c) That further updates will be received by the Board at timely intervals

113 Kirklees Better Care Plan 2016/17

Phil Longworth, Health Policy Officer advised the Board that the 2015/16 Kirklees Better Care Plan is being updated for 2016/17, and will include a high level narrative plan and a finance and performance template as required by NHS England.

The Better Care Fund is a national pooling of existing funding sources from within the Clinical Commissioning Groups and the Local Authorities. Preparation of jointly agreed Better Care Plans is a requirement of Better Care Fund (BCF).

The intention is to put some BCF money into Care Trak to pull together social care and NHS data flows. This is to understand how people are flowing through the system and to get a better understanding of who the lead accountable professional is.

Developments are being planned to:

- Improve integration across a range of services including reablement and intermediate care.
- Develop a consistent approach to accountable lead professionals, care plans and care management.
- Better co-ordinate the approach to Continuing Care across health and social care.
- Have a local work plan for reducing Delayed Transfers Care.
- Develop the local digital road map which will shape the digital elements of the plan.

Guidance on developing the BCF plans was published on the 23 February and the timing of submission is the 26th April 2 days before the next meeting of the Health and Wellbeing Board therefore the timescale will not allow the plan to be brought back to the board.

The Board was asked to delegate the sign off of the final version of the plan to the Director for Commissioning, Public Health and Adult Social Care in consultation with the Chair of the Board and nominated representatives from the Clinical Commissioning Groups.

RESOLVED -

(a) That the work under taken to update the 2015/16 Better Care Plan and develop the high level narrative be noted

(b) That delegated authority be given to the Director for Commissioning, Public Health and Adult Social Care in consultation with the Chair of the Board and nominated representatives from the CCG's

114 NHS Planning Guidance Sustainability Transformation Plan

Phil Longworth and Rachel Millson, Business Planning Manager, North Kirklees Clinical Commissioning Group updated the Board on the work that has been undertaken to date, to develop the Sustainability Transformation Plan (STP).

The Board was advised that Carol Mckenna, Chief Officer, Greater Huddersfield Clinical Commissioning Group had been nominated as the accountable officer responsible for the development of the local STP. A letters would be going out advising of this and the work required to develop the plan.

The Board was informed that guidance is being produced on a regular basis and the latest guidance poses 10 big questions that need to be addressed as part of developing the plan.

The intention is that there will be 6 place based, primary STP's for Calderdale, Bradford, Kirklees, Leeds, Wakefield and Harrogate and a West Yorkshire, Secondary STP. The West Yorkshire plan will have as its focus, Urgent and Emergency Care Networks, Mental Health, Cancer and Specialist Commissioning.

To date the following has been agreed:

- The footprint the plans will be developed across
- Development of a communication and engagement plan
- That Health and Wellbeing Board will be responsible for overseeing the STP and identifying key stakeholders from across all organisations

Work is progressing across Healthy Futures and a date for the workshop has been agreed.

The Board was advised that each STP area on a primary and secondary footprint is asked to make a submission by 15 April 2016, focusing on two specific questions. Submission of the full plan to national bodies must be by the 30 June 2016.

RESOLVED -

(a) That the update on the STP be received and noted by the Board.

(b) That the Board provide a response to the specific areas that the STP is required to address.

115 Minutes of CSE & Safeguarding Member Panel

The Board considered the minutes of the Child Sexual Exploitation and Safeguarding Panel held on the 3 February 2016.

RESOLVED -

That the minutes of the Child Sexual Exploitation and Safeguarding Panel held on the 3 February 2016, be received and noted by the Board.

116 Date of next meeting

RESOLVED - That the next meeting of the Health and Wellbeing Board will be held on 28 April 2016, in meeting room 3 – Huddersfield Town Hall.

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

LICENSING AND SAFETY COMMITTEE

Monday 18th January 2016

Present: Councillor Ken Smith (Chair)
Councillor Mahmood Akhtar
Councillor Bill Armer
Councillor Christine Iredale
Councillor Carole Pattison
Councillor Amanda Pinnock
Councillor Hilary Richards
Councillor David Ridgway
Councillor Michael Watson
Councillor Amanda Stubbley

Apologies: Councillor Marielle O'Neill
Councillor Mohan Sokhal

In attendance: Jenny Bryce-Chan, Principal Governance and Democratic
Engagement Officer
Yolande Myers, Governance and Democratic
Engagement Officer
John Chapman, Legal Officer
Cath Walter, Licensing Local Land Charge and Highways
Registry Manager
Paul Kemp, Assistant Director

1 Membership of the Committee

No substitutions were made.

2 Minutes of Previous Meeting

The Minutes of the meeting of the Committee held on 4 November 2015 were approved as a correct record.

3 Interests

No interests were declared.

4 Admission of the Public

The Committee considered the question of the exclusion of the public and determined that all items be taken in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were asked.

7 Constitution - Revised Scheme of Delegation

The Committee considered a report to note proposals to additions and amendments of the Scheme of Delegation in relation to the Town and Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

The Committee noted the decisions made at the Corporate and Governance Audit Committee held on the 15 January 2016.

RESOLVED - That the Licensing and Safety Committee approve the changes to the Delegation Scheme as outlined and to delegate the authority to the Assistant Director, Legal Governance and Monitoring to make the appropriate amendments and any consequential changes to the Constitution.

8 Constitution - Taxi and Private Hire Vehicles: Delegation of Enforcement Powers

The Committee considered a report and noted the additions and amendments to the Scheme of Delegation in relation to Enforcement Powers under the Town Police Clauses Act 1847 and the Local Government (Miscellaneous Provisions) Act 1976.

The Licensing and Safety Committee noted the decisions of the Corporate Governance and Audit Committee held on 15 January 2016.

RESOLVED -

That the Committee agree that the Taxi and Private Hire Enforcement Powers as set out at paragraph 3.8 of the report be delegated by Kirklees Council to the other West Yorkshire Authorities and City of York Council, as well as being retained by Kirklees Council as Licensing Authority as detailed in paragraph 3.1.

That the Committee agree to Kirklees Council receiving similar delegated Enforcement Power from other West Yorkshire and City of York Authorities.

That authority be delegated to the Assistant Director (Legal, Governance and Monitoring) to make the appropriate amendments, and any consequential changes to the Constitution.

That the Assistant Director, Legal, Governance and Monitoring be asked to investigate the possibility of also delegating Enforcement Authority in respect of Authorities not listed within paragraph 3.1, in instances where drivers apply for trade in Kirklees and to make the appropriate Constitutional amendments to this delegation.

Contact Officer: Jenny Bryce-Chan

KIRKLEES COUNCIL

LICENSING AND SAFETY COMMITTEE

Thursday 24th March 2016

Present: Councillor Ken Smith (Chair)
Councillor Mahmood Akhtar
Councillor Bill Armer
Councillor Christine Iredale
Councillor Carole Pattison
Councillor David Ridgway
Councillor Mohan Sokhal
Councillor Michael Watson
Councillor Donna Bellamy

Apologies: Councillor Andrew Palfreeman

In attendance:

Observers:

1 Membership of the Committee

Councillor Donna Bellamy substituted for Councillor Andrew Palfreeman

2 Minutes of Previous Meeting

That the Minutes of the meeting of the Committee held on 18 January 2016, be agreed as a correct record.

3 Interests

Councillor B Armer declared an 'other' interest in that in respect of agenda item 9 he knows the applicant and some of the witnesses.

Councillor C Iredale declared that she had been lobbied on the application to register land off Marsh Lane, Shepley as a Town and Village Green (agenda item 9).

4 Admission of the Public

The Committee considered the question of the exclusion of the public and determined that all the items be taken in public session.

5 Deputations/Petitions

No deputations or petitions received.

6 Public Question Time

No questions were asked.

7 Regulation of Cosmetic Piercing and Skin Colouring Business

The Committee considered a report seeking approval to adopt the 'Model Byelaws' produced by the Department of Health in relation to the regulation of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis.

RESOLVED - That 'Model Byelaws' produced by the Department of Health in relation to the regulation of acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing and electrolysis be adopted.

8 Assessment Criteria and Convictions Policy for Licensed Drivers

The Committee considered a report outlining revision to the policy on the relevance of criminal conduct, unsavoury conduct and complaints against licence holders and applicants for licence.

RESOLVED - that revision to the Assessment Criteria and conviction Policy for Licensed Drivers be approved.

9 Application to register land off Marsh Lane, Shepley as a Town or Village Green

The Committee considered a report seeking to register land off Marsh Lane Shepley as a Town or Village Green.

RESOLVED - That the registration of the land off Marsh Lane, Shepley be approved as a Town or Village Green.

Contact Officer: Penny Bunker

KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Monday 7th March 2016

Present: Councillor Julie Stewart-Turner (Chair)
Councillor David Hall
Councillor Carole Pattison

Apologies: Councillor Cahal Burke

In attendance: Kim Brear, Assistant Director, Place
Linda Beckett, Project Manager Economic Resilience
Steve Hanley, Principal Engineer
Alison Morby, Sport and Physical Activity Development
Manager
Alison Millbourne, Health Improvement Practitioner

89 Membership of Committee

Apologies for absence were received from Councillor Burke.

90 Minutes of Previous Meeting

RESOLVED - The Minutes of the meeting of the Committee held on 15 February 2016 were approved as a correct record.

91 Interests

There were no interests declared.

92 Admission of the Public

The Committee resolved that all agenda items be considered in public session.

93 Economic Resilience

Kim Brear, Assistant Director, Place attended the Committee meeting to give a presentation on the current position regarding the Economic Resilience work stream.

The presentation established the context for the Economic Resilience work which linked to the Joint Health and Wellbeing Strategy and the Kirklees Economic Strategy. Economic Resilience was being considered in the context of individuals, communities, businesses and the economy. The presentation indicated that the Kirklees definition of Economic Resilience was the sustainable combination of:

Overview and Scrutiny Management Committee - 7 March 2016

- * Economic competitiveness and profitable businesses
- * Skilled, able and healthy people and communities, with good employment rates and incomes
- * High quality places, environments and infrastructure that support business, health and quality of life

The Management Committee welcomed the clarity around the different focuses of the Economic Resilience work but questioned whether there was a risk of spreading reducing resources too thinly and whether the Council would be better concentrating on prioritised areas where it could have a direct influence.

Ms Brear indicated that as part of budget reductions a number of things would be changing and some areas would cease, others would be reshaped and reprioritised. The Economic Resilience work was at a testing stage, but there would be a need to look at where the Council could get the greatest impact and what was the appropriate role to play.

There was a brief discussion on whether funding allocating for Economic Resilience could be used to reinstate funding that had been reduced through other budgetary resources. Ms Brear indicated that it was important to focus funding in a strategic long term way and develop an integrated approach to inward investment.

The presentation continued to outline the aims of the ER work programme which included:

- * Redefining the role the Council would play and how it will work with communities, business and other key stakeholders
- * Align strategic priorities locally and regionally to maximise inward investment
- * Make the best use of assets and resources
- * Complement/contribute to Early Intervention and Prevention

The scope of the Economic Resilience work had focused on 4 main work areas which were business, people (enterprise and skills), place and the cross cutting theme of community, health and quality of life. Work was focused on an evidence based approach based on local intelligence, opportunities, testing and prototypes.

Ms Brear indicated that a cross cutting core approach was being developed to Economic Resilience work which included:

- * Working together using joint intelligent and analysis to guide the approach
- * Multi skilled teams
- * Ability to flex up (and/or down) capacity according to the need/scale of inward investment
- * Proactive but targeted engagement with key partners
- * Limited direct delivery and more influencing, enabling and commissioning
- * Technology driven self-serve offer
- * Co-location or virtual teams to drive an integrated approach
- * Partnership working
- * Voluntary and community sector resilience - building the capacity for sector to support itself; specialist assistants to bid for and secure external investment

Whilst supportive of the core approach the Management Committee queried whether the necessary resources were available. It was noted that experience had been lost nationally in some areas. It was felt that there needed to be a regional approach to tackle the issue regarding technical expertise to take the programme forward.

Ms Brear continued to outline the emerging products under the core areas of place, business and people. These were focused on things that only the Council could do. It was noted that with a focus on vibrant town centres and successful neighbourhoods, major developments would be considered in terms of delivering the greatest impacts alongside a cultural offer to attract investment which contributed to vibrancy. The Management Committee noted that community safety was also within the scope of Economic Resilience. In relation to business, a universal online offer via business hub to businesses, start-ups and enterprise was in development.

The Management Committee suggested that improvements could be made in how Kirklees marketed itself nationally. It was felt that the district lacked profile nationally. The Management Committee discussed the challenges of a viable retail offer given the online trend towards retail. It was suggested that the leisure and cultural offer was a means by which footfall was generated within town centres.

The presentation continued to set out achievements over the last 12 months in respect of place, people and business. Achievements included 543 Kirklees businesses having benefited from the Super Connected Cities Voucher Fund. The creation of 111 jobs as a result of Council interventions with the Leeds City Region Business Growth Programme. To date the Council had used approximately £1m in public funding to leverage £7.7m of private sector investment. Management Committee considered that the achievements over the last 12 months were good news and as such the Council should seek to publicise the positive performance.

Ms Brear continued to outline the next steps for the work which included Member engagement and involvement. There was also ongoing engagement and involvement of staff to ensure that as part of service planning, pieces of work are joined up. It was anticipated that future options and alignment to the financial strategy would be finalised in summer 2016 with a view to commencing implementation from autumn 2016 onwards.

The Management Committee thanked Ms Brear for her informative presentation and continued to discuss how small and medium enterprises would be included within the consultation. In continuing to discuss the focus on town centres it was suggested that perhaps more radical transitions were required in order to achieve significant change. A medium to long term vision, such as that used at Gateshead or Sheffield, was required to initially identify short term steps but then focus on the delivery of a longer term vision. It was suggested that such a plan was needed to ensure buy in. If it was seen that the focus was just on specific parts of the borough this could lead to resentment and disengagement.

RESOLVED -

(1) That Kim Brear be thanked for attending and for her informative presentation.

(2) That officers consider the points raised by the Management Committee, in particular the communications strategy for promoting the Kirklees area externally, consultation with small and medium sized enterprises, a cross borough plan to facilitate Councillor ownership and exploring the need for more radical transformational solutions in some areas.

(3) That a further update report be submitted to the Management Committee in the new municipal year.

94 Scrutiny Recommendations 2015/2016

The Management Committee noted that with the establishment of a revised Scrutiny structure, the majority of recommendations would come through the Management Committee. The report set out recommendations that had been made to Cabinet, or partners, during the 2015/2016 municipal year.

The Management Committee noted that whilst 2 Ad Hoc Scrutiny Panels were due to report shortly, the majority of recommendations within the report had been as a result of Call-ins. Where those recommendations had been agreed by Cabinet there was evidence that activity had taken place and the recommendations were complete.

RESOLVED - The Committee noted progress against recommendations made during 2015/16 and noted that most recommendations were complete.

95 Date of Next Meeting and Forward Agenda Plan

The Management Committee considered arrangements for its next meeting and agreed that it would take place on Monday 4 April 2016 at 9.30am.

The Committee then continued to look at its forward agenda plan for the remainder of the municipal year.

RESOLVED -

(1) That Councillor Palfreeman be invited to attend the meeting of the Committee on 25 April 2016 to provide an update on the work of the Member Commission (to avoid duplication) and an outline of the Democracy Commission.

(2) That the Play Strategy be put on the forward work programme with a view to pre scrutiny.

(3) That the next meeting of the Committee be held on Monday 4 April 2016 at 9.30am.

Contact Officer: Penny Bunker

KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Monday 4th April 2016

Present: Councillor Julie Stewart-Turner (Chair)
Councillor Cahal Burke
Councillor David Hall
Councillor Carole Pattison
Richard Burge (Co-optee)
Fatima Khan-Shah (Co-optee)

In attendance: Councillor Smaje, Chair of the Health and Social Care
Scrutiny Panel
Richard Dunne, Principal Governance and Democratic
Engagement Officer
Councillor Erin Hill, Cabinet Member for Family Support
and Protection
Sue Richards, Assistant Director for Early Intervention &
Prevention
Kathryn Loftus, Head of Change (EIP)
Gill Ellis, Assistant Director for Learning and Skills
Liz Singleton, Deputy Assistant Director
Penny Bunker, Governance and Democratic Engagement
Manager
Alaina McGlade, Governance and Democratic
Engagement Officer

96 Membership of Committee

There were no apologies for absence received.

97 Minutes of Previous Meeting

The Minutes of the meeting of the Committee held on 7 March 2016 were agreed as a correct record.

98 Interests

Fatima Khan-Shah declared an interest in relation to Item 4, Early Intervention and Prevention in Children and Young People's Services, in relation to her position as Chair of the Board of both Healthwatch Kirklees and Investors in Carers.

99 Early Intervention and Prevention in Children and Young People's Services

Sue Richards, Assistant Director for Early Intervention and Prevention (EIP) and Kathryn Loftus, Head of Change (EIP) provided the Overview and Scrutiny

Management Committee (OSMC) with a presentation that set out progress towards the development and implementation of Early Intervention and Prevention strategies.

Sue Richards advised the Committee that EIP had initially started because of the financial situation of the Council but that as the programme had developed, it had become about maintaining independence amongst service users and their families.

Sue Richards advised that the Council had initially worked alongside ImPower, a consultancy firm, to assist in identifying what would make a difference and 3 key priorities had emerged:

Priority 1:

Reduce the demand on acute and specialist services

Priority 2:

Understand the emerging needs and trends of those people with multiple vulnerabilities in order to predict and model service design

Priority 3:

Develop Integrated Area Early Help Hubs that deliver multi agency services and interventions that lead to increased resilience and reduction in the number of 'troubled families'

The Committee was advised that EIP was not just based on the needs of the Council and that the programme had been established to develop a system wide approach. A number of recommendations were received from ImPower, with 4 being identified as critical to the success of the programme:

Area based working

The work would take place on a locality basis, with flexibility built in to avoid services being inaccessible to communities choosing to work outside of the boundaries of the locality areas.

Relationship based working e.g. keyworker

Longer term relationships would be established with service users to assist in navigating the system, without creating a dependence on a particular service.

All Age Disability Service

A requirement to consider the future needs of children as they develop into adults.

Create a central, accountable commissioning function. The function would be responsible for the budget, performance, and investment decisions, and able to gather insight and redeploy investments according to social need.

Sue Richards advised that the current approach led service users to identify how difficult things were and that the aim was to change the approach to enable users to explain what would make a difference to the situation. To enable this to happen, three key offers had been identified:

Community

The Community and Community Plus Offers are about locally based provision of information and advice and help to access community based support in order to prevent and reduce the need for people to access the social care system and services.

Targeted

The targeted offer supports children, young people and families with multiple vulnerabilities where there has been limited progress towards desired outcomes.

Complex

The Complex Offer in the new operating model will be for children, young people, adults and families, who due to their health, disability, behaviour or family environment need specialist or statutory assessment and/or intervention, such as those requiring safeguarding, being looked after, support for children and adults with complex disabilities.

The Committee was advised that 4 high level outcomes for the EIP programme had been identified and that the overall aim of these outcomes was to assist in identifying the role of the Council when assisting communities to become more resilient. Specific outcomes for children, young people and families had also been identified, to assist the Council in understanding and communicating what changes will make a difference.

Councillor Carole Pattison questioned whether there was a risk of overcomplicating the process. Sue Richards gave assurance that service users would be supported throughout the system.

The presentation moved on to explain that the delivery of early help would be through area based working and that all areas were not the same and approaches may require adapting to meet the needs of the individual areas. The area based working would be initiated through Early Help hubs that will provide 'early help' to vulnerable families and adults across Kirklees. It was explained they will also better co-ordinate public and partner services and that space will be flexible to support agile working and facilitate effective multi agency work.

Kathryn Loftus advised that each Hub will hold operational oversight, manage and coordinate the functions that deliver EIP, focusing on problems and issues through case work allocation.

A diagram was displayed that explained the refined threshold of need, illustrating at what level the Integrated Area Hubs would work. It also demonstrated the EIP offer and that targeted work would be undertaken at the top end of level 2 as those with the highest need below the statutory threshold for social care, would be able to access support from an early help hub.

Kathryn also advised that the service would be working with schools to establish schools as community hubs. She explained that work would need to take place to define the interface between the emerging models of school hubs and early help

hubs, to avoid duplication. It was explained that the learning identified through the community hubs would influence the EIP and vice versa.

The presentation concluded with explanations regarding the next steps of the process and indicative timescales being issued:

Member engagement & involvement – ongoing

Defining where pockets of EIP need is through a robust Needs Analysis (end of April)

Confirming the outcomes for CHYPS for 2017/2018 – working closely with DCS (end of April)

Defining the roles and functions of new model for 2017/18 implementation (end of May)

Influencing the shape of the new healthy child integrated commissioning programme (for May)

Finalising the new safeguarding threshold (May/June)

Working with schools as community hubs to define the interface between the emerging models and to test out commissioning (operational in Sept 16)

The Chair invited Members of the Committee to seek clarification on areas covered within the presentation.

Councillor Carole Pattison highlighted the potential confusion in using the word 'hub' and also sought clarification on the use of school as community hubs, when ward areas had been identified as being too small. Cllr Hill advised that was a lot of work to be undertaken to enable different services to work together in a successful way and that approaches had to be tested out to develop the correct way of working. The potential confusion had been identified and consideration to other names was being given.

Councillor Smaje explained that she was under the impression that a lot of what was contained within the presentation was already being undertaken. Sue Richards advised that the service had access to a large amount of data and would seek to adapt this data into relevant intelligence.

Councillor David Hall sought clarification on how local people would have the opportunity to shape the process. Sue Richards explained that when a definition of what an area looks like has been arrived at, officers would need to speak with the community.

Councillor Smaje questioned how the service proposed to integrate children and adults. Sue explained that the service did not have all the answers at the current time but that the aim was to have people coming together, across the system, working within wider roles for the best interests of the whole family. Councillor Hill added that there was a requirement to reduce the number of people who work with a single family.

Councillor Stewart-Turner questioned how families would know where to look for support. Sue explained that the whole idea of the 'local' offer was to assist with this by having an identifiable centre of advice and information. Councillor Hill added that

the offer also needed to be flexible enough for those that did not wish to seek advice in their local area.

Councillor Stewart-Turner asked a final question regarding the recommendations from ImPower and questioned why there were no recommendations to remove some services. Sue explained that they would not be considering removing any processes until they were confident the new processes were embedded and working successfully.

RESOLVED -

(1) That Councillor Erin Hill, Cabinet Portfolio Holder, Sue Richards, Assistant Director for Early Intervention and Prevention and Kathryn Loftus, Head of Change be thanked for attending the meeting.

(2) That the introductory presentation on the Early Intervention and Prevent work within the Children and Young People's Service be received and noted.

100

Learning Landscape in Kirklees

Gill Ellis, Assistant Director for Learning and Skills and Liz Singleton, Deputy Assistant Director provided the Overview and Scrutiny Management Committee (OSMC) with a presentation on the learning landscape within Kirklees.

Gill explained that there was an example of every type of school within Kirklees. She advised that there was a much higher proportion of First and Infant schools in Kirklees than anywhere else in Yorkshire and Humber (33 in Kirklees). Two large middle schools meant higher mobility figures for upper Key Stage 2 (KS2). There was also higher than average Black and Minority Ethnic (BME) and English as an Additional Language (EAL) in younger age groups.

Gill explained that the landscape was constantly changing, with younger cohorts being much larger than older ones and more likely to contain EAL and Pupil Premium. She advised that 3000 pupils leave Kirklees for schools elsewhere and 1000 come into Kirklees. She also advised that figures for conversion to Academies in Kirklees were low.

Councillor Burke asked if there was any research undertaken to find out why the children leave. Gill advised that anecdotal evidence suggested it was due to geography of the area or strong marketing of schools over the borders.

Councillor Stewart-Turner asked how the Council was involved with governance arrangements for Academies. Gill explained that the Council offer partnership services to the Academies and also encourage them to offer the Council a place on their Board.

Councillor Stewart-Turner questioned who was involved in the new Education Health Care plans (EHC) and asked for an explanation on the term 'graduated approach'. Gill advised that the principle of an EHC is that Education Officers work closely with Health Officers. She went on to explain that graduated approach related to the funding changes that had occurred as a result of the Health Act.

Liz Singleton moved on to explain the statistics in relation to Kirklees' performance within schools in comparison to national benchmarking. She advised that Kirklees encountered a dip in statistics meeting the national average in Key Stage 2 but that this gap narrowed by the time the children reached Key Stage 4. She explained this could be a result of the extra children being received in primary schools, along with the increase in BME and EAL.

Liz went on to explain that GCSE results dipped drastically across the country over the last 2 years; this was due to a change in performance criteria, including a number of vocational qualifications being removed from the programme. She explained however, that despite the dip, Kirklees had maintained its performance above the national average.

Councillor Burke asked how the Good Level of Development figures were identified. Liz explained it was through teacher assessments on 'school readiness' and agreed to provide additional information.

Liz went on to explain some of the challenges the Council faced in the future, including the issues faced by the special schools in the area. The co-location of 2 special schools would serve to alleviate some of the issues and improve the facilities provided.

Fatima Khan-Shah explained it was known that EHC plans were difficult to put in place and questioned how schools would be supported. Gill explained that the Council aimed to be much more pro-active in this area through support being provided earlier in the process.

Fatima also advised that EAL issues were linked to integration in communities early in the child's life and advised that changes to this would require time and resources. Gill advised that School Community Hubs would serve as facilitators for this type of work and explained that schools were already using 15-20% of their budgets on this type of work.

Councillor Stewart-Turner highlighted that the presentation indicated that some schools were not meeting the required standards. Gill explained that any schools not meeting the required standards, or schools at risk of falling into this category were reviewed by the Schools in Focus Team. Support to improve the standards at the schools would be agreed and worked through by the Head Teachers and Governors.

Councillor Stewart-Turner questioned whether parents could do more to assist in this area and what support was provided to parents. Gill Ellis also explained that there was support available for parents, both locally and nationally. Liz also added that the Council constantly challenges schools on the ways in which they interact with parents.

RESOLVED -

(1) That Gill Ellis, Assistant Director Learning and Skills and Liz Singleton, Deputy Assistant Director be thanked for their informative presentation on the Learning Landscape within Kirklees.

(2) That the information regarding educational attainment and targeted action be received and noted.

101 Health and Social Care Work Programme Update

Councillor Liz Smaje, Lead Member for the Health and Social Care Scrutiny Panel attended the Committee meeting to provide an update on the work of the Health and Social Care Scrutiny Panel. To support the discussion a copy of the Health and Social Care Scrutiny Panel Work Programme had been circulated with the agenda.

Councillor Smaje took the Management Committee through the work programme and highlighted the progress made on a number of issues, including:

- * Mental Health Services – A focus on Performance – The terms of reference were agreed and the first meeting of the Ad-Hoc Panel would take place in April 2016.
- * Scrutiny of Tuberculosis in Kirklees Council – An update was scheduled to be provided to the Management Committee at their next meeting
- * An update on the Joint Health Scrutiny work including the current position regarding the Right Care, Right Time, Right Place programme in Calderdale and Kirklees Council

RESOLVED -

(1) That Councillor Liz Smaje and Richard Dunne be thanked for attending the meeting.

(2) That the update on the work of the Health and Social Care Scrutiny Panel be received and noted.

102 Monitoring of Previous Scrutiny Recommendations

The Management Committee considered a report that set out recommendations that had been made to Cabinet, or partners over the last two municipal years, prior to 2015/16.

The Management Committee noted that the majority of recommendations within the report were the result of Task Group reports that had been considered in previous years and that these recommendations were either scheduled for follow up or complete.

In relation to the Flood Risk Management Strategy, the Committee identified that a follow up meeting was required and that this would be scheduled into the 2016-17 work programme.

RESOLVED - That the position regarding the implementation of agreed Scrutiny recommendations be noted.

103 Date of Next Meeting and Forward Agenda Plan

The Management Committee considered arrangements for its next meeting and its forward agenda plan.

Overview and Scrutiny Management Committee - 4 April 2016

RESOLVED -

- (1) That an additional meeting of the Committee be held on Monday 11 April 2016 at 10.30am in Civic Centre 3, Huddersfield.
- (2) That the next meeting of the Management Committee be held on Monday 25 April 2016 at 9.30am.
- (3) That the position regarding Ad Hoc Scrutiny Panels be noted.
- (4) That the outstanding issues on the Panel Work Programme be noted.

Contact Officer: Penny Bunker

KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Monday 11th April 2016

Present: Councillor Julie Stewart-Turner (Chair)
Councillor Cahal Burke
Councillor David Hall
Councillor Carole Pattison

In attendance: Cllr Erin Hill – Cabinet Portfolio Holder
Adrian Lythgo, Chief Executive
Sarah Callaghan, Director of Children and Young People Services
Carl Whistlecraft – Head of Governance and Democratic Services

104 Membership of Committee

All Members were present at the meeting.

105 Interests

No interests were declared.

106 Request to Establish Ad Hoc Scrutiny Panel

The Overview and Scrutiny Management Committee received information from Councillor Hill and Adrian Lythgo in respect of work taking place to consider and progress issues related to Children's Services. This has involved the creation of a Children's Development Board which will focus on the following areas of priority:

- * The provision of high quality services.
- * Improving practice standards
- * Performance management and intelligence

A copy of the Board's terms of reference was shared with Management Committee. Adrian Lythgo explained the benefits of ensuring a robust and transparent approach and the importance of Overview and Scrutiny being effectively involved in the work as it develops. Management Committee received information on the areas that could form the areas of focus as part of the Overview and Scrutiny role and the wider governance arrangements.

In consideration of the information Management Committee acknowledged the need for effective Overview and Scrutiny arrangements to be put in place. This should involve:

Overview and Scrutiny Management Committee - 11 April 2016

- * Consideration of the developing work programme of the Children's Development Board;
- * Challenging the work of the Board and contributing ideas;
- * Assisting the portfolio holders for Children's Services in providing councillor input into the Board's work programme;
- * Considering the synergies with the Early Intervention and Prevention (EIP) approach.

RESOLVED –

(1) That an Ad Hoc Panel be established on a 1:1:1:1 ratio, comprised of members with experience of children's services issues.

(2) That nominees for the Ad Hoc Panel be sought from Group Business Managers.

107

Date of Next Meeting

Agreed that the next meeting be held on 25 April 2016.

Contact Officer: Penny Bunker

KIRKLEES COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Monday 25th April 2016

Present: Councillor Julie Stewart-Turner (Chair)
Councillor David Hall
Councillor Carole Pattison

Apologies: Councillor Cahal Burke

In attendance: Councillor Smaje, Chair of the Health and Social Care Scrutiny Panel
Richard Dunne, Principal Governance and Democratic Engagement Officer
Councillor McBride, Cabinet Member for Transportation, Skills, Jobs and Regional Affairs
Andrew Jackson, Principal Project Manager
Penny Bunker, Governance and Democratic Engagement Manager
Alaina McGlade, Governance and Democratic Engagement Officer

108 Membership of Committee

Apologies for absence were received on behalf of Councillor Burke.

109 Minutes of Previous Meetings

That the Minutes of the meetings of the Committee held on 4 and 11 April 2016 be approved as a correct record.

110 Interests

No interests were declared.

111 Work Programme

The Committee noted that the work programme for 2015/16 was now complete. A table was presented to them to assist in identifying which areas of the work programme were required to be rolled forward for completion or follow up during the 2016/17 municipal year.

Councillor Pattison advised that she would like to add a further 2 items for consideration for the 2016/17 work programme; Highways Funding and Waste Management Contract Renewal and Strategy.

Councillor D Hall also suggested overseeing the process of the Local Plan, including the effectiveness of consultation for the 2016/17 work programme.

RESOLVED - That the items as listed within the agenda, along with the additional items mentioned above be rolled forward for consideration for the 2016/17 work programme.

112 Update on Joint Health Overview and Scrutiny Committees

Councillor Smaje, Lead Member for the Health and Social Care Scrutiny Panel attended the Committee, seeking agreement for the re-establishment of Kirklees Council's involvement in Joint Health Scrutiny Committees (JHSC's) to take place at the meeting of OSMC that is scheduled to follow the Annual Council meeting on 25 May 2016.

Councillor Smaje explained that the timescale in which the Calderdale and Kirklees JHSC will be required to respond to the consultation was challenging and that it was therefore imperative that the JHSC is able to accommodate any changes to its membership and continue with its work as early as possible in the new municipal year. Due to the volume of work currently being undertaken by the JHSC's, a minimal time delay in formally appointing representatives to the JHSC's would therefore be of great benefit.

RESOLVED -

(1) That Councillor Smaje be thanked for attending the meeting and providing an update on the work of the Health and Social Care Scrutiny Panel.

(2) That the Overview and Scrutiny Management Committee agrees to the reestablishment of the JHSC's as part of the Annual Meeting process.

(3) That the Overview and Scrutiny Management Committee agrees that the political proportionality rules should continue to be waived in respect of Kirklees membership on the three statutory JHSC's.

(4) That thanks be conveyed to all members of the JHSC's for the hard work and dedication they have shown towards the work of the Panel during what has been an extremely busy year.

113 Town Centre Strategy Update

Councillor McBride, Cabinet Member for Transportation, Skills, Jobs and Regional Affairs and Andrew Jackson, Principal Project Manager attended the Committee to provide an update on the progress made against the action plan for the Town Centre Strategy.

Councillor McBride advised that the strategies for both Dewsbury and Huddersfield Town Centre differed. He explained that Section 106 money would be used to develop Dewsbury Town Centre, with various consultations being undertaken with partners regarding ways to increase the footfall within the Town Centre. Councillor McBride advised that some of the Section 106 money would be used to contribute to transport infrastructure in the area, such as a relief road. He explained that

negotiations were currently taking place regarding transport link routes that were of strategic importance to Dewsbury.

Councillor McBride also advised that additional college provision within the Town Centre was also under consideration. He advised that this could potentially create a total provision within Dewsbury in regards to both sixth form and vocational training.

Councillor McBride moved on to explain that there were 2 key initiatives for Huddersfield Town Centre; improving connectivity and links with the University. He advised that meetings were ongoing with Network Rail regarding options for a new platform and second entrance to the station.

The report presented to the committee identified that people no longer visit town centres purely for retail purposes alone and that one of the future aspirations for town centres was to meet the needs of the modern market. It was advised that the detail of any strategies would be very dependent on partners and that partnerships were the way forward for developing vibrant town centres. One such area for potential discussion with partners was the future of museums and galleries.

Councillor D Hall asked for clarification on how bold and radical the Council could be when redesigning the town centres. Councillor McBride advised that money was a limitation but explained that any capital money available would go into the regeneration of the town centres. He advised that one of the strengths of Huddersfield was the access to the town centre provided by the ring road, but that this also acted as a moat when attempting to cross on foot. It was advised that the council were already in discussions regarding this but that the impact on traffic was a major consideration.

RESOLVED - That Councillor Peter McBride and Andrew Jackson be thanked for attending the meeting and providing an update on the Town Centre Strategy.

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Contact Officer: Steve Copley

KIRKLEES COUNCIL
PERSONNEL COMMITTEE

Tuesday 19th January 2016

Present: Councillor David Sheard (Chair)
Councillor Jean Calvert (Chair)
Councillor Robert Light
Councillor Shabir Pandor
Councillor Graham Turner
Councillor Andrew Marchington

Apologies: Councillor David Hall
Councillor Peter McBride
Councillor Nicola Turner

In attendance: None

1 Membership of the Committee

Apologies for absence noted on behalf of Councillors David Hall, Peter McBride and Nicola Turner

Cllr Andrew Marchington substituted for Cllr Nicola Turner.

Cllr David Sheard was late arriving at today's meeting. Therefore, Cllr Jean Calvert took the chair for items 1-6.

2 Minutes of Previous Meeting

The Minutes of the Personnel Committee meeting on 22 September 2015 were approved.

3 Interests

No interests were declared.

4 Admission of the Public

Members resolved to consider items 9 and 10 in private session, as they contain exempt information. The details and reasons are set out at the start of each item.

5 Deputation/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were submitted.

7 Kirklees Council and work with the North Kirklees Clinical Commissioning Group (CCG)

Following on from a report at the Personnel Committee on 22 September 2015, Adrian Lythgo explained that the current Accountable Officer for North Kirklees CCG has announced that she will retire at the end of March 2016.

In considering the arrangements for her replacement, NKCCG is working with its members to consider options for the future. As part of this work, a number of interviews have taken place within the CCG and with external stakeholders. This work is pointing to (a) the CCG putting in place some short term arrangements to create time whilst it considers longer term options in light of the changing national context and (b) the value of working in the future with other local organisations to further join up the local system leadership.

The work is currently concluding and will be reported to a meeting of NKCCG Governing Body on 20th January 2016 which will also consider the feedback from member practices, external stakeholders and NHS England and take a decision about the appointment process for the Accountable Officer.

Adrian Lythgo explained that, as the scope of the joint working becomes clearer, the Council and local healthcare organisations should consider the opportunities, if and when they arise, for roles that undertake activity on behalf of more than one organisation

Members of the Personnel Committee were asked to note this progress report.

RESOLVED - Members of the Personnel Committee resolved to note this progress report.

8 Exclusion of the Public

The Personnel Committee agreed to exclude the public at this point, to consider items 9 and 10 in private session.

9 Succession Planning, Managing Change and Senior Officer Structure

(Exempt information relating to particular employees. The public interest in maintaining the exemption, which would protect the rights of the individual under the Data Protection Act 1988, outweighs the public interest in disclosing the information and providing greater openness in the Council's decision making)

Further to the Personnel Committee on 22 September 2015, Adrian Lythgo presented a report which outlined the background to a recommendation to create a role, rather than a formal post, for a Deputy Chief Executive

In summary, the report explained that the principle purpose of the designation of Deputy Chief Executive would be to bring consistency and clarity to officer leadership arrangements in support of the Chief Executive. The key components of the role would be:

- To exercise the Chief Executive's delegation on urgent decision making in his absence;

- To represent the Council at regional and sub-regional meetings, particularly those also involving the Leader of the Council, in the Chief Executive's absence;
- To provide a clear point of reference for councillors in the absence of the Chief Executive;
- To lead on specific items of business as delegated by the Chief Executive from time to time.

Members of the Personnel Committee discussed the background and merits associated with the proposal.

RESOLVED -

(1) To approve the Chief Executive's recommendation to create the designation and role of Deputy Chief Executive, as a role rather than a post.

(2) To acknowledge that the role description should not impact significantly on the job descriptions of other Directors or the Chief Executive but should focus on exercising the executive authority of the Chief Executive in agreed circumstances. It was also agreed that the role should not be remunerated in addition to the existing salary of the Director appointed to the role.

(3) That all Directors should be invited to consider applying for the role by setting out what they believe they would gain from holding the role and how they could most effectively carry it out in support of the Chief Executive and the Council. The Chief Executive will also speak to the new Director of Children's Services about the proposal described within today's report.

(4) That a councillor interview panel, based on a membership and ratio of 2.1.1, should be established to consider expressions of interest and to conduct interviews.

(5) That the Chief Executive be asked to review the success of these arrangements by March 2017.

10 Update on Human Resources and Industrial Relations and Trade Union Relationships in the New Council

(Exempt information relating to consultations or negotiations, or contemplated consultations and negotiations, in connection with a labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority. The need to maintain confidentiality around negotiations with the trade unions outweighs the public interest in disclosing the information)

Further to the Personnel Committee on 22 September 2015, the Committee received a verbal update from Jacqui Gedman, Director for Place, Ruth Redfern, Director for Communities, Transformation and Change, and Rosemary Gibson, Head of Human Resources, on the progress being made in terms of the discussions and work with the trade unions in dealing with the review of services following on from the completion and acceptance of the collective agreement and memorandum of understanding by the management and trade union sides in 2014/15.

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Today's discussion focused, in particular, on:-

- The important role of the trade unions and the need for good trade union representation in the council
- The need to modernise some of the existing working arrangements in 2016.
- The need to introduce appropriate management support for those council employees who are trade union representatives, where this involves all of their contractual hours
- The costs and time involved in providing "time off" for trade union representatives to undertake duties.

RESOLVED -

(1) Officers to pursue the following issues in order to provide a report back to the Personnel Committee in March 2016:-

- The costs and time involved in providing "time off" for trade union representatives to undertake their duties, and recommendations on what is appropriate and legitimate for 2016/17
- Information on the ratio(s) which the trade unions are using to provide representation for their trade union memberships in Kirklees, and recommendations on what the appropriate ratio(s) should be for 2016/17
- The management support for those council employees who are trade union representatives in Kirklees in 2016/17, where this involves all of their contractual hours

(2) Communications between the management side (councillors and officers) and representatives of the trade unions will involve the use of e-mail from 1 February 2016.

Contact Officer: Steve Copley

KIRKLEES COUNCIL

PERSONNEL COMMITTEE

Thursday 14th April 2016

Present: Councillor David Sheard (Chair)
Councillor Robert Light
Councillor Peter McBride
Councillor Shabir Pandor
Councillor Graham Turner
Councillor Nicola Turner

Apologies: Councillor Jean Calvert
Councillor David Hall

Observers: None

1 Membership of the Committee

Apologies for absence were noted on behalf of Councillors Jean Calvert and David Hall

2 Minutes of Previous Meeting

The Minutes of the Personnel Committee meeting on 19 January 2016 were approved

3 Interests

No interests were declared

4 Admission of the Public

Members resolved to consider items 7, 8 and 9 in private session, as they contain exempt information. The details and reasons are set out at the start of each item.

5 Deputation/Petitions

No deputations or petitions were received.

6 Exclusion of the Public

RESOLVED - That acting under Section 100(A)(4) of the Local Government Act, 1972, the public be excluded from the meeting for the following items 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, as specifically stated in the under mentioned minutes.

7 Kirklees Council and work with the North Kirklees Clinical Commissioning Group (CCG)

(Exempt information relating to particular employees. The public interest in maintaining the exemption, which would protect the rights of the individual under the Data Protection Act 1988, outweighs the public interest in disclosing the information and providing greater openness in the council's decision making)

Following a report at the Personnel Committee on 19 January 2016, Adrian Lythgo provided a report which explained the arrangements, including the terms and conditions of employment, surrounding the appointment of Richard Parry, Director of Commissioning, Public Health and Social Care, to the role of Accountable Officer for the North Kirklees Clinical Commissioning Group from 1 April 2016.

Adrian Lythgo answered members questions on the steps that will be taken to allow Richard Parry to carry out the duties associated with both posts in 2016/17.

RESOLVED – That the Committee notes and welcomes the temporary joint arrangement with the North Kirklees CCG to appoint Richard Parry as its Accountable Officer, and approves the terms and conditions of employment as described within today's report.

8 Succession Planning and Managing Change

(Exempt information relating to consultations or negotiations, or contemplated consultations and negotiations, in connection with a labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority. The need to maintain confidentiality around negotiations with the trade unions outweighs the public interest in disclosing the information)

Following a report at the Personnel Committee on 19 January 2016, Adrian Lythgo and Rosemary Gibson provided a report on a suggested approach to deal with the management of voluntary redundancy and access to pension entitlements in 2016/17, whilst at the same time having regard to the skills needed for new council and an obligation to mitigate redundancies.

The report focused, in particular, on a series of changes which the government is consulting on and hoping to introduce from 1 April 2016 onwards, to tighten up the rules on exit payments and access to pensions for all employees working within the public sector. News of these proposals is also being discussed with the trade unions.

RESOLVED – That the Committee:-

(1). Note and support the work on these issues that will apply to the whole of the council and supports the approach described within the report

(2). Authorise the Chief Executive to progress cases involving any Director and Assistant Director level posts. News of any decisions involving these posts to be reported back to the Personnel Committee for information.

(3). Request the Chief Executive and Head of Human Resources to make representations to central government about the potential changes regarding the recovery of exit payments for those earning £80k or more who return to work within the public sector within 12 months of receiving an exit package. Members felt that this proposal would be difficult to implement and would also limit the ability of local authorities to recruit and draw upon the experience and skills of employees who, having been made redundant, may be seeking a new job or role with a council.

9 Update on Human Resources and Industrial Relations and Trade Union Relationships in the New Council

(Exempt information relating to consultations or negotiations, or contemplated consultations and negotiations, in connection with a labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority. The need to maintain confidentiality around negotiations with the trade unions outweighs the public interest in disclosing the information)

Further to the Personnel Committee on 19 January 2016, the Committee received a verbal update from Rosemary Gibson, Head of Human Resources, on the progress being made in the discussions with the trade unions to try to develop the working arrangements between the management and trade unions in 2016/17.

Rosemary Gibson explained that:-

- Meetings have taken place with representatives of the GMB, UNISON and UNITE unions
- A set of principles on the way forward have been agreed
- Time off for trade union representatives will be based on a new ratio of 1:1000 trade union members
- Further work is being undertaken to clarify how much time off should be allowed, and how this can be managed and used. However, there will be some flexibility in these arrangements to deal with busy and peak periods of activity. Quarterly monitoring reports will also have to be provided on how much time has been taken and used.
- Management support will be provided for those council employees who are trade union representatives, where this involves all of their contractual hours
- Kirklees UNISON will have an e-mail address, which will be available for use from April 2016 onwards.

RESOLVED: - That the Committee:-

(1). Note the progress report and supports the work that is being undertaken to develop the working arrangements between the management and trade unions in 2016/17

Personnel Committee - 14 April 2016

(2). Ask the Head of Human Resources to provide members of the committee with a breakdown on the number of employees employed by the Council in 2016/17, the current memberships of the GMB, UNISON and UNITE unions and how these numbers may begin to change from April 2016 onwards.

Contact Officer: Steve Copley

KIRKLEES COUNCIL

POLICY COMMITTEE

Monday 7th March 2016

Present: Councillor Carole Pattison (Chair)
Councillor Andrew Cooper
Councillor David Hall
Councillor Robert Light
Councillor Andrew Marchington
Councillor Marielle O'Neill
Councillor Sheikh Ullah

Apologies: Councillor Eric Firth
Councillor Naheed Mather
Councillor Andrew Palfreeman
Councillor Nicola Turner

1 Membership of the Committee

Apologies for absence noted on behalf of Cllrs Eric Firth, Naheed Mather, Andrew Palfreeman and Nicola Turner.

2 Minutes of Previous Meeting

The Minutes of the Policy Committee meeting on 15 February 2016 were approved

3 Interests

No interests were declared.

4 Admission of the Public

The meeting was held in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No questions were submitted.

7 Member Question Time

No questions were submitted.

8 Policy Committee - Programme of Work for 2015/2016

Following on from the Policy Committee on 15 February 2016, Members considered a report which summarised the stage reached with the work of the informal task and finish groups. These groups are considering the following topics:-

- (i). Equality and diversity (See item 9 below)
- (ii). Working with schools and their roles as hubs in the local communities
- (iii). Passive housing
- (iv). Sustainable communities

Cllrs Pattison and Cooper also provided verbal updates on the progress made in the most recent meetings of the task and finish groups on (ii) and (iii) above, and explained that the work on some draft policy statements should be ready by the end of March 2016, and available for discussion at the next Policy Committee meeting in April 2016.

Members of the Policy Committee went on to discuss cancelling the Policy Committee meetings on 4 and 25 April 2016, and replacing these with one new meeting in mid-April 2016, to allow members to consider the work on these draft policy statements and then prepare formal reports to present to Cabinet and/or Council in the new municipal year.

RESOLVED - Members of the Policy Committee agreed

(1) The progress report be received and noted

(2) Plans to hold Policy Committee meetings on 4 and 25 April 2016 be cancelled, and replaced with a new date for one meeting in mid-April 2016 (The Governance Team will consult members of the Committee about the date for the new meeting)

9 Equality and Diversity in Kirklees

Cllr Marielle O'Neill and David Bundy, Corporate Policy Officer, presented a formal report to seek the approval of the Policy Committee to the work undertaken to prepare a new "Inclusion and diversity policy statement for 2016/17", along with a recommendation that a decision on the adoption of the policy statement be referred to the Cabinet meeting (8 March) and the Council meeting (23 March 2016)

Members of the Committee discussed the work on the draft policy statement to-date, and agreed to:-

- Offer their support for the report and its recommendations to be referred to Cabinet, followed by Council

- Ask officers to consider how a decision on the policy statement will be applied, promoted and translated in to an implementation plan and strategy for the council in 2016/17

- Ask officers to consider how the progress with this work will be monitored in 2016/17, and shared with members

Policy Committee - 7 March 2016

Arising from today's discussion, officers also agreed to follow up on a question from Cllr Robert Light and provide more information for members of the committee on the make-up of the council's workforce in 2015/16, how this has changed in recent years and how this may change in light of the move towards New Council.

RESOLVED - Members of the Policy Committee agreed:-

(1) To support the work on the "Inclusion and diversity statement for 2016/17" and refer consideration of the item to Cabinet (8 March) and Council (23 March) for approval and adoption by the council.

(2) To ask officers to provide additional information direct to members of the committee about the make up of the council's workforce in 2015/16.

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Contact Officer: Steve Copley

KIRKLEES COUNCIL

POLICY COMMITTEE

Thursday 14th April 2016

Present: Councillor Carole Pattison (Chair)
Councillor Andrew Cooper
Councillor Naheed Mather
Councillor Nicola Turner
Councillor Sheikh Ullah

In attendance: None

1 Membership of the Committee

Apologies for absence noted on behalf of Cllrs Eric Firth, David Hall, Robert Light, Andrew Marchington, Marielle O'Neill and Andrew Palfreeman.

2 Minutes of Previous Meeting

The Minutes of the Policy Committee meeting on 7 March 2016 were approved.

John Heneghan, Head of Policy and Strategy, also provided an update on the steps which officers will take to implement the "Inclusion and diversity policy statement for 2016/17", which was approved by the Policy Committee, Cabinet and Council meetings in March 2016.

3 Interests

No interests were declared.

4 Admission of the Public

The meeting was held in public session.

5 Deputations/Petitions

No deputations or petitions were received.

6 Member Question Time

No questions were submitted.

7 Policy Committee - Programme of Work for 2015/2016

Following on from the Policy Committee on 7 March 2016, members considered a report which summarised the stage reached with the work of the following informal task and finish groups in 2015/16:-

Policy Committee - 14 April 2016

(i) Equality and diversity (Outcome reported to Cabinet (8 March) and Council (23 March))

(ii) Working with schools and their roles as hubs in the local communities (Chair - Cllr Carole Pattison)

(iii) Sustainable communities (Chair – Cllr Naheed Mather)

(iv) Passive housing (Chair – Cllr Andrew Cooper)

Cllrs Pattison, Mather and Cooper also provided updates on the work of their groups, which identified the stage reached in the preparation of each of the draft policy statements. The recommendations on each of these items, some of which are still work in progress, are summarised below.

Cllr Pattison, as Chair of the Policy Committee, also thanked members and officers for their work and their involvement in the task and finish group meetings in 2015/16. Members also expressed how much they had enjoyed the opportunities to meet and work together on an informal basis in these meetings.

RESOLVED – Members of the Policy Committee agreed that:-

(1) The progress report be received and noted

(2) The work of the task and finish groups, including their work on their draft policy statements, should progress, as follows:-

Working with schools and their roles as hubs in the local communities

The draft policy statement to be referred to Cabinet for consideration, as a draft and working document, following which it will be shared with each of the political groups. The outcome and the work on the final version of the policy statement will be reported back to Cabinet for approval. News of that decision will then be shared with Council.

Adrian Lythgo will also make arrangements to share news of the work on the draft policy statement with all councillors and their political groups in May 2016

Sustainable communities

The draft policy statement to be referred to Cabinet for consideration as a draft and working document, following which it should be released for public consultation and development via the District Committee meetings in 2016/17. The outcome and the work on the final version of the policy statement will be reported back to Cabinet for approval. News of that decision will then be shared with Council.

Passive housing

Members and officers to complete a draft policy statement following their final task and finish group meeting in April 2016, so that this can be shared with members of the Policy Committee.

The draft policy statement should also be referred to the Cabinet for consideration and receipt at this stage, as it will need to be considered again alongside the work on the Local Plan in 2016/17.

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Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 10th March 2016

Present: Councillor Steve Hall (Chair)
Councillor Donna Bellamy
Councillor Donald Firth
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Terry Lyons
Councillor Graham Turner

- 1 Membership of the Committee**
All Committee Members were present.
- 2 Minutes of the Previous Meeting**
Approved as a correct record.
- 3 Interests and Lobbying**
Councillor Bellamy declared an 'other' interest in application 2015/93824 on the grounds that she is a member of Holme Valley Parish Council.
- 4 Admission of the Public**
It was noted that exempt information had been submitted in relation to Application 2015/93824.
- 5 Deputations/Petitions**
No deputations or petitions were received.
- 6 Public Question Time**
No questions were asked.
- 7 Site Visit - Application 2016/90137**
Site visit undertaken.
- 8 Site Visit - Application 2015/93824**
Site visit undertaken.

9 Planning Applications

The Committee considered the schedule of Planning Applications. Under the provisions of Council Procedure Rule 37, the Committee heard representations from members of the public in respect of the following applications;

- (a) Application 2016/90137 – Planned demolition for erection of food store, formation of car parking and associated access, serving and landscaping, and outlined permission for erection of family pub/restaurant (within a Conservation area) at land at Cemetery Road/Mayman Lane, Batley – Shaun McGrath (applicant)
- (b) Application 2015/93824 – Outline application for erection of 56 dwellings and care home with associated car parking at Former Midlothian Garage, New Mill Road, Holmfirth – Rob Cooke (applicant) and Catherine Topliss (on behalf of the applicant)

Under the provisions of Council Procedure Rule 36(1) the Committee received a representation from Councillor K Sims in relation to Application 2015/93824.

RESOLVED - That the Applications under the Planning Act included in the list submitted for consideration by the Committee be determined as now indicated and that the schedule of decisions be circulated to Members.

10 Exclusion of the Public
Determined.

11 Application 2015/93824

The Committee noted the exempt information submitted in relation to Application 2015/93824 prior to the consideration of this item.

Contact Officer: Andrea Woodside

KIRKLEES COUNCIL

STRATEGIC PLANNING COMMITTEE

Thursday 19th May 2016

Present: Councillor Steve Hall (Chair)
Councillor Donna Bellamy
Councillor Donald Firth
Councillor Carole Pattison
Councillor Andrew Pinnock
Councillor Graham Turner

Apologies: Councillor Terry Lyons

1 Membership of the Committee

Apologies for absence were received on behalf of Councillor Lyons.

2 Minutes of the Previous Meeting

RESOLVED – That the minutes of the Committee held on 10 March 2016 be approved as a correct record

3 Interests and Lobbying

Councillors G Turner, A Pinnock, Bellamy and D Firth advised that they had been lobbied on Application 2015/93803.

Councillors Pattison and G Turner advised that they had been lobbied on Application 2015/93898.

Councillors Bellamy and D Firth declared an 'other' interest in Application 2015/93803 on the grounds that they are members of Holme Valley Parish Council.

4 Admission of the Public

Determined.

5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No deputations or petitions were received.

7 Site Visit - Application 2016/90482

Site Visit Undertaken.

8 **Site Visit - Application 2015/94112**
Site Visit Undertaken.

9 **Site Visit - Application 2015/93827**
Site Visit Undertaken.

10 **Planning Applications**

The Committee considered the schedule of Planning Applications. Under the provisions of Council Procedure Rule 37, the Committee heard representations from members of the public in respect of the following applications;

(a) Application 2015/93803 – Change of use of land to form extension to area for camping and motorhome use at Holme Valley Camping and Caravan Park, Woodhead Road, Thongsbridge, Holmfirth – Ben Humphreys, Hazel Peaker and Naomi Humphreys (on behalf of the applicant)

(b) Application 2015/94112 – Demolition of all existing buildings and erection of class A1 food store with associated parking, access, servicing and landscaping at former works, Station Road, Mirfield – Chris Jones (applicant's agent)

(c) Application 2016/90482 – Formation of car park at Oakwell Business Centre, Dark Lane, Birstall, Batley – Tom Cook (applicant's agent)

(d) Application 2015/93827 – Demolition of existing buildings and erection of food retail unit (A1) with associated site works, parking, access and landscaping at former Kirklees College, Portland Street, Huddersfield – Frank O'Brien (on behalf of Huddersfield Civic Society) and Bill Davidson (applicant's agent)

RESOLVED - That the Applications under the Planning Act included in the list submitted for consideration by the Committee be determined as now indicated and that the schedule of decisions be circulated to Members.